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STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
BEFORE THE BOARD OF PHARMACY

In the matter of:)
)
LOUISE LOVRICH,)
Respondent)

Case No. 2013-002234

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JUNEAU
FEB 14 2014
Division of Corporations, Business
and Professional Licensing

CONSENT AGREEMENT, DECISION AND ORDER

IT IS HEREBY AGREED by the Department of Commerce, Community and Economic Development, Division of Corporations, Business and Professional Licensing (Division), and Louise Lovrich (Lovrich) as follows:

1. **Licensure.** Lovrich holds Alaska Pharmacist License Number 1088 which was first issued to her on July 2, 1995, and which will expire on June 30, 2014, unless renewed.
2. **Admission/Jurisdiction.** Lovrich admits and agrees that the Board of Pharmacy (Board) for the State of Alaska has jurisdiction over the subject matter of her license in Alaska and over the agreement.
3. **Facts.** Lovrich admits the following facts:
 - a. To renew her Alaska pharmacist license for the July 1, 2012 - June 30, 2014 (2012-2014) licensing period, AS 08.80.165 and 12 AAC 52.300(c) require Lovrich to submit documentation that she has met all continuing education requirements under 12 AAC 52.320-12 AAC 52.350. These requirements include the completion of 30 contact hours of acceptable continuing education during the concluding license period (July 1, 2010 to June 30, 2012).
 - b. As part of the 2012-2014 Biennial Pharmacist License Renewal application, Lovrich indicated she met the continuing education requirements in 12 AAC 52.320 – 12 AAC 52.350 during the license period from July 1, 2010 through June 30, 2012.
 - c. On the renewal application, Lovrich certified by her signature dated May 30, 2012 that the information furnished in the license renewal application is true and correct. Lovrich's Alaska pharmacist license was renewed in reliance upon the information in that application.
 - d. Under 12 AAC 52.350(a), Lovrich's renewal application was among the group randomly selected for audit to monitor compliance with the continuing education requirements of 12 AAC 52. Following the renewal of her license, Lovrich was instructed to provide proof of completion of the contact hours claimed on the renewal application.
 - e. In response to the audit, Lovrich submitted documentation of 23 contact hours of continuing education completed between July 1, 2010 – June 30, 2012 that meet the requirements of 12 AAC 52.340.

Department of Commerce, Community and Economic Development
Division of Corporations, Business and Economic Development
P.O. Box 110806, Juneau, Alaska 99811-0806

- 1 f. Lovrich admits that she lacks 7 contact hours of acceptable continuing education completed
2 between July 1, 2010 – June 30, 2012 to meet the continuing education requirements to
3 lawfully renew her Alaska pharmacist license for the 2012-2014 licensing period.
- 4 g. Lovrich acknowledges that as an Alaska-licensed pharmacist, it is her responsibility to be
5 continually aware of all laws and regulations pertaining to the practice of pharmacy in Alaska.
6 Lovrich further acknowledges her individual responsibility as an Alaska-licensed pharmacist
7 to obtain the minimum number of credit hours of continuing education that meet the
8 requirements of 12 AAC 52.340 required to renew her license during the concluding license
9 period and to maintain evidence of compliance with the continuing education requirement,
10 under 12 AAC 52.320-12 AAC 52.350.
- 11 h. Lovrich admits that as a result of the above facts, grounds exist for the possible revocation,
12 suspension, and imposition of other disciplinary sanctions to her Alaska pharmacist license
13 pursuant to AS 08.01.075, AS 08.80.261, and 12 AAC 52.350(d).

14 **4. Formal Hearing Process.** It is the intent of the parties to the Consent Agreement to provide for
15 the compromise and settlement of all issues which could be raised by an Accusation to revoke,
16 suspend, or impose disciplinary sanctions against the license through a formal hearing process.

17 **5. Waiver of Rights.** Lovrich agrees she has the right to consult with an attorney of her own
18 choosing and that she has a right to an administrative hearing on the facts in the case. Lovrich
19 understands and agrees that by signing the Consent Agreement, she is waiving her rights to a
20 hearing. Further, Lovrich understands and agrees that she is relieving the Division of any burden it
21 has of proving the above facts. Lovrich further understands and agrees that by signing the
22 Consent Agreement, she is voluntarily and knowingly giving up her right to present oral and
23 documentary evidence, to present rebuttal evidence, to cross-examine witnesses against, and to
24 appeal the Board's decision to Superior Court.

