

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

Re:)
Pharmacy License of)
WALGREENS ADVANCE)
CARE PHARMACY #03417) **STATEMENT OF CHARGES**
License No. 100)
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. General pharmacy license number 100, issued in the name of Walgreens Advance Care Pharmacy #03417, is current until December 31, 1997.
4. Douglas J. Fitzgerald is currently employed as the pharmacist in charge of Walgreens Advance Care Pharmacy #03417 and has been employed as such during all times relevant to this statement of charges.
5. Respondent currently operates a general pharmacy at 4446 N.W. 114th, Urbandale, Iowa 50322.

COUNT I

The Respondent is charged with allowing an employee to practice pharmacy without an active and current Iowa pharmacist license in violation of 1997 Iowa Code §§ 155A.15(2)(c) and 155A.15(2)(e) and 657 Iowa Administrative Code Sections 9.1(4)(j), 9.1(4)(u), and 9.1(4)(v).

THE CIRCUMSTANCES

1. On June 30, 1997, Johnna C. Folkmann's Iowa pharmacist license number 18144 expired and was not renewed. Since June 30, 1997, the license has been delinquent.

2. Johnna C. Folkmann was employed as a pharmacist at Walgreens Advance Care Pharmacy #03417, 4446 N.W. 114th, Urbandale, Iowa from July 7, 1997, to August 28, 1997. Johnna C. Folkmann engaged in the practice of pharmacy at Walgreens Advance Care Pharmacy #03417 without a current and active Iowa pharmacist license.

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
Hoover State Office Building
Des Moines, Iowa 50319

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

Re: }
Pharmacy License of }
WALGREENS ADVANCE }
CARE PHARMACY #3417 }
License No. 100 }
Douglas J. Fitzgerald, }
Pharmacist in charge, }
Respondent }

**STIPULATION
AND
CONSENT ORDER**

On this 3rd day of February, 1998, the Iowa Board of Pharmacy Examiners and Walgreens Advance Care Pharmacy #3417 of 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's license to operate a pharmacy was renewed on the 23rd day of December, 1997, as evidenced by General Pharmacy License Number 100, which is recorded in the permanent records of the Iowa Board of Pharmacy Examiners.
2. That General Pharmacy License Number 100 issued to and currently held by Respondent is current and in full force until December 31, 1998.
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 Respondent.

6. Respondent agrees to accept a citation and warning for the alleged violation set forth in the complaint. Respondent also agrees to submit a written report to the Board within thirty (30) days of acceptance of this Stipulation and Consent Order which outlines the action taken by Respondent to ensure that all pharmacists employed by Respondent in Iowa have an active and current Iowa pharmacist license.

7. Respondent shall fully and promptly comply with all Orders of the Board and the statutes and rules regulating the practice of pharmacy in Iowa. Any violation of the terms of this Order is grounds for further disciplinary action, upon notice and opportunity for hearing, for failure to comply with an Order of the Board, in accordance with Iowa Code section 272C.3(2)(a).

8. This Stipulation and Consent Order is subject to approval of a majority of the full Board. If the Board fails to approve this Stipulation and Consent Order, 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.

9. This Stipulation and Consent Order is voluntarily submitted by Respondent to the Board for its consideration on the 2 day of FEB, 1998.

Walgreens Advance Care by Doug Fitzgerald
WALGREENS ADVANCE
CARE PHARMACY #3417
Douglas J. Fitzgerald, R.Ph.,
Pharmacist in charge,
Respondent

Subscribed and Sworn to before me on this 2 day of Feb., 1998.

William A. Elson
NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA

10. This Stipulation and Consent Order is accepted by the Iowa Board of Pharmacy Examiners on the 2nd 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