

BEFORE THE IOWA BOARD OF PHARMACY

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Re: ) Case No. 2015-66  
Pharmacist License of: )  
WENDELL SIMMONDS ) **ORDER GRANTING STATE'S**  
License no. 14823 ) **MOTION TO DISMISS**  
Respondent )

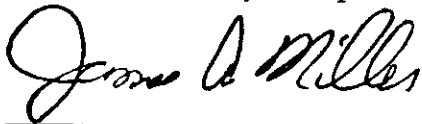
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On May 4, 2016, the Iowa Board of Pharmacy (Board) issued a Notice of Hearing and Statement of Charges to Wendell Simmonds (Respondent), which alleged one count of failure to properly verify a prescription prior to the delivery of the prescription to the patient or the patient's representative, in violation of Iowa Code sections 147.55(9), 155A.12(1), (3), and (4), and 657 IAC 8.3(3) and 36.1(4)(u). The hearing was initially scheduled for June 29, 2016 but was continued to August 30, 2016. The parties appeared with counsel at the time scheduled for hearing. At that time, the state moved to dismiss the Notice of Hearing and Statement of Charges because further investigation had revealed that Respondent was not the pharmacist responsible for the prescription error. Respondent was not working in the pharmacy on the day the error was made. Respondent's attorney joined in the Motion to Dismiss. The Board unanimously approved a motion granting the state's motion and dismissing the charges.

ORDER

IT IS THEREFORE ORDERED that the Notice of Hearing and Statement of Charges filed against Respondent Wendell Simmonds on May 4, 2016 is hereby DISMISSED.

Dated this 1st day of September, 2016.



James Miller  
Chairperson, Iowa Board of Pharmacy

cc: Meghan Gavin, Assistant Attorney General  
Kellen B. Bubach, Attorney for Respondent