

BEFORE THE IOWA BOARD OF PHARMACY

Re:)	CASE NO. 2015-81
Pharmacist License of)	
)	
ALAN HOPPE)	SETTLEMENT AGREEMENT
License No.18117)	AND FINAL ORDER
Respondent.)	

COME NOW the Iowa Board of Pharmacy and Alan Hoppe ("Respondent") and enter into this Settlement Agreement and Final Order ("Order") pursuant to Iowa Code sections 17A.12(5) and 272C.3(4) (2015), and 657 Iowa Administrative Code rule 36.6, to settle a license disciplinary proceeding currently pending before the Board.

The allegations contained in the Statement of Charges against the Respondent shall be resolved without proceeding to hearing, as the Board and Respondent stipulate as follows:

1. Respondent holds Iowa pharmacist license 18117, which is currently active.
2. The Board has jurisdiction over the parties and the subject matter of these proceedings.
3. The Board issued a Statement of Charges concerning Respondent's pharmacist license on November 4, 2015.
4. Respondent has chosen not to contest the charges, but acknowledges that the allegations, if proven in a contested case proceeding, would constitute grounds for the discipline agreed to in this Order.
5. Execution of this Settlement Agreement and Final Order constitutes the resolution of a contested case. Respondent has a right to hearing before the Board on the charges, but Respondent waives the right to hearing and all attendant rights, including the right to appeal or seek judicial review of the Board's actions, by freely and voluntarily entering into this Agreement. This Agreement shall constitute the final order of the Board in this case and shall have the force and effect of a disciplinary order entered following a contested case hearing.
6. Respondent is freely and voluntarily entering into this Agreement. Respondent further agrees that the State's counsel may present this Agreement to the Board and may have *ex parte* communications with the Board while presenting it.

7. This Agreement shall be part of Respondent's permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

8. This Agreement is subject to approval by the Board. If the Board does not approve this Agreement, it shall be of no force or effect on either party, and shall not be admissible for any purpose in further proceedings in this matter. If the Board approves this Agreement, it shall be the full and final resolution of this matter.

9. This Agreement, when fully executed, is a public record and is available for inspection and copying in accordance with the requirements of Iowa Code chapters 22 and 272C.

10. Respondent acknowledges that he has a right to be represented by counsel in these proceedings, and indeed is represented by attorney Craig Sieverding.

11. Respondent understands the Board is required by federal law to report any adverse action to the National Association of Boards of Pharmacy's Disciplinary Clearinghouse and the National Practitioner Data Bank.

12. This Agreement shall not be binding as to any new complaints received by the Board.

13. The Board's approval of this Agreement shall constitute a **FINAL ORDER** of the Board.

IT IS THEREFORE ORDERED:

1. Respondent's license to practice pharmacy in the State of Iowa is hereby **SUSPENDED** effective immediately.

2. Respondent may not request reinstatement of his license for at least six months from Board approval of this Agreement. Respondent may request reinstatement of his Iowa pharmacist license by filing an application for reinstatement under 657 Iowa Administrative Code rule 36.13. Respondent's license shall not be reinstated except upon a showing by the Respondent that the basis for suspension of his license no longer exists, and that it is in the public interest for the license to be reinstated.

3. Respondent agrees not to work in a pharmacy in any capacity in Iowa unless and until his pharmacist license is reinstated. Upon reinstatement, Respondent's license shall be placed on **PROBATION** for three years.

4. Respondent shall pay a **CIVIL PENALTY** in the amount of five thousand dollars (\$5000) within sixty (60) days of Board approval of this Agreement. The check shall be made payable to

the "Treasurer of Iowa" and shall be deposited in the general fund. The civil penalty should be mailed to the Iowa Board of Pharmacy, Attn: Jennifer O'Toole, 4000 SW Eighth Street, Suite E, Des Moines, IA 50309.

5. Respondent shall have no involvement, directly or indirectly, in the ownership, management, direction, or control of any business engaged in the practice of the pharmacy. Respondent may not request release from this prohibition for a period of five years.

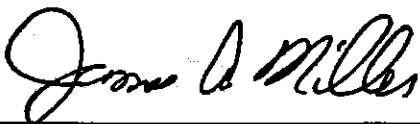
6. Respondent shall not serve as a pharmacist-in-charge. Respondent may not request release from this prohibition for a period of five years.

7. Should Respondent violate the terms of this Order, the Board may initiate action to impose other licensee discipline as authorized by Iowa Code chapters 147, 155A, and 272C and 657 Iowa Administrative Code chapter 36.

This Settlement Agreement and Final Order is voluntarily submitted by Respondent to the Board for its consideration on the 1st day of March, 2017.


ALAN HOPPE
Respondent

This Settlement Agreement and Final Order is approved by the Iowa Board of Pharmacy on the 7th day of March, 2017.


Chairperson
Iowa Board of Pharmacy

Copy to:

Meghan L. Gavin
Assistant Attorney General
Licensing & Administrative Law Division
Iowa Department of Justice

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