

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

Re:)	Case No. 2001-3374
Pharmacy Technician Registration of:)	
PATTI RASHID)	STATEMENT OF CHARGES
Registration No. 3374)	
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 April 4, 1998, the Board issued pharmacy technician registration number 3374 to the Respondent, Patti Rashid, subject to the laws of the State of Iowa and the rules of the Board.
4. Registration number 3374 expired on August 31, 1999 and is delinquent.
5. Respondent's current address is 504 4th Street, Fort. Madison, Iowa 52627.
6. Upon information and belief, the Respondent is not currently employed as a pharmacy technician. The Respondent employed as a pharmacy technician at Rashid Valu*Rite Drug, 2404 Avenue L, Fort Madison, Iowa at all times relevant to this statement of charges.

COUNT I

The Respondent is charged under Iowa Code § 155A.6(7) (2001) and 657 Iowa Administrative Code §§ 22.18 and 22.21 with violation of the rules of the Board by engaging in unethical conduct, including but not limited to misrepresentative deeds and unethical conduct or behavior, for falsifying a prescription for a controlled substance.

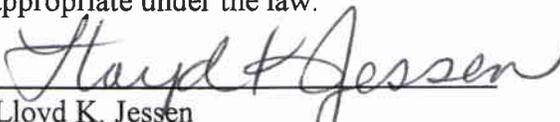
COUNT II

The Respondent is charged under Iowa Code §§ 155A.5 & 155A.6(7) (2001) and 657 Iowa Administrative Code §§ 22.4 & 22.18, with working as a pharmacy technician in the State of Iowa without a current Iowa pharmacy technician registration.

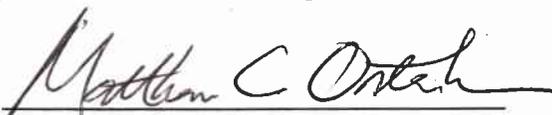
THE CIRCUMSTANCES

1. On or about January 8, 2001, the Board received a complaint that the Respondent had falsified a prescription for generic Tylenol with Codeine, a schedule III controlled substance.
2. The Respondent claimed to have taken a telephone prescription for generic Tylenol with Codeine for patient #1. The written record of the telephone prescription is in the Respondent's handwriting.
3. The prescribing physician for the prescription referred to in paragraph 2 does not have any memory or records regarding patient #1 and did not call in a prescription for patient #1.
4. The prescription for generic Tylenol with Codeine was dispensed on October 28, 2001, when the Respondent was working as a technician, but Patient #1 did not ever receive the prescription.
5. The Respondent worked as a pharmacy technician after her technician registration expired on August 31, 1999.

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

VOLUNTARY SURRENDER OF PHARMACY TECHNICIAN REGISTRATION

I, Patti Rashid, a resident of 504 4th Street, Fort Madison, Iowa 52627, of my own free will and without any mental reservation and not as a result of any inducement, promise or threat on the part of anyone, do hereby voluntarily surrender my pharmacy technician registration in the State of Iowa, number 3374, to the Iowa Board of Pharmacy Examiners, for an indefinite period of time. This surrender of registration shall become effective upon the notarized signature of the registrant, Patti Rashid, being affixed to this voluntary surrender document.

I, Patti Rashid, of my own free will and without any mental reservation and not as a result of any inducement, promise or threat given or made by any representative, officer, or employee of the Iowa Board of Pharmacy Examiners, or of any other state official, do hereby further acknowledge that by voluntarily signing this surrender statement that I am knowingly and willingly giving up the exercise of the following legal rights:

- (1) My right to a formal hearing before the Iowa Board of Pharmacy Examiners on the matter of my continued registration as a pharmacy technician pursuant to Chapter 155A, Code of Iowa (2001).
- (2) My right to be represented by an attorney in preparation for and during such formal hearing before the Iowa Board of Pharmacy Examiners.
- (3) My right to submit evidence and to have witnesses called on my own behalf at such formal hearing.
- (4) My right to be represented by an attorney in this matter at this time.

I, Patti Rashid, do hereby acknowledge that pursuant to 657 Iowa Administrative Code section 36.25, a pharmacy technician registration which has been voluntarily surrendered shall be considered a revocation of registration with respect to a request for reinstatement, which will be handled under the terms established by 657 Iowa Administrative Code section 36.23, which provides as follows:

Any person whose license to practice pharmacy . . . has been revoked . . . must meet the following eligibility requirements:

1. Must have satisfied all the terms of the order of revocation or suspension or court proceedings as they apply to that revocation or suspension. If the order of revocation or suspension did not establish terms and conditions upon which reinstatement might occur, or if the license, registration, or permit was voluntarily surrendered, an initial application for reinstatement may not be made until one year has elapsed from the date of the board's order or the date of voluntary surrender.
3. All proceedings for reinstatement shall be initiated by the respondent who

shall file with the board an application for reinstatement of the license, registration, or permit. Such application shall be docketed in the original case in which the license, registration, or permit was revoked, suspended, or relinquished. All proceedings upon petition for reinstatement, including all matters preliminary and ancillary thereto, shall be subject to the same rules of procedure as other cases before the board. The board and the respondent may informally settle the issue of reinstatement. The respondent may choose to have an informal reinstatement conference before the board, as provided in rule 657-9.24 (17A, 124B, 147, 155A, 272C).

4. An application for reinstatement shall allege facts which, if established, will be sufficient to enable the board to determine that the basis for the revocation or suspension no longer exists and that it will be in the public interest for the license, registration, or permit to be reinstated. The burden of proof to establish such facts shall be on the respondent.
5. An order for reinstatement shall be based upon a decision which incorporates findings of facts and conclusions of law and must be based upon the affirmative vote of a quorum of the board. This order shall be available to the public as provided in 657 Chapter 14.

I, Patti Rashid, hereby further acknowledge that I shall not engage in any of the practices or aspects thereof of a pharmacy technician in the State of Iowa for which a registration is required.

1-17-2002
Date of Signature


Patti Rashid

State of Iowa :
:SS
Lee County :

Subscribed and sworn to me by Patti Rashid on this 17th day of JANUARY, 2002, 2001.


NOTARY PUBLIC IN AND FOR THE STATE OF IOWA
commission expires 9/1/03