

**BEFORE THE BOARD OF PHARMACY EXAMINERS
OF THE STATE OF IOWA**

Re:)	Case No. 2001-17525
Pharmacist License of)	
JOSEPH C. RASHID)	STATEMENT OF CHARGES
License No. 17525)	
Respondent)	

COMES NOW, the Complainant, Lloyd K. Jessen, and states:

1. He is the Executive Secretary/Director for the Iowa Board of Pharmacy Examiners and files this Statement of Charges solely in his official capacity.
2. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 155A and 272C (2001).
3. On October 10, 1990, the Board issued Respondent, Joseph C. Rashid, a license to engage in the practice of pharmacy by examination as evidenced by license number 17525, subject to the laws of the State of Iowa and the rules of the Board.
4. License number 17525 is current and active until June 30, 2002.
5. Respondent's current address is 3438 Hickory Hills Dr., Wever, Iowa 52658.
6. Respondent is currently self employed as the pharmacist in charge at Valu*Rite Drug, 2404 Avenue L, Fort Madison, Iowa, and has been employed as such during all times relevant to this statement of charges.

COUNT I

The Respondent is charged under Iowa Code §§ 124.308(3), 124.402(1)(a), 124.403 (1)(c), 155A.15(2)(c), 155A.15(2)(d), and 155A.12(1) (2001) and 657 Iowa Administrative Code §§ 6.2, 6.8, 36.1(4)(u) with failing to provide accountability for certain controlled substances.

COUNT II

The Respondent is charged under Iowa Code §§ 155A.12(1) and 155A.6(6), and 657 Iowa Administrative Code §§ 6.2(1)(f), 6.2(1)(k), 6.2(2), 22.4, and 22.19 with employing a pharmacy technician without a current, active Iowa technician registration.

THE CIRCUMSTANCES

1. On or about January 8, 2001, the Board received a notification from the Respondent regarding a prescription that had been falsified by one of the technician's employed by the pharmacy where the Respondent serves as pharmacist in charge.
2. The technician referred to in paragraph 1 was employed by the Respondent's pharmacy as a pharmacy technician around the time the events alleged in paragraph 1 occurred.
3. The technician's Iowa pharmacy technician registration had expired and was delinquent at the time the technician falsified the prescription referred to in paragraph 1.
4. During the Board's investigation of the complaint referred to in Paragraph 1, the Board conducted an audit of controlled substances at the Respondent's pharmacy.
5. The controlled drug audit revealed shortages of several controlled substances.

WHEREFORE, the Complainant prays that a hearing be held in this matter and that the Board take such action as it may deem to be appropriate under the law.


Lloyd K. Jessen
Executive Secretary/Director

On this 12th day of June, 2001, the Iowa Board of Pharmacy Examiners found probable cause to file this Statement of Charges and to order a hearing in this case.


Matthew C. Osterhaus, Chairperson
Iowa Board of Pharmacy Examiners
400 SW Eighth Street, Suite E
Des Moines, Iowa 50309-4688

cc: Shauna Russell Shields
Assistant Attorney General
Hoover State Office Building
Des Moines, Iowa 50319

**BEFORE THE BOARD OF PHARMACY EXAMINERS
OF THE STATE OF IOWA**

Re:) Pharmacist License of) JOSEPH C. RASHID) License No. 17527) Respondent)	Case No. 2001-17525 STIPULATION AND CONSENT ORDER
--	---

COME NOW the Iowa Board of Pharmacy Examiners (“the Board”) and Joseph C. Rashid, R.Ph. (“Respondent”) and, pursuant to Iowa Code §§ 17A.10 and 272C.3(4) (2001), enter into the following Stipulation and Consent Order settling the contested case currently on file.

The licensee disciplinary hearing pending before the Iowa Board of Pharmacy Examiners, on the allegations specified in the Statement of Charges filed against the Respondent on June 12, 2001, shall be resolved without proceeding to hearing, as the parties have agreed to the following Stipulation and Consent Order:

1. That the Respondent was issued a license to practice pharmacy in Iowa on October 10, 1990 by examination as evidenced by Pharmacist License Number 17527, which is recorded in the permanent records of the Iowa Board of Pharmacy Examiners.
2. That Iowa Pharmacist License Number 17527, issued to and held by the Respondent is active and current until June 30, 2002.

