BEFORE THE IOWA BOARD OF PHARMACY

Re: Technician Trainee Registration of **KELSEY TROXEL** Registration No. 22102 Respondent.	))))))	CASE NO. 2015-188 **COMBINED STATEMENT OF CHARGES, SETTLEMENT AGREEMENT, AND FINAL ORDER**

COME NOW the Iowa Board of Pharmacy ("Board") and Kelsey Troxel ("Respondent"), 2465 Dogwood Rd., Decorah, IA 52101, and enter into this Combined Statement of Charges, Settlement Agreement, and Final Order ("Order") pursuant to Iowa Code sections 17A.10 and 272C.3(4) (2015), and 657 IAC 36.6, stating the following:

A. STATEMENT OF CHARGES

Count I
DIVERSION OF DRUGS

Respondent is charged with diverting prescription drugs from a pharmacy for personal use or for distribution, pursuant to Iowa Code sections 147.55(9) and 155A.6A(5), and 657 IAC 36.1(4)"ak".

B. FACTUAL CIRCUMSTANCES

1. Respondent holds pharmacy technician trainee registration number 22102, which is currently active through April 30, 2016.

2. In 2015, while working as a pharmacy technician, Respondent diverted approximately 700 tablets of oxycodone and morphine.

C. SETTLEMENT AGREEMENT AND FINAL ORDER

1. The Board has jurisdiction over the parties and the subject matter of these proceedings.

2. Respondent admits the allegations in the Statement of Charges and acknowledges that the allegations, if proven in a contested case hearing, would constitute grounds for the discipline agreed to in this Order.

3. Execution of this Order constitutes the resolution of a contested case. Respondent has a right to hearing before the Board on the charges, but Respondent waives the right to hearing and all attendant rights, including the right to appeal or seek judicial review of the Board's action, by freely and voluntarily entering into this Order. Once entered, this Order shall have the force and effect of a disciplinary order entered following a contested case hearing.

4. Respondent acknowledges that she has the right to be represented by counsel on this

matter.

5. Respondent agrees that the State's counsel may present this Order to the Board and may have *ex parte* communications with the Board while presenting it.

6. This Order is subject to approval by a majority of the full Board. If the Board does not approve this Order, it shall be of no force or effect to either party, and shall not be admissible for any purpose in further proceedings in this matter. If the Board approves this Order, it shall be the full and final resolution of this matter.

7. This Order shall be part of Respondent's permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

8. This Order shall not be binding as to any new complaints received by the Board.

9. Respondent understands the Board is required by federal law to report any adverse action to the National Association of Boards of Pharmacy's Disciplinary Clearinghouse and the National Practitioner Data Bank.

10. This Order, when fully executed, is a public record and is available for inspection and copying in accordance with the requirements of Iowa Code chapters 22 and 272C.

11. The Board's approval of this Order shall constitute a **FINAL ORDER** of the Board.

IT IS THEREFORE ORDERED:

12. Respondent agrees to **VOLUNTARILY SURRENDER** her pharmacy technician trainee registration to resolve this matter.

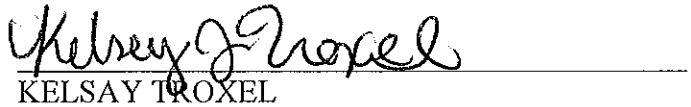
13. This voluntary surrender is considered discipline and, when accepted by the Board, has the same force and effect as an order of revocation under 657 IAC 36.15. Respondent may not request reinstatement for at least one year from the date of this Order.

14. Respondent may request reinstatement of her Iowa pharmacy technician registration by filing an application for reinstatement under 657 IAC 36.13. Respondent's registration shall not be reinstated except upon a showing by Respondent that the basis for revocation of her registration no longer exists, and that it is in the public interest for the registration to be reinstated.

15. Respondent agrees not to work in a pharmacy in any capacity in Iowa unless her technician registration is reinstated.

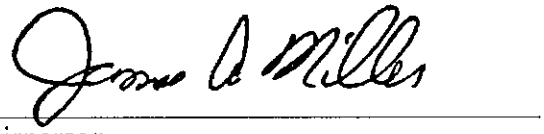
16. Should Respondent violate the terms of this Order, the Board may initiate action to impose other licensee discipline as authorized by Iowa Code chapters 147, 155A, and 272C and 657 IAC 36.

This Combined Statement of Charges, Settlement Agreement, and Final Order is voluntarily submitted by Respondent to the Board for its consideration on the 24 day of February, 2016.



KELSAY TROXEL
Respondent

This Combined Statement of Charges, Settlement Agreement, and Final Order is approved by the Iowa Board of Pharmacy on the 8th day of March, 2016.



Chairperson
Iowa Board of Pharmacy

Copy to:

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