

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

Re:)	Case No. 2005-110
Pharmacist License of)	
SCOTT ROLLINGER)	STATEMENT OF CHARGES
License No. 16523)	
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 (2005).
3. On October 2, 1984, the Board issued Respondent, after examination, a license to engage in the practice of pharmacy as evidenced by license number 16523, 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, 2008.
5. During all times relevant to this statement of charges, Respondent was the pharmacist in charge of Hy-Vee Drugstore #7060-3 in Wapello, Iowa.
6. Respondent's current address is 520 Sweeney Avenue, Burlington, Iowa 52601.

A. CHARGES

COUNT I – INADEQUATE SECURITY

Respondent is charged under Iowa Code § 155A.15(2)(i) (2005) and 657 Iowa Administrative Code §§ 6.2(155A), 6.7(124,155A), 10.15(124,155A) and 36.1(4)(u) with a failure to establish adequate security and effective controls against diversion of prescription drugs.

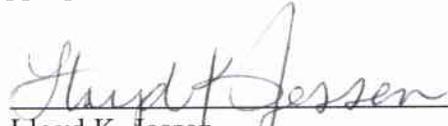
COUNT II – FAILURE TO MAINTAIN ADEQUATE CONTROLS

Respondent is charged with failing to maintain accurate control over and accountability for drugs, including controlled substances, in violation of Iowa Code §§ 124.308(3), 124.402(1)(a), 155A.15(2)(c) and (2)(i) (2005) and 657 Iowa Administrative Code 6.7(124,155A).

B. CIRCUMSTANCES

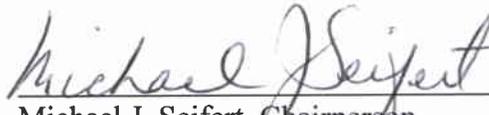
Circumstances supporting the above charges are set forth in Attachment A.

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 17 day of July 2006, the Iowa Board of Pharmacy Examiners found probable cause to file this Statement of Charges and to order a hearing in this case.



Michael J. Seifert, Chairperson
Iowa Board of Pharmacy Examiners
400 SW Eighth Street, Suite E
Des Moines, Iowa 50309-4688

cc: Scott M. Galenbeck
Assistant Attorney General
Hoover State Office Building
Des Moines, IA 50319

Scott J. Rollinger
520 Sweeney Ave.
Burlington, IA 52601

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

RECEIVED
OCT 30 2006
IOWA PHARMACY EXAMINERS

Re:)	Case No. 2005-110
Pharmacist License of)	
SCOTT ROLLINGER)	STIPULATION
License No. 16523)	AND
Respondent)	CONSENT ORDER
)	

Pursuant to Iowa Code §§ 17A.10 and 272C.3(4) (2005), the Iowa Board of Pharmacy Examiners (hereinafter, "the Board") and Scott Rollinger (hereinafter, "Respondent"), enter into the following Stipulation and Consent Order settling a licensee disciplinary proceeding currently pending before the Iowa Board of Pharmacy Examiners.

Allegations specified in a Statement of Charges filed against Respondent shall be resolved without proceeding to hearing, as the Board and Respondent stipulate as follows:

1. Following examination, Respondent was issued a license to practice pharmacy in Iowa on October 2, 1984, as evidenced by Pharmacist License Number 16523 which is recorded in the permanent records of the Board.
2. The Iowa Pharmacist License issued to and held by Respondent is active and current until June 30, 2008.
3. The Board has jurisdiction over the parties and jurisdiction over the subject matter of these proceedings.
4. A Statement of Charges was filed against Respondent on July 17, 2006.
5. Respondent was, at all times material to the Statement of Charges, employed as the pharmacist in charge at Hy-Vee Drugstore Clinic Pharmacy (7060-3), 312 Wapello, Iowa 52653.

6. Respondent does not contest the allegations set forth in the Statement of Charges and acknowledges that the allegations, if proven in a contested case proceeding, would constitute grounds for the discipline described herein.

7. On the date of the Board's approval of this Stipulation and Consent Order, Respondent's license shall be placed on probation. The period of probation shall be not less than two (2) years. Respondent's period of probation shall begin on the date of this order and continue for two years or until Respondent has been employed as a pharmacist in Iowa for two years subsequent to commencement of probation. Only those time periods during which Respondent is employed as a pharmacist in Iowa shall count toward satisfaction of the probation requirement.