3. The Respondent is currently self employed as the pharmacist in charge at Valu*Rite Drug, 2040 Avenue L, Fort Madison, Iowa, and has been employed as such during all times relevant to this case.
4. A Statement of Charges was filed against the Respondent on June 12, 2001.
5. That the Iowa Board of Pharmacy Examiners has jurisdiction over the parties and the subject matter herein.
6. This Stipulation and Consent Order is entered into in order to resolve disputed claims and constitutes no admission on the part of the Respondent.
7. The Respondent agrees to accept a citation and warning for the alleged violation set forth in the Statement of Charges.
8. Within sixty (60) days of the date of approval of this Stipulation and Consent Order by the Board, the Respondent will provide his *typewritten* policies and procedures for the following: (a) dispensing controlled substances, (b) maintaining security of controlled substances, (c) controlled substances record keeping, and (d) employment and registration of pharmacy technicians. The typewritten policies and procedures shall relate to Respondent's practice of pharmacy in his current work setting. Following review and approval by the Board, the Respondent agrees to adopt, implement, and adhere to these policies and procedures whenever engaging in the practice of pharmacy.
9. Within six (6) months of the date of approval of this Stipulation and Consent Order by the Board, the Respondent shall complete the following continuing pharmacy education (CPE) courses: (1) DEA Handling Requirements for

Community Pharmacies (1.0 hours) -- ACPE #406-999-00-038-H03, (2) DEA Dispensing Requirements for Community Pharmacies (1.0 hours) -- ACPE #406-999-00-039-H03, and (3) DEA Reporting, Enforcement and Audits (1.0 hours) -- ACPE #406-999-00-040-H03. Each of these CPE courses is provided by *Community Pharmacist* and may be obtained by writing the CE Editor of the *Community Pharmacist*, 5285 West Louisiana Ave., Lakewood, Colorado 80232-5976 or from the July/August 2000 edition of *Community Pharmacist*.

Documentation of satisfactory completion of the education shall be submitted to the Board. This education is in addition to the thirty (30) hours of continuing pharmacy education required every two years for license renewal.

10. The Respondent shall fully and promptly comply with all Orders of the Board and the statutes and rules regulating the practice of pharmacy in Iowa. Any violation of the terms of this Order is grounds for further disciplinary action, upon notice and opportunity for hearing, for failure to comply with an Order of the Board, in accordance with Iowa Code § 272C.3(2)(a).
11. This Stipulation and Consent Order is the resolution of a contested case. By entering into this Stipulation and Consent Order, Respondent waives all rights to a contested case hearing on the allegations contained in the Statement of Charges, and waives any objections to this Stipulation and Consent Order.
12. This proposed settlement is subject to approval by a majority of the full Board. If the Board fails to approve this settlement, it shall be of no force or effect to either party. If the Board approves this Stipulation and Consent Order, it shall be the full

and final resolution of this matter.

13. The Board's approval of this Stipulation and Consent Order shall constitute a **FINAL ORDER** of the Board in a disciplinary action.

14. This Stipulation and Consent Order is voluntarily submitted by Respondent to the Board for its consideration on the 12 day of dec, 2001.



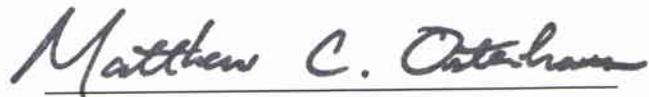
Joseph C. Rashid, R.Ph.
Respondent

Subscribed and sworn to before me by Joseph C. Rashid on this 3rd day of January, 2002



NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA

15. This Stipulation and Consent Order is accepted by the Iowa Board of Pharmacy Examiners on the 24 day of Jan., 2002.



MATTHEW C. OSTERHAUS, Chairperson
Iowa Board of Pharmacy Examiners
400 SW Eighth Street, Suite E
Des Moines, Iowa 50309-4688

cc: Shauna Russell Shields
Assistant Attorney General
Office of the Attorney General
Hoover State Office Building
Des Moines, Iowa 50319