

BEFORE THE IOWA BOARD OF PHARMACY

Re:)	
Pharmacist License of)	Case No. 2007-80
DANIEL V. SONNTAG)	
License No. 17692)	STATEMENT OF CHARGES
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 147, 155A and 272C (2007).
3. On July 25, 1991, the Board issued Daniel V. Sonntag (hereinafter, "Respondent"), by examination, a license to engage in the practice of pharmacy in Iowa, as evidenced by license number 17692, subject to the laws of the State of Iowa and the rules of the Board.
4. Respondent's Iowa pharmacist license is active through June 30, 2009.
5. Respondent's current address is 1816 80th Street, Windsor Heights, Iowa 50322.

A. CHARGES

COUNT I – LACK OF PROFESSIONAL COMPETENCY

Respondent is charged pursuant to Iowa Code § 155A.12(1) (2007) 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 – FAILURE TO MAINTAIN ADEQUATE RECORDS

Respondent is charged pursuant to Iowa Code §§ 124.306, 155A.12(1) and 155A.12(4), and 657 Iowa Administrative Code §§ 36.1(4)(u) and 36.1(4)(ac), with failing to maintain complete, adequate and accurate records of purchases and disposal of drugs, including controlled substances.

COUNT III – FAILURE TO MAINTAIN CONTROL OVER DRUGS

Respondent is charged pursuant to Iowa Code §§ 124.308(3), 124.402(1)(a) and 155A.12(1) (2007), and 657 Iowa Administrative Code §§ 6.7 and 36.1(4)(u), with failing to maintain accurate control over and accountability for drugs, including controlled substances.

COUNT IV – ILLEGAL DISTRIBUTION OF DRUGS

Respondent is charged pursuant to Iowa Code § 155A.12(1) (2007), and 657 Iowa Administrative Code §§ 36.1(4)(h) and 36.1(4)(u), with distribution of drugs for other than lawful purposes.

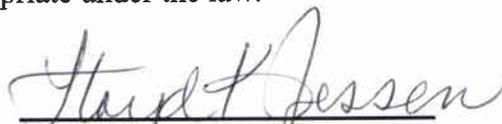
COUNT V – VIOLATION OF CONTROLLED SUBSTANCES LAW

Respondent is charged pursuant to Iowa Code §§ 124.308(3), 124.402(1)(a), 155A.12(1) and 155A.12(5) (2007), and 657 Iowa Administrative Code §§ 36.1(4)(j) and 36.1(4)(u), with violations of the controlled substances law.

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 Director

On this 4th day of March 2008, the Iowa Board of Pharmacy found probable cause to file this Statement of Charges and to order a hearing in this case.


PAUL ABRAMOWITZ, 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

BEFORE THE IOWA BOARD OF PHARMACY

Re:)	Case No. 2007-80
Pharmacist License of)	
DANIEL V. SONNTAG)	STIPULATION
License No. 17692)	AND
Respondent)	CONSENT ORDER
)	

Pursuant to Iowa Code §§ 17A.10 and 272C.3(4) (2007), the Iowa Board of Pharmacy (hereinafter, "the Board") and DANIEL V. SONNTAG (hereinafter, "Respondent"), enter into the following Stipulation and Consent Order settling a licensee disciplinary proceeding currently pending before the Iowa Board of Pharmacy.

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 July 25, 1991, as evidenced by Pharmacist License Number 17692 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, 2009.
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 March 4, 2008.
5. Respondent was, at all times material to the Statement of Charges, employed as the pharmacist in charge at NCS Healthcare, 4131 109th Street, Urbandale, IA 50322.
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. Respondent agrees to accept a Citation and Warning for the alleged violations set forth in the Statement of Charges.
8. Upon the date of the Board's approval of this Stipulation and Consent Order, Respondent agrees to provide to the Board a written "Assurance of Regulatory Compliance" in which Respondent agrees to obey all federal and state laws and regulations related to the practice of pharmacy, including those regulations relating to pharmacy compounding; the maintenance of pharmacy records and control over prescription drugs and controlled substances; and the duties of the pharmacist in charge.
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 (2007) 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.

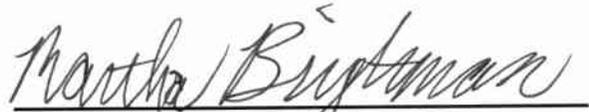
12. The Board's approval of this Stipulation and Consent Order shall constitute a FINAL ORDER of the Board in a disciplinary action.

This Stipulation and Consent Order is voluntarily submitted by Respondent to the Board for its consideration on the 19 day of Nov. 2008.



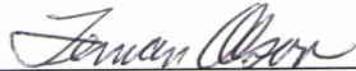
DANIEL V. SONNTAG, R.Ph.
Respondent

Subscribed and sworn to before me by DANIEL V. SONNTAG on this 19 day of November 2008.



NOTARY PUBLIC IN AND FOR
THE STATE OF IOWA

This ^{to} Stipulation and Consent Order is approved and accepted by the Iowa Board of Pharmacy on the 19 day of November 2008.



LEMAN OLSON, Chairperson
Iowa Board of Pharmacy
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