

BEFORE THE PHARMACY BOARD OF THE STATE OF IOWA

<p>IN THE MATTER OF</p> <p>TODD THOMPSON 3936 West Overlook Iowa City, Iowa 52240</p> <p>License No. 19039</p> <p>RESPONDENT</p>	<p>CASE NO.: 2024-0171 DIAL NO.: 25DBPB0006</p> <p>SETTLEMENT AGREEMENT AND FINAL ORDER</p>
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COMES NOW the Iowa Board of Pharmacy (“Board”) and Todd Thompson (“Respondent”), pursuant to Iowa Code sections 17A.10(2) and 272C.3(4), and enter into this Settlement Agreement and Final Order (“Settlement Agreement”).

1. **Iowa License.** Respondent maintains Iowa pharmacist licensed number 190039. Respondent’s license is active and expires on June 30, 2026.
2. **Jurisdiction.** The Board has jurisdiction in this matter pursuant to Iowa Code § 155A.

A. STIPULATIONS

3. **Practice Setting:** Respondent is an Iowa licensed pharmacist who practices in Iowa City, Iowa.
4. **Statement of Charges:** On February 28, 2025, the Iowa Board of Pharmacy filed a Statement of Charges alleging Respondent knowingly made deceptive, untrue, or fraudulent representations in the practice of pharmacy and obtaining any fee by fraud or misrepresentation pursuant to Iowa Administrative Code rules 657 IAC 36.6(3) and 657 IAC 36.6(20).
5. **Allegations:** On or about the date of November 22, 2023, Todd Thompson, owner of SmartScripts Pharmacy placed an order for one case (84 case packs) of Ozempic 4 mg/3ml pens through wholesaler Pharma Pac – or 1,260 Ozempic pens. This Ozempic was in actuality determined to be counterfeit. On or about the day of November 28, 2023, the counterfeit Ozempic

arrived at SmartScripts, SmartScripts received fifteen (15) cases. On December 7, 2023, SmartScripts shipped the counterfeit Ozempic to Central Pharmacy Management in Lansing, Michigan, which it further distributed to at least two pharmacies. ON or about the date of December 18, 2023, SmartScripts received a call from staff at Pharma Pac requesting payment for all fifteen (15) cases of product. Todd Thompson (“Thompson”), the Pharmacist-in-Charge at the time, quarantined the Ozempic in his possession and requested that the pharmacies he had shipped to not sell any. On or about the date of December 21, 2023, Thompson became aware that the NDC and lot number of the drug Thompson had purchased was in fact counterfeit Ozempic. Thompson did not inform the Board office until July 17, 2024.

B. SETTLEMENT AGREEMENT

6. Respondent acknowledges that the allegations stated above, if proven in a contested case hearing, would constitute grounds for the discipline agreed to in this Settlement Agreement.

7. To resolve this matter without proceeding to hearing, Respondent agrees to be placed on three (3) years of probation subject to the following terms and conditions:

- a. A civil penalty in the amount of five thousand dollars (\$5,000.00);
- b. Completion of ten (10) hours of continuing education on the Drug Supply Chain Security Act; and
- c. Any documentation, including the civil penalty, required to be submitted to the Board pursuant to this Order shall be sent to the Iowa Board of Pharmacy, Attn: Amanda Woltz, 6200 Park Avenue, Suite 100, Des Moines, Iowa 50321 or by email as appropriate to Amanda.woltz@dia.iowa.gov.

8. In entering this Settlement Agreement, Respondent acknowledges the following:

- a. This Settlement Agreement 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 Settlement Agreement to the Board *ex parte*.
- c. I have the right to be represented by counsel in this matter. I was represented by the law firm of Phelps Dunbar LLP in the negotiation of this Settlement Agreement.
- 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.
- f. I understand this Settlement Agreement 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 Settlement Agreement.
- h. Failure to comply with the provisions of this Settlement Agreement shall be grounds for further disciplinary action pursuant to Iowa Code § 272C.3(2)(a).
- i. Respondent understand and acknowledges the Board will report this Order to then National Association of Boards of Pharmacy ("NABP") Clearinghouse. The report to the Clearinghouse 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 Settlement Agreement.

9. Respondent shall submit a copy of this Settlement Agreement 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 Settlement Agreement.

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

11. Failure to comply with the provisions of this Settlement Agreement shall be grounds for further disciplinary action pursuant to Iowa Code section 272C.3(2)(a).

12. This Settlement Agreement 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.

13. Periods in which Respondent does not practice, practices in another state, or fails to comply with the terms established in this Settlement Agreement shall not apply to the duration of this Settlement Agreement unless Respondent obtains written approval from the Board.

14. This Settlement Agreement becomes a public record available for inspection and copying upon execution in accordance with the requirements of Iowa Code Chapters 17A, 22, and 272C.

15. This Settlement Agreement is subject to approval of the Board. If the Board fails to approve this agreement it shall be of no force or effect to either party.

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

C. FINAL ORDER

WHEREFORE, the terms of this Settlement Agreement are agreed to by the Iowa Board of Pharmacy and the Respondent.

IT IS THEREFORE ORDERED, Respondent is placed on three (3) years of probation subject to the following terms and conditions:

- a. **Civil Penalty.** Within thirty (30) days of this Order, Respondent shall pay a civil penalty in the amount of five thousand dollars (\$5,000.00). The check shall be made

payable to the "Treasurer of Iowa" and shall be deposited in the general fund.

b. **Continuing Education.** Completion of ten hours of continuing education on the Drug Supply Chain Security Act; and

c. **Board Appearances.** Respondent shall appear before the Board upon requests for purposes of evaluating performance of the probationary period. Respondent shall be given reasonable notice of the date, time, and place for such appearances.

d. **Compliance with Laws and Rules.** Respondent shall abide by all state and federal laws and regulations governing the practice of pharmacy.

SO ORDERED this ____ day of _____, 2025.

FOR THE RESPONDENT:

Voluntarily agreed to and accepted by TODD THOMPSON on this 6 day of May, 2025.

Todd Thompson

By: Todd Thompson, Respondent

FOR THE IOWA BOARD OF PHARMACY:

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



Chairperson
Iowa Board of Pharmacy

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Final Audit Report

2025-05-07

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