

**BEFORE THE IOWA BOARD OF PHARMACY**

Re:	)	
Pharmacist License of	)	Case No. 2009-77
<b>STEVEN G. SHEARER</b>	)	
License No. 15987,	)	<b>STATEMENT OF CHARGES</b>
Respondent.	)	

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

1. He is the Executive Director for the Iowa Board of Pharmacy 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 (2009).
3. On July 22, 1 981, the Board issued Steven G. Shearer (hereinafter, "Respondent"), by examination, a license to engage in the practice of pharmacy as evidenced by license number 15987, subject to the laws of the State of Iowa and the rules of the Board.
4. Respondent's pharmacist license was renewed on May 4, 2009, and is current and active through June 30, 2011.
5. Respondent's address of record is 4068 4<sup>th</sup> Street A, East Moline, Illinois 61244.
6. At all times material to this statement of charges, Respondent was employed as the pharmacist in charge at Shopko Pharmacy, Monmouth, Illinois

**A. CHARGES**

**COUNT I – LACK OF PROFESSIONAL COMPETENCY**

Respondent is charged under Iowa Code § 155A.12(1) (2009) and 657 Iowa Administrative Code § 36.1(4)(b), with a lack of professional competency, as demonstrated by 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.

## COUNT II – VIOLATING LAWS OF ANOTHER JURISDICTION

Respondent is charged under Iowa Code §§ 155A.12(1) and 155A.12(8) (2009), and 657 Iowa Administrative Code § 36.1(4)(ad), with violating the drug laws or rules of Illinois while under Illinois' jurisdiction.

## COUNT III – FAILURE TO TIMELY REPORT DISCIPLINARY ACTION

Respondent is charged under Iowa Code § 155A.12(1) (2009), and 657 Iowa Administrative Code § 36.1(4)(k), with failing to report to the Board the final decision and disciplinary sanction of a licensing authority in another state within thirty days of that decision.

### B. CIRCUMSTANCES

An investigation commenced on May 4, 2009 which revealed the following:

1. At all times material to this statement of charges, Respondent was employed as the pharmacist in charge at Shopko Pharmacy, Monmouth, Illinois.
2. During a routine inspection of the Shopko pharmacy by the State of Illinois, numerous expired prescription medications were found on the shelves of the pharmacy.
3. Respondent entered into a Consent Order with the Illinois Department of Financial and Professional Regulation which is dated May 25, 2007. The Order required Respondent to pay a fine in the amount of \$1,750.
4. Respondent reported the Illinois discipline on his Iowa pharmacist license renewal form, which was received by the Board on April 30, 2009, almost two years after the Illinois discipline occurred.
5. On the renewal form, Respondent also reported that he is now employed as a pharmacist (but not the pharmacist in charge) at Meijer Pharmacy #146, 2401 North Prospect Avenue, Champaign, IL

**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 18<sup>th</sup> day of November 2009, the Iowa Board of Pharmacy found probable cause to file this Statement of Charges and to order a hearing in this case.

Handwritten signature of Vernon H. Benjamin in blue ink, with the word "Chairperson" written in a cursive script to the right of the signature.

VERNON H. BENJAMIN, Chairperson

Iowa Board of Pharmacy

400 SW Eighth Street, Suite E

Des Moines, Iowa 50309-4688

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

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BEFORE THE IOWA BOARD OF

PHARMACY

Re:  
Pharmacist License of  
**STEVEN G. SHEARER**  
License No. 15987  
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) Case No. 2009-77

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**STIPULATED  
CITATION AND  
WARNING**

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Pursuant to Iowa Code §§ 17A.10 and 272C.3(4) (2009), the Iowa Pharmacy Board (hereinafter, "Board") and Steven G. Shearer (hereinafter, "Respondent"), enter into the following Stipulated Citation and Warning settling a licensee disciplinary proceeding currently pending before the Board.

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. Respondent was issued a license to practice pharmacy in Iowa on July 22, 1981, as evidenced by Pharmacist License Number 15987, 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, 2011.
3. Respondent was, at all times material to the Statement of Charges, employed as the pharmacist in charge at a Shopko Pharmacy, Monmouth, Illinois.
4. Respondent entered into a Consent Order with the Illinois Department of Financial and Professional Regulation on May 25, 2007.

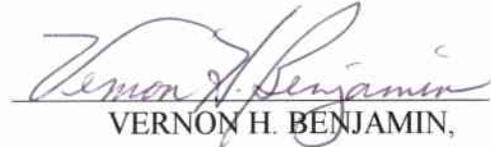




  
NOTARY PUBLIC IN AND

FOR  
THE STATE OF ILLINOIS

This Stipulation and Consent Order is accepted by the Iowa Pharmacy Board on  
the 10<sup>th</sup> day of March 2010.

  
VERNON H. BENJAMIN,

Chairperson

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

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