

BEFORE THE BOARD OF THE STATE OF IOWA

IN THE MATTER OF

MARY ELLEN KOPASKA
417 2ND Street
West Des Moines, IA 50265

Registration No. 37812

RESPONDENT

CASE NO.: 2023-0039

**VOLUNTARY SURRENDER OF
REGISTRATION THROUGH CONSENT
ORDER**

COME NOW the Iowa Board of Pharmacy (“Board”) and Mary Ellen Kopaska (“Respondent”), and enter into this Voluntary Surrender of Registration through Consent Order (“Voluntary Surrender”) pursuant to Iowa Code sections 17A.10(1) and 272C.3(4).

A. JURISDICTION AND BACKGROUND

1. **Iowa Certified Pharmacy Technician Registration.** Respondent maintains Iowa certified pharmacy technician registration number 37812. Respondent’s Iowa certified pharmacy technician registration is active and will next expire on August 30, 2025.

2. **Jurisdiction.** The Board has jurisdiction in this matter pursuant to Iowa Code chapter 155A.

B. STATEMENT OF CHARGES

Count I

3. Respondent is charged under 657 IAC 36.6(36) with diversion of controlled substances from a pharmacy for personal use or distribution.

C. FACTUAL CIRCUMSTANCES

4. On or about the date of February 6, 2024, Hy-Vee Pharmacy in Altoona, Iowa, filed a DEA 106 form with the Board alleging Respondent diverted controlled substances from its pharmacy.

5. Subsequent investigation revealed Respondent was observed on video security footage removing prescriptions from patient prescription bottles.

D. SETTLEMENT AGREEMENT

6. Without admission of wrongdoing or guilt, Respondent does not contest the violations alleged in the above-stated statement of charges.

7. Respondent acknowledges that they have a right to a hearing before the Board on the merits of the charges. By freely and voluntarily entering into this Voluntary Surrender, Respondent waives their right to a hearing and all attendant rights, including the right to seek judicial review. This Voluntary Surrender constitutes the final agency order in this contested case.

8. Respondent agrees that the Assistant Attorney General may present this Voluntary Surrender to the Board and may have *ex parte* communications with the Board while presenting it. Respondent waives any right of notice of this meeting or any right that the Respondent might have to participate in the discussion of this Voluntary Surrender among the Board and the Assistant Attorney General.

9. This Voluntary Surrender shall be part of the disciplinary record and permanent licensure file of Respondent and shall be considered by the Board in determining the nature and severity of any future disciplinary action to be imposed in the event of any future violations of the laws and rules governing the practice of Respondent as a certified pharmacy technician.

10. Respondent shall at all future times fully and promptly comply with all pertinent orders of the Board and the statutes and Board rules regulating the practice of certified pharmacy technicians. Failure to comply with the terms of this Voluntary Surrender shall be *prima facie* evidence of a violation of Iowa Code § 272C.3(2)(a) and shall be grounds for further disciplinary action. However, no action may be taken against Respondent for violations of this Voluntary Surrender without a hearing, or waiver of hearing.

11. This Voluntary Surrender is not binding on Respondent or the Board until it has been formally approved by a majority of the Board members.

(a) In the event that this Voluntary Surrender is rejected by the Board it shall be of no force or effect to either party and it shall not be admissible for any purpose in further proceedings in this matter.

(b) If the Board approves this Voluntary Surrender, it shall fully dispose of all issues in this case.

13. Upon acceptance by both the Board and Respondent, this Voluntary Surrender shall be a public record available for inspection and copying in its entirety in accordance with the requirements of Iowa Code chapter 22.

14. Respondent understands that the Board is required by Federal law to report this Voluntary Surrender to the National Association of Boards of Pharmacy's Clearinghouse.

15. Respondent shall submit a copy of this Voluntary Surrender 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 Voluntary Surrender.

CONSENT ORDER

IT IS THEREFORE ORDERED:

A. VOLUNTARY SURRENDER: The Respondent voluntarily agrees to surrender her Iowa certified pharmacy technician registration number 37812 to the Iowa Board of Pharmacy as sanction for the above-admitted violation. The effective date of the registration surrender shall be the date this Voluntary Surrender is accepted by the Board.

B. REGISTRANT REAPPLICATION: Reinstatement of Respondent's Iowa registration shall be governed by Iowa Code § 272C.15. Respondent specifically acknowledges that pursuant to this agreement, Respondent shall not be eligible to seek reinstatement of her registration for a minimum of two years from the date her registration surrender is effective.

WHEREFORE, the terms of this Voluntary Surrender of Registration through Consent Order is agreed to by the Iowa Board of Pharmacy and Respondent.

FOR THE RESPONDENT:

Voluntarily agreed to and accepted by Mary Ellen Kopaska on this 15 day of January, 2025.



By: Mary Ellen Kopaska, Respondent

FOR THE IOWA BOARD OF PHARMACY:

Voluntarily agreed to and accepted by the **IOWA BOARD OF PHARMACY** on this
16th day of January, 2025.

A handwritten signature in cursive script that reads "Kathryn S Stone".

Kathy Stone, Chair
Iowa Board of Pharmacy