

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

Re:

Pharmacy Technician Registration of:
PAM WACHENDORF
Registration No. 4660
Respondent

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Case No. 2002-4660

STATEMENT OF CHARGES

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 155A and 272C (2001).
3. On April 4, 2001, the Board re-issued Respondent, Pam Wachendorf, pharmacy technician registration number 4660 to be registered as a pharmacy technician, subject to the laws of the State of Iowa and the rules of the Board.
4. Registration number 4660 is current and active until May 31, 2003.
5. Respondent's current address is 418 Valencia, Dubuque, Iowa 52001.
6. Respondent is not currently employed as a pharmacy technician.

COUNT I

The Respondent is charged under Iowa Code § 155A.6(7) (2001) and 657 Iowa Administrative Code §§ 22.18 with violation of the laws of the State of Iowa and the United States relating to controlled substances in violation of Iowa Code sections 124.401(5), 124.403(c), 124.210, and 155A.23.

THE CIRCUMSTANCES

1. On or about May 28, 2002, the Board received a report that the Respondent's employer suspected that the Respondent was diverting hydrocodone from the pharmacy where the Respondent worked as a technician.
2. During the Board's investigation, the Respondent admitted that she had taken

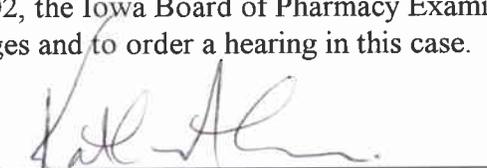
hydrocodone tablets that had been prescribed for her husband for an extended period of time.

3. The Respondent also admitted that she started taking and using hydrocodone from the pharmacy where she worked after her husband's hydrocodone prescriptions had run out.

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 17 day of Oct, 2002, the Iowa Board of Pharmacy Examiners found probable cause to file this Statement of Charges and to order a hearing in this case.


Katherine A. Linder, Chairperson
Iowa Board of Pharmacy Examiners
400 SW Eighth Street, Suite E
Des Moines, Iowa 50309-4688

cc: Shauna Russell Shields
Assistant Attorney General
Hoover State Office Building
Des Moines, Iowa 50319

VOLUNTARY SURRENDER OF PHARMACY TECHNICIAN REGISTRATION

I, Pam Wachendorf, a resident of 418 Valencia, Dubuque, Iowa 52001, of my own free will and without any mental reservation and not as a result of any inducement, promise or threat on the part of anyone, do hereby voluntarily surrender my pharmacy technician registration in the State of Iowa, number 4660, to the Iowa Board of Pharmacy Examiners, for an indefinite period of time. This surrender of registration shall become effective upon the notarized signature of the registrant, Pam Wachendorf, being affixed to this voluntary surrender document.

I, Pam Wachendorf, of my own free will and without any mental reservation and not as a result of any inducement, promise or threat given or made by any representative, officer, or employee of the Iowa Board of Pharmacy Examiners, or of any other state official, do hereby further acknowledge that by voluntarily signing this surrender statement that I am knowingly and willingly giving up the exercise of the following legal rights:

- (1) My right to a formal hearing before the Iowa Board of Pharmacy Examiners on the matter of my continued registration as a pharmacy technician pursuant to Chapter 155A, Code of Iowa (2001).
- (2) My right to be represented by an attorney in preparation for and during such formal hearing before the Iowa Board of Pharmacy Examiners.
- (3) My right to submit evidence and to have witnesses called on my own behalf at such formal hearing.
- (4) My right to be represented by an attorney in this matter at this time.

I, Pam Wachendorf, do hereby acknowledge that pursuant to 657 Iowa Administrative Code section 36.25, a pharmacy technician registration which has been voluntarily surrendered shall be considered a revocation of registration with respect to a request for reinstatement, which will be handled under the terms established by 657 Iowa Administrative Code section 36.23, which provides as follows:

Any person whose license to practice pharmacy . . . has been revoked . . . must meet the following eligibility requirements:

1. Must have satisfied all the terms of the order of revocation or suspension or court proceedings as they apply to that revocation or suspension. If the order of revocation or suspension did not establish terms and conditions upon which reinstatement might occur, or if the license, registration, or permit was voluntarily surrendered, an initial application for reinstatement may not be made until one year has elapsed from the date of the board's order or the date of voluntary surrender.
3. All proceedings for reinstatement shall be initiated by the respondent who

shall file with the board an application for reinstatement of the license, registration, or permit. Such application shall be docketed in the original case in which the license, registration, or permit was revoked, suspended, or relinquished. All proceedings upon petition for reinstatement, including all matters preliminary and ancillary thereto, shall be subject to the same rules of procedure as other cases before the board. The board and the respondent may informally settle the issue of reinstatement. The respondent may choose to have an informal reinstatement conference before the board, as provided in rule 657-9.24 (17A, 124B, 147, 155A, 272C).

4. An application for reinstatement shall allege facts which, if established, will be sufficient to enable the board to determine that the basis for the revocation or suspension no longer exists and that it will be in the public interest for the license, registration, or permit to be reinstated. The burden of proof to establish such facts shall be on the respondent.
5. An order for reinstatement shall be based upon a decision which incorporates findings of facts and conclusions of law and must be based upon the affirmative vote of a quorum of the board. This order shall be available to the public as provided in 657 Chapter 14.

I, Pam Wachendorf, hereby further acknowledge that I shall not engage in any of the practices or aspects thereof of a pharmacy technician in the State of Iowa for which a registration is required.

1-4-03
Date of Signature


Pam Wachendorf

State of Iowa :
:SS
Dubuque County :

Subscribed and sworn to me by Pam Wachendorf on this ____ day of _____, 2002.

NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

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

Re:)
Pharmacy Technician Registration of)
PAM WACHENDORF)
Registration No. 4660)

**ORDER
ACCEPTING
SURRENDER OF
PHARMACY TECHNICIAN
REGISTRATION**

COMES NOW, Katherine A. Linder, Chairperson of the Iowa Board of Pharmacy Examiners, on the 19th day of February 2003, and declares that:

1. The Respondent's Iowa pharmacy technician registration number is 4660.
2. Respondent has now decided to relinquish her Iowa pharmacy technician registration.
3. On February 18, 2003, the Board reviewed Respondent's voluntary surrender of her pharmacy technician registration and agreed to accept it.

WHEREFORE, it is hereby ordered that Respondent's voluntary surrender of her Iowa pharmacy technician registration number 4660 is hereby accepted and, pursuant to 657 Iowa Administrative Code § 36.13, said surrender shall be considered a revocation of registration with respect to any future request for reinstatement.

IOWA BOARD OF PHARMACY EXAMINERS



Katherine A. Linder, Chairperson