

BEFORE THE PHARMACY BOARD OF THE STATE OF IOWA

IN THE MATTER OF RYAN HABEGER 1519 S. Phillips Algona, IA 50511 License No. 21059 RESPONDENT	CASE NO.: 2024-0176 COMBINED STATEMENT OF CHARGES, SETTLEMENT AGREEMENT, AND FINAL ORDER
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COME NOW the Iowa Board of Pharmacy (“Board”) and Ryan Habeger (“Respondent”) and enter into this combined Statement of Charges and Settlement Agreement and Final Order (“Order”) pursuant to Iowa Code sections 17A.10(2), 272C.3(4), and 272C.10 and 657 Iowa Administrative Code (“IAC”) 35.24.

A. BACKGROUND

1. **Iowa License.** Respondent maintains Iowa pharmacy license number 21059. Respondent’s Iowa pharmacist license is active and will next expire on June 30, 2025.
2. **Practice Setting.** Respondent is an Iowa licensed pharmacy located in Algona, Iowa, during the time period relevant to these allegations.
3. **Jurisdiction.** The Board has jurisdiction in this matter pursuant to Iowa Code section 155A.
4. **Allegations.** At all times material hereto, Respondent served as the pharmacist in charge (“PIC”) of KRHC Family Pharmacy. On or about the date of May 23, 2023, the Board conducted an in-depth inspection of the Respondent’s pharmacy accountability measures for Schedule III through V controlled substances. After this inspection, Respondent represented that it would utilize ninety (90) day cycle counts to come into compliance with 657 IAC 10.20(3). On July 17,

2024, a follow-up inspection of Respondent's pharmacy evidenced that no accountability measures for Schedule III through V controlled substances had been implemented.

B. STATEMENT OF CHARGES

COUNT I

5. Respondent is charged under 657 IAC 10.20 with failing to ensure accountability of Schedule III through V controlled substances.

C. SETTLEMENT AGREEMENT

6. Respondent acknowledges that the allegations in the Statement of Charges, if proven in a contested case hearing, would constitute grounds for the discipline agreed to in this Order.

7. To resolve this matter without proceeding to hearing, Respondent agrees to the following conditions:

- a. PROBATION. Respondent is hereby CITED for violation of 657 IAC 10.20 for failing to maintain accountability of controlled substances. Respondent is hereby WARNED that engaging in such conduct in the future may result in further disciplinary action against Respondent's Iowa pharmacist's license.
- b. CONTINUING EDUCATION. Respondent shall complete five (2) hours of board-approved continuing education in the area of controlled substance accountability. Respondent shall tender proof of submission of continuing education to the Iowa Board of Pharmacy, 6200 Park Avenue, Ste. 100, Des Moines, Iowa, 50321.

8. In entering this Order, Respondent acknowledges the following:

- a. This Order is subject to the approval of the Board and will have no force or effect if it

is not accepted by the Board.

- b. Counsel for the State will present this Order to the Board *ex parte*.
- c. I have the right to be represented by counsel in this matter.
- d. I understand I have an opportunity to be heard and to contest the allegations against me in a formal hearing before the Board and that, by waiving the formal hearing, I waive my right to challenge the allegations against me and all attendant rights, including the right to seek judicial review of the Board's actions.
- e. I waive my ability to review the investigative file in this case.
- f. I understand this Order will be part of my permanent licensure file and may 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.
- g. I am voluntarily entering into this Order.
- h. Failure to comply with the provisions of this Order shall be grounds for further disciplinary action pursuant to Iowa Code § 272C.3(2)(a).
- i. I understand the Board will report this Order to the National Association of Pharmacy Boards. The report to the database will reflect the language included in this Order.
- j. I understand I am responsible for all expenses incurred to comply with the conditions and requirements of this Order.

12. Respondent shall submit a copy of this Order to all licensing boards where Respondent holds a license, whether active or not, within **THIRTY days** of the date of the Board approval of this Order.

13. This Order constitutes discipline against Respondent and is the final agency action in a contested case pursuant to Iowa Code section 17A.10.

14. This Order shall not preclude the Board from taking additional action against Respondent should Respondent violate laws, rules, or standards of practice administered by the Board in the future.

15. This Order becomes a public record available for inspection and copying upon execution in accordance with the requirements of Iowa Code Sections 17A, 22, and 272C.

16. The Board's approval of this Order shall constitute a **Final Order** of the Board.

D. FINAL ORDER

IT IS THEREFORE ORDERED:

a. **CITATION AND WARNING.** Respondent is hereby CITED for violation of 657 IAC 10.20 for failing to maintain accountability of controlled substances. Respondent is hereby WARNED that engaging in such conduct in the future may result in further disciplinary action against Respondent's Iowa pharmacist's license.

b. **CONTINUING EDUCATION.** Respondent shall complete five (2) hours of board-approved continuing education in the area of controlled substance accountability. Respondent shall tender proof of submission of continuing education to the Iowa Board of Pharmacy, 6200 Park Avenue, Ste. 100, Des Moines, Iowa, 50321.

FOR THE RESPONDENT:

Voluntarily agreed to and accepted by Ryan Habeger on this 2nd day of December, 2024.

A handwritten signature in black ink, appearing to read 'Ryan Habeger', is written over a horizontal line.

By: Ryan Habeger, Respondent

FOR THE IOWA BOARD OF PHARMACY:

Voluntarily agreed to and accepted by the **IOWA BOARD OF PHARMACY** on this
7th day of January, 2025

Kathryn S Stone

Kathy Stone, Chair
Iowa Board of Pharmacy