

BEFORE THE IOWA BOARD OF PHARMACY

Re:)	Case Nos. 2015-44
Nonresident Pharmacy License of)	
LDI INTEGRATED PHARMACY)	STATEMENT OF CHARGES
License No. 3816)	& NOTICE OF HEARING
Respondent.)	

COMES NOW the Iowa Board of Pharmacy (Board) and files this Notice of Hearing and Statement of Charges pursuant to Iowa Code sections 17A.12(2) and 17A.18(3) (2013). Respondent was issued Iowa nonresident pharmacy license 3816. Respondent's license is currently active and will expire on December 31, 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 over 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, 155A, 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

VIOLATION OF THE PHARMACY LAWS OF ANOTHER STATE

Respondent is charged with violating the pharmacy laws of another state in violation of Iowa Code sections 147.55(9) and 155A.13A(3) and 657 Iowa Administrative Code rule 36.1(4)(j), (ad).

Count II

FAILURE TO NOTIFY THE BOARD OF OUT OF STATE DISCIPLINE

Respondent is charged with failing to notify the board within 30 days after a final decision by a licensing authority of another state which resulted in disciplinary sanction in violation of Iowa Code sections 147.55(9) and 155A.13A(3) and 657 Iowa Administrative Code rule 36.1(4)(k).

D. FACTUAL CIRCUMSTANCES

1. Respondent is a nonresident pharmacy with its principle place of business at 701 Emerson Road, Suite 343, Creve Coeur, Missouri 63141.
2. Respondent entered into a Consent Agreement with the Louisiana Board of Pharmacy on May 7, 2014 following an investigation that found the Missouri pharmacy has been shipping prescriptions into Louisiana while its Louisiana nonresident pharmacy license had expired.

3. The Consent Agreement included a Letter of Warning and a \$5000 civil penalty.
4. Respondent did not notify this Board of the discipline until its December 11, 2014 renewal application—approximately seven months later.

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 Notice of Hearing and 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

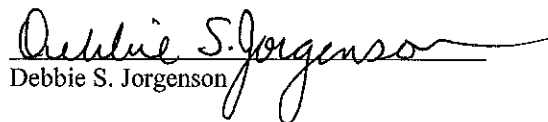
PROOF OF SERVICE

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

- | | |
|------------------------------------------------------------------------------|-------------------------------------------|
| <input checked="" 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 9171999991703106714757 | <input type="checkbox"/> other _____ |

on the 25th day of June, 2015.

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


Debbie S. Jorgenson