

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

Re:)	Case No. 2001-16963
Pharmacist License of)	
INIE CLEMENT)	STATEMENT OF CHARGES
License No. 16963)	
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 (2001).
3. On September 15, 1987, the Board issued Respondent, Inie Clement, a license to engage in the practice of pharmacy by examination as evidenced by license number 16963, subject to the laws of the State of Iowa and the rules of the Board.
4. License number 16963 is current and active until June 30, 2003.
5. Respondent's current address is P.O. Box 139, Des Moines, Iowa 50301-0139.
6. Upon information and belief, the Respondent is not currently employed as a pharmacist. The Respondent was employed as a pharmacist at Mercy Medical Center during all times relevant to this statement of charges.

COUNT I

The Respondent is charged under Iowa Code § 155A.12(1) (2001) and 657 Iowa Administrative Code § 36.1(4)(b)(4) with professional incompetency, including repeated departure from, or failure to conform to, the minimal standard or acceptable and prevailing practice of pharmacy in the State of Iowa.

THE CIRCUMSTANCES

1. On or about January 1, 2001, the Board information that the Respondent was

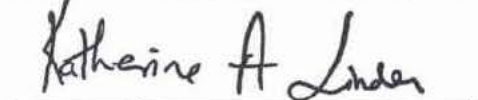
terminated from her position as a pharmacist at the Mercy Inpatient Pharmacy because of numerous dispensing error committed by the Respondent.

2. The Respondent had received extensive training in the Mercy Inpatient Pharmacy after transferring from the Mercy outpatient pharmacy to the Mercy Inpatient Pharmacy.
3. In spite of the extensive training the Respondent received, the Respondent continued to make multiple medication errors.
4. The Respondent's employer documented 97 medication errors made by the Respondent between September 1, 2000 and October 17, 2000.

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.


Eloyd K. Jessen
Executive Secretary/Director

On this 18th day of June, 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

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

Re:)	Case No. 2001-16936
Pharmacist License of)	
IMIE CLEMENT)	STIPULATION
License No. 16936)	AND
Respondent)	CONSENT ORDER
)	

Pursuant to Iowa Code §§ 17A.10 and 272C.3(4) (2003), the Iowa Board of Pharmacy Examiners (hereinafter, "Board") and Imie Clement (hereinafter, "Respondent"), enter into this Stipulation and Consent Order settling a pending contested case. The pending contested case is a licensee disciplinary proceeding before the Iowa Board of Pharmacy Examiners based on allegations specified in a Statement of Charges filed June 18, 2002. The Board and Respondent, who hereby agree that the contested case shall be resolved without proceeding to hearing, stipulate to the following:

1. Respondent was issued a license to practice pharmacy in Iowa on September 15, 1987, after examination, as evidenced by Pharmacist License Number 16963, which is recorded in the permanent records of the Iowa Board of Pharmacy Examiners.
2. Iowa Pharmacist License Number 16963, issued to and held by Respondent is active and current until June 30, 2004.
3. Respondent is not currently employed as a pharmacist.
4. A Statement of Charges was filed against Respondent on June 18, 2002.
5. The Board has jurisdiction over Respondent and the subject matter herein.
6. This Stipulation and Consent Order is entered into for the resolution of disputed claims. Respondent affirmatively denies each and every allegation of the Statement of

Charges, and this Stipulation and Consent Order shall not constitute an admission on the part of the Respondent.

7. Respondent asserts certain allegations and evidence received by the Board in the course of the Board's investigation were incorrect, misleading, adulterated or false. Respondent currently wishes to file a complaint with the Board regarding evidence received by the Board in the course of the Board's investigation of Respondent. To the extent Respondent submits a complaint to the Board regarding matters within the Board's jurisdiction, the Board agrees to investigate and adjudicate the complaint in the ordinary course of the Board's business. Notwithstanding the preceding provisions of this paragraph, the Board shall retain, in its sole discretion, all authority relating to the exercise of its investigative and adjudicative powers.

8. Respondent shall not practice pharmacy in a hospital setting until she demonstrates to the satisfaction of the Board that she is competent to practice pharmacy in a hospital setting. In the event Respondent wishes to seek the Board's approval to work in a hospital setting, she shall bear the burden of demonstrating to the Board that she is competent to work in that setting. Evidence of competency may include, *but shall not be limited to*, (1) completion of relevant academic course work, (2) training in a hospital setting, or (3) an internship in a hospital pharmacy. Respondent understands that the Board has sole discretion to determine whether to permit her to practice pharmacy in a hospital setting.

9. Upon the date of the Board's approval of this Stipulation and Consent Order, Respondent's license shall be placed on probation for a period of two years, under the

following terms and conditions:

- a. Respondent shall file written, sworn quarterly reports with the Board attesting to her compliance with all the terms and conditions of this Stipulation and Consent Order. The reports shall be filed not later than March 5, June 5, September 5 and December 5 of each year of Respondent's probation. The quarterly reports shall include Respondent's place of employment, current home address, home telephone number or work telephone number, and any further information deemed necessary by the Board from time to time.
 - b. Respondent shall obey all federal and state laws and regulations substantially related to the practice of pharmacy.
 - c. Respondent shall not serve as the pharmacist in charge of a pharmacy.
 - d. Respondent shall inform the Board in writing within ten (10) days of any change of home address, place of employment, home telephone number or work telephone number.
10. 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 (2003), and 657 IAC 36.
11. This Stipulation and Consent Order is the resolution of a contested case. By entering into this Stipulation and Consent Order, the 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.

