

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

Re:)
Pharmacist License of)
THERESA D. WAETKE) **STATEMENT OF CHARGES**
License No. 17350)
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 155A and 272C (1997).
3. On February 20, 1990, Theresa D. Waetke, the Respondent, was issued license number 17350 by the Board to engage in the practice of pharmacy, subject to the laws of the State of Iowa and the rules of the Board.
4. License number 17350 is current and active until June 30, 1999.
5. Respondent currently resides at 4231 101st Street, Urbandale, Iowa 50322.
6. Respondent was employed as the pharmacist in charge of the Walgreen Pharmacy #1908, 2843 Ingersoll Avenue, Des Moines, Iowa 50312, from July 26, 1995, to August 27, 1997. Respondent is currently employed as a staff pharmacist at Walgreen Pharmacy #03773, 4600 86th Street, Urbandale, Iowa 50322.

COUNT I

The Respondent is charged under Iowa Code § 155A.12(1) (1997) and 657 Iowa Administrative Code §§ 6.1, 9.1(4)(c), 9.1(4)(j), and 9.1(4)(u) with engaging in a practice harmful to the public by failing to prevent a medication dispensing error on September 11, 1995.

COUNT II

The Respondent is charged under Iowa Code § 155A.12(1) (1997) and 657 Iowa Administrative Code §§ 6.1, 9.1(4)(c), 9.1(4)(j), and 9.1(4)(u) with engaging in a practice harmful to the public by failing to prevent a medication dispensing error on July 31, 1997.

COUNT III

The Respondent is charged under Iowa Code §§ 155A.12(1) (1997) and 657 Iowa Administrative Code §§ 6.1, 8.1, 8.5(4), 8.19, 8.20, 9.1(4)(b), 9.1(4)(c), 9.1(4)(j), 9.1(4)(u), and 9.1(4)(w) with failure to ensure that all pharmacists at Walgreens Pharmacy # 1908 effectively utilized patient information; conducted prospective drug use review; provided oral patient counseling; and verified the accuracy, validity, and appropriateness of all filled prescriptions which resulted in the medication dispensing errors contained in Counts I and II.

THE CIRCUMSTANCES

The Board has received investigative information which alleges the following:

1. Theresa D. Waetke was employed as the pharmacist in charge of the Walgreen Pharmacy #1908 from July 26, 1995, to August 27, 1997.
2. A dispensing error is alleged to have occurred at Walgreens Pharmacy # 1908 on September 11, 1995, when a patient received the incorrect strength of a prescription medication.
3. A dispensing error is alleged to have occurred at Walgreens Pharmacy #1908 on July 31, 1997, when the drug Paxil® was dispensed to a patient who should have received the drug Pepcid®. It is further alleged that the patient ingested Paxil® on a regular basis until August 29, 1997.

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 14th day of October, 1997, the Iowa Board of Pharmacy Examiners found probable cause to file this Statement of Charges and to order a hearing in this case.



Phyllis A. Olson, Chairperson
Iowa Board of Pharmacy Examiners
Executive Hills West
1209 East Court Avenue
Des Moines, Iowa 50319

cc: Linny Emrich
Assistant Attorney General
Office of the Attorney General
Hoover State Office Building
Des Moines, Iowa 50319

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

Re: Pharmacist License of
THERESA D. WAETKE
License No. 17350
Respondent

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**STIPULATION
AND
CONSENT ORDER**

On this 3rd day of February, 1998, the Iowa Board of Pharmacy Examiners and Theresa D. Waetke, of 4231 101st Street, Urbandale, Iowa, each hereby agree with the other and stipulate as follows:

The licensee disciplinary hearing pending before the Iowa Board of Pharmacy Examiners, on the allegations specified in the Statement of Charges filed against Respondent on October 14, 1997, shall be resolved without proceeding to hearing, as the parties have agreed to the following Stipulation and Consent Order:

1. That Respondent was issued a license to practice pharmacy in Iowa on the 20th day of February, 1990, by examination as evidenced by Pharmacist License Number 17350, which is recorded in the permanent records of the Iowa Board of Pharmacy Examiners.
2. That Iowa Pharmacist License Number 17350 issued to Respondent is active and current until June 30, 1999.
3. That the Iowa Board of Pharmacy Examiners has jurisdiction over the parties and the subject matter herein.

4. A Statement of Charges was filed against Respondent on October 14, 1997.

5. This Stipulation and Consent Order is entered into in order to resolve a disputed claim and constitutes no admission on the part of the Respondent.

6. Respondent agrees to accept a citation and warning for the alleged violations set forth in the Statement of Charges which was issued on October 14, 1997.

7. Respondent also agrees to obey all federal and state laws, rules, and regulations substantially related to the practice of pharmacy.

8. Within thirty (30) days of the date of approval of this Stipulation and Consent Order by the Board, the Respondent shall submit to the Board, for its approval, a written policy and procedure for documenting, resolving, and preventing medication dispensing errors in the practice of pharmacy. The policy and procedure shall include a written protocol which describes the procedure for Respondent to follow when a dispensing error occurs. The policy and procedure shall also require that all records of Respondent's dispensing errors be consistently and periodically evaluated by the Respondent as part of a cycle of continuous quality improvement. Following review and approval by the Board, the Respondent agrees to adopt, implement, and adhere to this policy and procedure whenever engaging in the practice of pharmacy.

9. Within sixty (60) days of the date of approval of this Stipulation and Consent Order by the Board, the Respondent will provide her written policies and procedures for the following: (a) dispensing accuracy; (b) obtaining, recording, and maintaining patient information; (c) patient counseling; and (d) prospective drug use review. Following review and approval by the Board, the Respondent agrees to adopt, implement, and adhere to these policies and procedures.

10. Within one (1) year of the date of approval of this Stipulation and Consent Order by the Board, the Respondent shall complete continuing pharmacy education (CPE) or other formal, structured education in medication dispensing errors. The

education shall be *not less than* six (6) hours in length and shall be pre-approved by the Board. Documentation of satisfactory completion of the education shall be submitted to the Board. This education is in addition to the thirty (30) hours of continuing pharmacy education required every two years for license renewal.

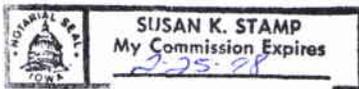
11. Within one (1) year of the date of approval of this Stipulation and Consent Order by the Board, the Respondent shall complete continuing pharmacy education (CPE) or other formal, structured education in patient counseling. The education shall be *not less than* six (6) hours in length and shall be pre-approved by the Board. Documentation of satisfactory completion of the education shall be submitted to the Board. This education is in addition to the thirty (30) hours of continuing pharmacy education required every two years for license renewal.

12. This proposed settlement is subject to approval of a majority of the full Board. If the Board fails to approve this proposed 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. This Stipulation and Consent Order is voluntarily submitted by Respondent to the Board for its consideration on the 29th day of January, 1998.

Theresa D. Waetke RPh
Theresa D. Waetke, R.Ph.
Respondent

Subscribed and Sworn to before me on this 29 day of January, 1998.



Susan K. Stamp
NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA

14. This Stipulation and Consent Order is accepted by the Iowa Board of Pharmacy Examiners on the 3rd day of February, 1998.

Phyllis A. Olson
PHYLLIS A. OLSON, Chairperson
Iowa Board of Pharmacy Examiners
Executive Hills West
1209 East Court Avenue
Des Moines, Iowa 50319