

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

Re:)	Case No. 2005-59
Pharmacist License of)	
LARRY D. SHROYER)	STATEMENT OF CHARGES
License No. 14699,)	
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 147, 155A and 272C (2005).
3. On April 27, 1976, the Board issued Respondent, after examination, a license to engage in the practice of pharmacy as evidenced by license number 14699, 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, 2007.
5. Respondent's current address is 947 Woodland Road, Cresco, Iowa 52136.
6. Respondent was, at all times material, employed as the pharmacist in charge at L&P Compounding Specialists, Inc., 303 2nd Avenue SW, Suite A, Cresco, Iowa 52136. Respondent is also the pharmacist in charge of Medicap Pharmacy, 303 2nd Avenue SW, Cresco, Iowa 52136.

A. CHARGES

COUNT I – VIOLATION OF PHARMACY COMPOUNDING RULES

The Respondent is charged with failure to comply with Board rules for pharmacy compounding in violation of Iowa Code §§ 155A.12(1) (2005), 155A.12(4) (2005), and 657 Iowa Administrative Code §§ 8.30, 20.4(2), 20.5, 20.6(1), 20.8, 20.9, 20.10, 20.11, 20.12, 36.1(4)(j), and 36.1(4)(cc).

COUNT II – PROFESSIONAL INCOMPETENCY

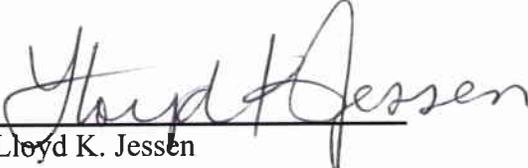
The Respondent is charged with an inability to practice pharmacy compounding with reasonable skill and safety by reason of professional incompetency in violation of Iowa Code § 155A.12(1) (2005) and 155A.12(4) (2005) and 657 Iowa Administrative Code § 36.1(4)(b).

B. CIRCUMSTANCES

On or about June 21, 2005 an inspection and investigation was commenced, revealing the following:

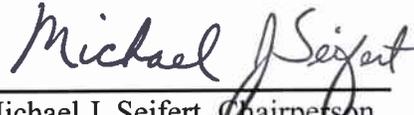
1. Respondent is compounding inhalation/nebulizer medications for dispensing to patients, pursuant to prescriptions.
2. One of the inhalation medications compounded by Respondent is a product consisting of three active ingredients: albuterol, ipatropium, and budesonide.
3. FDA regulations require that inhalation solutions be sterile (21 CFR § 200.51).
4. Preparation of the albuterol—ipatropium—budesonide combination product by Respondent begins with non-sterile ingredients that are mixed in an area that is not aseptic. The final product is not sterilized before it is dispensed to customers.
5. Respondent does not comply with administrative rules relating to sterile product compounding. Among other things, Respondent does not:
 - a. Utilize proper aseptic technique.
 - b. Follow duly established policies and procedures.
 - c. Utilize appropriate recall procedures.
6. As a compounding pharmacy, Respondent does not comply with FDA good manufacturing practices.
7. Due to lack of sterility, inhalation/nebulizer medications prepared by Respondent may be contaminated with life-threatening pathogens. Respondent has demonstrated a lack of professional knowledge and understanding in the area of sterile compounding to such a degree that he has placed patients who have received these products at high risk for injury or disease.

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 4th day of August 2005, 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, Iowa

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

Re:)	Case No. 2005-59
Pharmacist License of)	
LARRY D. SHROYER,)	STIPULATION
License No. 14699,)	AND
Respondent.)	CONSENT ORDER
)	

Pursuant to Iowa Code §§ 17A.10 and 272C.3(4) (2003), the Iowa Board of Pharmacy Examiners (hereinafter, "Board") and LARRY D. SHROYER, R.Ph. (hereinafter, "Respondent"), enter into this Stipulation and Consent Order settling a pending contested case. The pending contested case is a licensee disciplinary proceeding before the Iowa Board of Pharmacy Examiners based on allegations specified in a Statement of Charges filed August 4, 2005. The Board and Respondent, who hereby agree that the contested case shall be resolved without proceeding to hearing, stipulate to the following:

1. Respondent was issued a license to practice pharmacy in Iowa on April 27, 1976, by examination, as evidenced by Pharmacist License Number 14699, which is recorded in the permanent records of the Iowa Board of Pharmacy Examiners.
2. Iowa Pharmacist License Number 14699, issued to and held by Respondent is active and current until June 30, 2007.
3. Respondent is currently employed as the pharmacist in charge of L&P Compounding Specialists, Inc., 303 2nd Avenue SW, Suite A, Cresco, Iowa 52136. Respondent is also the pharmacist in charge of Medicap Pharmacy, 303 2nd Avenue SW, Cresco, Iowa 52136
4. A Statement of Charges was filed against Respondent on August 4, 2005.

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5. The Board has jurisdiction over Respondent and the subject matter herein.
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, constitute grounds for discipline of his license to practice pharmacy in Iowa.
7. Respondent agrees to accept a Citation and Warning for the allegations set forth in the Statement of Charges.
8. Upon the date of the Board's approval of this Stipulation and Consent Order, Respondent hereby agrees to never again engage in the preparation and distribution of any compounded products that require sterility.
9. Respondent shall obey all federal and state laws and regulations related to the practice of pharmacy, pharmacy compounding that does not require sterility, and the distribution of controlled substances.
10. 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 further restrict the Respondent's Iowa pharmacist license, or to impose other licensee discipline as authorized by Iowa Code chapters 272C and 155A (2003), and 657 IAC 36.
11. This Stipulation and Consent Order is the resolution of a contested case. By entering into this Stipulation and Consent Order, the 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.

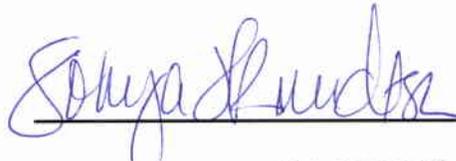
13. The Board's approval of this Stipulation and Consent Order shall constitute a FINAL ORDER of the Board in a disciplinary action.

This Stipulation and Consent Order is voluntarily submitted by Respondent to the Board for its consideration on the 8 day of Sept 2006.



LARRY D. SHROYER, R.Ph.
Respondent

Subscribed and sworn to before me by LARRY D. SHROYER on this 8th day of Sept 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 13 day of Sept. 2006.



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
Office of the Attorney General
Hoover State Office Building
Des Moines, Iowa 50319