

**BEFORE THE IOWA BOARD OF PHARMACY**

Re:	)	Case No. 2011-136
Pharmacist License of	)	
<b>ROGER J. RASMUSSEN</b>	)	<b>STATEMENT OF CHARGES</b>
License No. 14689,	)	
Respondent.	)	

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

1. He is the Executive Director for the Iowa Board of Pharmacy (hereinafter, "Board") 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 (2011).
3. On March 9, 1976, the Board issued Roger J. Rasmussen ("Respondent"), after by reciprocity, a license to engage in the practice of pharmacy as evidenced by license number 14689, subject to the laws of the State of Iowa and the rules of the Board.
4. Respondent's pharmacist license is current and active until June 30, 2013.
5. Respondent's address of record is 608 Rural Street, New Hampton, Iowa 50659.
6. At all times material to this statement of charges, Respondent was employed as a pharmacist at Clarksville Pharmacy, 111 South Main, Clarksville, Iowa 50619.

**A. CHARGE**

**COUNT I – LACK OF PROFESSIONAL COMPETENCY**

Respondent is charged under Iowa Code § 155A.12(1) (2011) and 657 Iowa Administrative Code § 36.1(4)(b) with lack of professional competency as demonstrated by Respondent's (a) substantial deviation from the standards of learning and skill ordinarily possessed and applied by other Iowa pharmacists, (b) failure to exercise in a substantial respect that degree of care which is ordinarily exercised by an Iowa pharmacist and (c) willful and repeated departures from, and a failure to conform to, the minimal standard and acceptable and prevailing practice of pharmacy in the state of Iowa.

## B. CIRCUMSTANCES

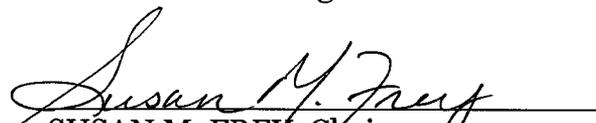
On or about September 27, 2011, an investigation was commenced which revealed the following:

1. At all times material, Respondent was employed as a pharmacist at Clarksville Pharmacy, 111 South Main, Clarksville, Iowa 50619.
2. Respondent acknowledges that he dispensed a bubble pack containing the wrong strength of Exelon to a pharmacy patient. Respondent further acknowledges that the medication left the pharmacy without him checking the prescription fill.
3. The patient's doctor was not contacted by Respondent following discovery that the patient had ingested the incorrect dose of Exelon.

**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 Director

On this 27<sup>th</sup> day of June 2012, the Iowa Board of Pharmacy found probable cause to file this Statement of Charges and to order a hearing in this case.

  
SUSAN M. FREY, Chairperson  
Iowa Board of Pharmacy  
400 SW Eighth Street, Suite E  
Des Moines, Iowa 50309-4688

cc: Theresa Weeg  
Assistant Attorney General  
Hoover State Office Building  
Des Moines, Iowa

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**BEFORE THE IOWA BOARD OF PHARMACY**

Re:	)	Case No. 2011-136
Pharmacist License of	)	
<b>ROGER J. RASMUSSEN</b>	)	<b>STIPULATED</b>
License No. 14689	)	<b>CITATION</b>
Respondent	)	<b>AND WARNING</b>

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Pursuant to Iowa Code §§ 17A.10 and 272C.3(4) (2011), and 657 I.A.C. § 36.1(2) (j), the Iowa Board of Pharmacy (Board) and Roger Rasmussen (Respondent), enter into this Stipulated Citation and Warning. This agreement is to resolve the allegations in the Statement of Charges filed against Respondent without proceeding to hearing. The Board and Respondent stipulate as follows:

1. Respondent was issued Pharmacist License Number 14689 to practice pharmacy in Iowa on March 9, 1976.
2. Respondent's Iowa Pharmacist License is active and current until June 30, 2013.
3. A Statement of Charges was filed against Respondent on June 27, 2012.
4. Respondent is employed as a pharmacist at Clarksville Pharmacy, 111 South Main, Clarksville, Iowa 50619.
5. The Board has jurisdiction over the Respondent and the subject matter of this proceeding .
6. For the purposes of this Stipulated Citation and Warning, Respondent does not contest the allegations set forth in the Statement of Charges. Respondent accepts, pursuant to 657 I.A.C. § 36.1(4)(b), this citation and warning for dispensing a bubble pack of the wrong strength of Excelon to a pharmacy patient,

for failing to check the prescription fill before it left the pharmacy, and for failing to contact the patient's physician after learning the patient had ingested the incorrect dose of Excelon

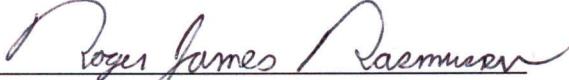
7. Within thirty (30) days of the Board's approval of this Stipulated Citation and Warning, Respondent shall submit, for the Board's approval, policies and procedures for:
  - a. ensuring correct labeling of bubble-packed medications;
  - b. ensuring proper pharmacist review and verification of dispensed medications; and
  - c. providing prescriber notification when a patient receives and ingests an incorrect medication (including wrong drug or wrong dose).

Respondent agrees to adopt, implement, and adhere to these policies and procedures whenever engaging in the practice of pharmacy.

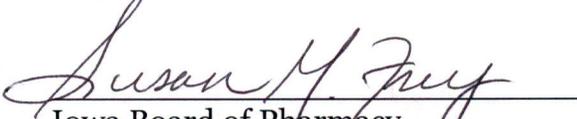
8. Should the Respondent violate or fail to comply with any of the terms or conditions of this Stipulated Citation and Warning, the Board may initiate action to revoke or suspend Respondent's Iowa pharmacist license or to impose other licensee discipline as authorized by Iowa Code chapters 272C and 155A (2011), and 657 IAC § 36.
9. This Stipulated Citation and Warning is the resolution of a contested case. By entering into this Stipulated Citation and Warning, Respondent waives all rights to a contested case hearing on the allegations contained in the Statement of Charges, and waives any objections to this Stipulated Citation and Warning.
10. The State's legal counsel may present this Stipulated Citation and Warning to the Board.

11. This proposed settlement is subject to approval by a majority of the full Board. If the Board fails to approve this Stipulated Citation and Warning, it shall be of no force or effect to either the Board or Respondent. If the Board approves this Stipulated Citation and Warning, it shall be the full and final resolution of this matter.
12. The Board's approval of this Stipulated Citation and Warning shall constitute a **FINAL ORDER** of the Board in a disciplinary action.

This Stipulated Citation and Warning is voluntarily submitted by Respondent to the Board for its consideration on the 03<sup>rd</sup> day of August 2012.

  
Respondent

This Stipulated Citation and Warning is accepted by the Iowa Board of Pharmacy on this 29<sup>th</sup> day of August 2012.

  
Iowa Board of Pharmacy  
400 SW Eighth Street, Suite E  
Des Moines, Iowa 50309-4688

cc: Theresa O'Connell Weeg  
Meghan Gavin  
Assistant Attorneys General  
Office of the Attorney General  
Hoover State Office Building  
Des Moines, Iowa 50319

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