12. 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 party. If the Board approves this Stipulation and Consent Order, it shall be the full and final resolution of this matter.

13. 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 24 day of September 2003.

Inie Clement

Inie Clement, R.Ph.
Respondent

Subscribed and sworn to before me by Inie Clement on this 24 day of September 2003.



Larry M. Blumberg
NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA

This Stipulation and Consent Order is accepted by the Iowa Board of Pharmacy Examiners on the 23 day of Sept. 2003

Katherine A Linder

KATHERINE A. LINDER, Chairperson
Iowa Board of Pharmacy Examiners
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

Larry Blumberg
Attorney
505 5th Avenue, Suite 535
Des Moines, IA 50309

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BEFORE THE IOWA BOARD OF PHARMACY

Re:)	Case No. 2015-25
Pharmacist License of)	
INIE CLEMENT)	NOTICE OF HEARING AND
License No. 16963,)	STATEMENT OF CHARGES
Respondent.)	

COMES NOW the Iowa Board of Pharmacy (Board) and files this Notice of Hearing and Statement of Charges concerning the pharmacist license of Inie Clement pursuant to Iowa Code sections 17A.12(2) and 17A.18(3). Respondent was issued Iowa pharmacist license number 16963. Respondent's license is currently active and will expire on June 30, 2015.

A. TIME, PLACE, AND NATURE OF HEARING

Hearing. A disciplinary contested case hearing shall be held on September 1, 2015, before the Iowa Board of Pharmacy. The hearing shall be held during the afternoon session, beginning at 1:00 p.m. and shall be located in the Board conference room located at 400 S.W. 8th Street, Des Moines, Iowa.

Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge from the Department of Inspections and Appeals make initial rulings on prehearing matters, and be present to assist and advise the board at hearing.

Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 657 Iowa Administrative Code rule 35.19. At hearing you will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf, cross-examine witnesses, and examine any documents introduced at hearing. You may appear personally or be represented by counsel at your own expense. The hearing may be open to the public or closed to the public at your discretion.

Prosecution. The office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Pleadings shall be filed with the Board and copies should be provided to counsel for the State at the following address.

Meghan Gavin
Assistant Attorney General
Iowa Attorney General's Office
2nd Floor Hoover State Office Building
Des Moines, Iowa 50319.

Ms. Gavin can also be reached by phone at (515)281-6736 or e-mail at Meghan.Gavin@iowa.gov.

Communications. You may contact the Board office (515)281-5944 with questions regarding this notice and other matters relating to these disciplinary proceedings. However, you may NOT contact individual members of the Board to discuss these proceedings by phone, letter, facsimile, email, or in person. Board members can only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case. You may also direct questions relating to settlement of these proceedings to Assistance Attorney General Meghan Gavin at (515)281-6736.

B. LEGAL AUTHORITY AND JURISDICTION

Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 17A, 147, 155A, and 272C (2015).

Legal Authority. If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code chapters 17A, 147, 148C, and 272C and 657 Iowa Administrative Code chapter 36.

Default. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code section 17A.12(3) and 657 Iowa Administrative Code rule 35.21.

C. CHARGES

Count I

FAILURE TO NOTIFY THE BOARD OF A CHANGE OF ADDRESS

Respondent is charged with failing to notify the Board within ten days of a change in address in violation of Iowa Code sections 147.55(9) and 155A.12(1),(3) and 657 Iowa Administrative Code rules 2.15 and 36.1(4)(u); .

D. FACTUAL CIRCUMSTANCES

1. Respondent is an Iowa-licensed pharmacist. Her pharmacist license is active and will expire on June 30, 2015
2. The Iowa Department of Revenue notified this Board that Respondent has unpaid liability. Pursuant to Iowa Code section 272D.8 and 657 Iowa Administrative Code chapter 32, a Notice of Intent to Suspend License was issued to the Respondent.
3. The Board order was sent to Respondent's address on file.
4. The Board order returned documenting the address as vacate.
5. Service was attempted at various other addresses utilizing information obtained through an Accurant report, the Polk County Assessor's website, and Facebook. Personal service

was never completed.

6. Respondent has been noticed of three prior Intents to Suspend License for unpaid liability—twice in 2011 and once in 2012.

E. SETTLEMENT

This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 657 Iowa Administrative Code rule 36.3. If you are interested in pursuing settlement of this matter, please contact Assistant Attorney General Meghan Gavin.

F. PROBABLE CAUSE FINDING

On this the 23rd day of June, 2015, the Iowa Board of Pharmacy found probable cause to file this Statement of Charges.



EDWARD MAIER, Chairperson
Iowa Board of Pharmacy
400 SW Eighth Street, Suite E
Des Moines, Iowa 50309-4688

cc: Meghan Gavin
Assistant Attorney General
Hoover State Office Building
Des Moines, Iowa

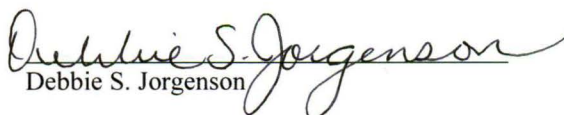
PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon Respondent to the above cause by:

- | | |
|--|---|
| <input type="checkbox"/> personal service | <input type="checkbox"/> first class mail |
| <input checked="" type="checkbox"/> certified mail, return receipt requested | <input type="checkbox"/> facsimile |
| Article Number 9171999991703106714740 | <input type="checkbox"/> other _____ |

on the 7th day of ~~June~~ ^{July}, 2015.

I declare that the statements above are true to the best of my information, knowledge and belief.



Debbie S. Jorgenson