

**BEFORE THE IOWA BOARD OF PHARMACY**

---

Re:	)	Case No. 2015-217
Controlled Substance Registration of	)	
<b>MELANIE HOWARD, ARNP</b>	)	<b>SETTLEMENT AGREEMENT</b>
Registration No. 5203144	)	<b>AND</b>
Respondent	)	<b>FINAL ORDER</b>

---

**COME NOW** the Iowa Board of Pharmacy ("Board") and Melanie Howard, ARNP ("Respondent"), and enter into this Settlement Agreement and Final Order ("Agreement") pursuant to Iowa Code sections 17A.10(2) and 272C.3(4) (2015) to settle a licensee disciplinary proceeding currently pending before the Board.

The allegations contained in the Order to Show Cause against the Respondent shall be resolved without proceeding to hearing, as the Board and Respondent stipulate as follows:

1. Respondent holds Iowa controlled substance registration number 5203144, which is currently active.

2. The Board has jurisdiction over the parties and the subject matter of these proceedings.

3. An Order to Show Cause concerning the Respondent's registration was issued on May 4, 2016. A copy of the Order to Show Cause is attached to this settlement and incorporated herein. The allegations in the Order to Show Cause arose from the remote prescribing procedures instituted by the Respondent's employer.

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. Should Respondent violate the terms of this Settlement Agreement and Final Order, the Board may initiate action to impose other licensee discipline as authorized by Iowa Code chapters 272C and 155A (2015) and Iowa Administrative Code chapter 657—36.

7. 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.

8. 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.

9. 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.

10. 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.

11. This Agreement shall be reported to the National Practitioners Data Bank and the National Association of Boards of Pharmacy's Disciplinary Clearinghouse in conformance with the Board's policies and procedures.

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:**


14. Within thirty (30) days of the Board's approval of this Settlement Agreement and Final Order, Respondent shall pay a civil penalty in the amount of \$1000. The civil penalty shall be sent to the Board's executive director. The civil penalty shall be made payable to the Treasurer of Iowa to be deposited in the State's general fund.

15. Within thirty (30) days of the Board's approval of this Settlement Agreement and Final Order, Respondent shall provide the Board policies and procedures for prescribing controlled substances, especially Schedule II controlled substances, to Iowa patients.

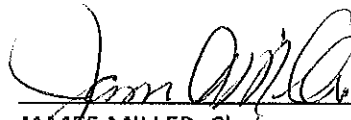
16. Within thirty (30) days of the purchase and installation of new prescription software, Respondent shall provide the Board with updated policies and procedures for prescribing controlled substances, especially Schedule II controlled substances, to Iowa patients. Upon receipt, the Board may elect to inspect the new software and its implementation.

This Settlement Agreement and Final Order is voluntarily submitted by Respondent to the

Board for its consideration on the 1<sup>st</sup> day of AUGUST, 2016.

  
MELANIE HOWARD, ARNP  
Respondent

This Settlement Agreement and Final Order is accepted by the Iowa Board of Pharmacy on the 30<sup>th</sup> day of August 2016.

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

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

John P. Roehrick  
505 5<sup>th</sup> Ave.,  
Des Moines, IA 50309  
ATTORNEY FOR THE RESPONDENT