8. Probation is granted under the following conditions, which Respondent agrees to follow:

a. Within six (6) months after the date of the Board's approval of this Stipulation and Consent Order, Respondent shall complete two (2) hours of continuing pharmacy education ("CPE") or other formal, structured education in *each* of the following subject areas (1) utilization of pharmacy technicians, (2) maintenance of adequate controls over, and accountability for, all drugs, including controlled substances, and (3) general pharmacy security and effective controls against diversion. The CPE shall total not less than six (6) hours in length and shall be pre-approved by the Board. Documentation of satisfactory completion of the education shall be promptly submitted to the Board. This CPE shall be in addition to – not in lieu of – the thirty (30) hours of continuing pharmacy

education required every two years for license renewal.

b. Within sixty (60) days after the date of the Board's approval of this Stipulation and Consent Order, Respondent will submit to the Board *typewritten*¹ pharmacy policies and procedures for the following: (1) utilization of pharmacy technicians, (2) maintenance of adequate controls over, and accountability for, all drugs, including controlled substances, and (3) general pharmacy security and effective controls against diversion. Following review and approval by the Board, Respondent agrees to adopt, implement, and adhere to these policies and procedures in his current employment setting – unless specific policies and procedures adopted by his employer prevent such adherence – and whenever engaging in the practice of pharmacy.

c. Respondent shall inform the Board, in writing, of any change of home address, place of employment, home telephone number, or work telephone number, within ten (10) days of such a change.

d. During probation, Respondent shall report to the Board or its designee quarterly, in writing. The report shall include Respondent's place of employment, current address, *Respondent's most recent efforts to implement the provisions of this Stipulation and Consent Order, by date*, and any further information deemed necessary by the Board from time to time.

e. Respondent shall not serve as a preceptor.

f. Respondent shall notify all present employers and prospective employers

¹ For the purposes of this order, "typewritten" policies may be generated on computer word-processing equipment.

(no later than at the time of an employment interview), including any pharmacist-in-charge, of the resolution of this case and the terms, conditions, and restrictions imposed on Respondent by this Stipulation and Consent Order.

g. Within thirty (30) days after approval of this Stipulation and Consent Order by the Board, and within fifteen (15) days of undertaking new employment as a pharmacist, Respondent shall cause his present pharmacy employer, and any pharmacist-in-charge he works under, to report to the Board in writing acknowledging that the employer and the pharmacist-in-charge have read this document and understand it.

h. Respondent shall appear informally before the Board, upon the request of the Board, for the purpose of reviewing his performance as a pharmacist during his probationary period. Respondent shall be given reasonable notice of the date, time, and place for the appearances.

i. Respondent shall obey all federal and state laws, rules, and regulations substantially related to the practice of pharmacy.

9. Should the Respondent violate or fail to comply with any of the terms or conditions of this Stipulation and Consent Order, the Board may initiate action to revoke or suspend the Respondent's Iowa pharmacist license or to impose other licensee discipline as authorized by Iowa Code chapters 272C and 155A (2005) and 657 IAC 36.

10. 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.

11. 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 the Board or Respondent. If the Board approves this Stipulation and Consent Order, it shall be the full and final resolution of this matter.

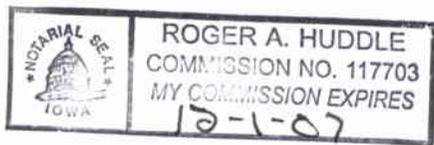
12. The Board's approval of this Stipulation and Consent Order shall constitute a FINAL ORDER of the Board in a disciplinary action.

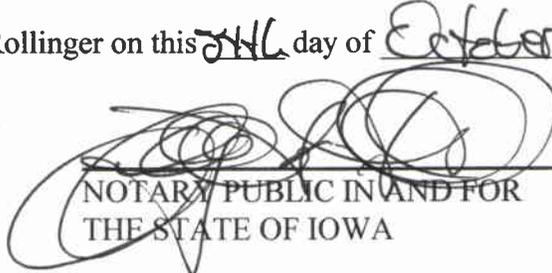
This Stipulation and Consent Order is voluntarily submitted by Respondent to the Board for its consideration on the ~~24th~~ day of October 2006.



Scott Rollinger, R.Ph.
Respondent

Subscribed and sworn to before me by Scott Rollinger on this 24th day of October 2006.





NOTARY PUBLIC IN AND FOR
THE STATE OF IOWA

This Stipulation and Consent Order is accepted by the Iowa Board of Pharmacy Examiners on the 15th day of Nov. 2006.



MICHAEL J. SEIFERT, Chairperson
Iowa Board of Pharmacy Examiners
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cc: Scott M. Galenbeck
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