

BEFORE THE IOWA BOARD OF PHARMACY

Re:) CASE NO. 2014-172
Controlled Substance Registration of)
) **ORDER TO SHOW CAUSE**
TIMOTHY SMITH)
Registration No. 1709957)
Respondent.)

TO: Timothy Smith
311 W Main Street
PO Box 879
Marshalltown, IA 50158

NOTICE:

Pursuant to the provisions of Iowa Code sections 124.304 and 124.305 (2013) and 657 IAC 10.12, you are hereby ordered to show cause why controlled substance registration number 1709957 should not be revoked.

To request a full hearing regarding the revocation of your controlled substance registration, you must file a request for a hearing in writing with the Board within thirty (30) days of service of this Order.

If you do not request a hearing in this matter within thirty (30) days of service of this order, your controlled substance registration will be REVOKED.

I. JURISDICTION

Pursuant to Iowa Code chapter 124 (2013) and 657 IAC 10, the Iowa Board of Pharmacy ("Board") has jurisdiction over those who prescribe controlled substances in Iowa. The Board issued Timothy Smith ("Respondent") controlled substance registration number 1709957, subject to the laws of the State of Iowa and the rules of the Board. Controlled substance registration number 1709957 is currently active and expires on February 28, 2016.

II. BASIS FOR ORDER TO SHOW CAUSE

1. Respondent was a licensed podiatrist (license number 00464) with the Iowa Board of Podiatry.
2. On October 10, 2014, the Iowa Board of Podiatry approved a Settlement Agreement and Final Order in which Respondent voluntarily surrendered his license to practice podiatry.
3. Iowa Code section 124.304(1)"d" and 657 IAC 10.12(1)"e" authorize the Board to suspend, revoke, or restrict a controlled substance registration if the registrant has been

disciplined by the registrant's professional licensing board and the discipline revokes, suspends, or modifies the registrant's authority regarding controlled substances.

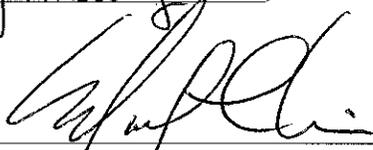
III. ORDER

Respondent is hereby ordered to show cause why controlled substance registration number 1709957 should not be revoked.

Respondent may request a hearing before the Board in response to this Order by filing a written request with the Board within thirty (30) days of service of this Order. Respondent's written request for a hearing should be directed to Lloyd Jessen, Executive Director, Iowa Board of Pharmacy, 400 S.W. Eighth Street, Suite E, Des Moines, Iowa 50309-4688. If Respondent submits a timely request for a hearing on the matter, a hearing will be scheduled for the Board's next available hearing date. A separate notice of hearing will be sent to Respondent detailing the date, time, and location of the hearing.

If Respondent does not request a hearing in this matter within thirty (30) days of service of this Order, controlled substance registration number 1709957 will be REVOKED.

IT IS SO ORDERED on this 6th day of January, 2015.



EDWARD MAIER, Chairperson
Iowa Board of Pharmacy

cc: Laura Steffensmeier
Assistant Attorney General
Hoover Building, 2nd Floor
Des Moines, IA 50319
ATTORNEY FOR THE STATE

Chad Frese
Kaplan & Frese, LLP
111 E Churst Street
Marshalltown, IA 50158
ATTORNEY FOR RESPONDENT

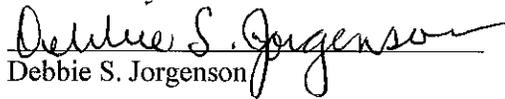
PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon Respondent to the above cause by:

- | | |
|---|---|
| <input type="checkbox"/> personal service | <input type="checkbox"/> first class mail |
| <input type="checkbox"/> certified mail, return receipt requested | <input type="checkbox"/> facsimile |
| Article Number <u>9171999991703106755910</u> | <input type="checkbox"/> other |

on the 7th day of January, 2015. _____

I declare that the statements above are true to the best of my information, knowledge and belief.



Debbie S. Jorgenson