25 **6. Effect of Nonacceptance of Agreement.** Lovrich and the Division agree that the Consent
Agreement is subject to the approval of the Board. They agree that if the Board rejects the
agreement, it will be void and an accusation may be filed. If the agreement is rejected by the
Board, it will not constitute a waiver of Lovrich's right to a hearing on matters alleged in an
accusation and any admissions contained herein will have no effect. Lovrich agrees that if the
Board rejects the agreement, the Board may decide the matter after a hearing, and its consideration
of the agreement alone shall not be grounds for claiming the Board is biased against her, that it
cannot fairly decide the case, or that it has received ex parte communication.

7. Consent Agreement, Decision and Order. Lovrich agrees that the Board has the authority to
enter into the Consent Agreement and to issue the following Decision and Order. Lovrich and the
Division agree that the Board may adopt the proposed Decision and Order in its entirety, or may
reduce the proposed penalty and adopt the balance of the proposed decision.

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Division of Continuing Education
and Professional Training

1 **DECISION AND ORDER**

2 **IT IS HEREBY ORDERED** that for her failure to comply with the continuing education
3 requirements of 12 AAC 52, as indicated on her 2010-2012 license renewal application, Lovrich
4 shall:

- 5 1) Be assessed a civil fine of **\$2,500.00** with **\$1,800.00** of that amount suspended subject to her
6 compliance with the all of the terms and conditions of the agreement. A violation of the
7 agreement will result in the reinstatement of the suspended portion of the fine under the
8 conditions described in paragraph **F** of the agreement;
- 9 2) Satisfy the continuing education requirements under 12 AAC 52 to renew the license for the
10 2012-2014 licensing period in accordance with the terms of the agreement;
- 11 3) Receive a reprimand from the Board; and
- 12 4) Comply with the terms of a mandatory audit of compliance with the continuing education
13 requirements for the next two periods that the license is subject to renewal. Satisfactory
14 documentation to verify Lovrich's compliance with the continuing education requirements
15 must be received prior to the processing of her renewal application.

16 **A. Civil Fine**

17 Lovrich shall pay the unsuspended portion of the civil fine in the amount of **\$700.00 within**
18 **90 days** of the date the agreement is adopted by the Board. The civil fine shall be paid in
19 the form of a cashier's check, personal check, or money order made payable to the State of
20 Alaska.

21 Payment of the civil fine will be sent to the attention of Charles Ward, Paralegal,
22 Department of Commerce, Community and Economic Development, Division of
23 Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-
24 0806.

25 Nonpayment of the fine in accordance with these terms will constitute a violation of the
agreement and will result in the reinstatement of any suspended amount in accordance with
paragraph **F** of the agreement.

B. Compliance with the Continuing Education Requirement

With the audit, Lovrich has provided documentation to verifying her completion of
approved contact hours completed between July 1, 2010 and June 30, 2012 as follows on
Page 4 of the Agreement:

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Table 1: Contact hours completed between July 1, 2010 to June 30, 2012.

Date Complete	Activity/Program/Course	Sponsor/Provider/Instructor	Contact Hours
12/9/10	Emerging Developments in Drug Therapy and Implementation into Patient Care	Pharmacist's Letter ACPE #0422-0000-10-012-H01-P	1.0
3/16/11	PL CE LIVE March Forum 2011	Pharmacist's Letter ACPE #0422-0000-11-503-L01-P	1.0
5/4/11	Delivering Effective Feedback	Pharmacist's Letter ACPE #0422-0000-10-523-L04-P	1.0
7/2/11	Emerging Developments in Drug Therapy and Implementation into Patient Care	Pharmacist's Letter ACPE #0422-0000-11-005-H01-P	1.0
7/12/11	PL CE LIVE July Forum 2011	Pharmacist's Letter ACPE #0422-0000-11-507-L01-P	1.0
7/14/11	PL CE LIVE May Forum 2011	Pharmacist's Letter ACPE #0422-0000-11-505-L01-P	1.0
7/14/11	PL CE LIVE June Forum 2011	Pharmacist's Letter ACPE #0422-0000-11-506-L01-P	1.0
7/26/11	Preventing and Managing Difficult Learning Situations	Pharmacist's Letter ACPE # 0422-0000-11-521-L04-P	1.0
8/4/11	PL CE LIVE August Forum 2011	Pharmacist's Letter ACPE #0422-0000-11-508-L01-P	1.0
8/10/11	Literature Evaluation in Clinical Practice	Pharmacist's Letter ACPE #0422-0000-11-522-L04-P	1.0
9/3/11	Emerging Developments in Drug Therapy and Implementation into Patient Care	Pharmacist's Letter ACPE #0422-0000-11-009-H01-P	1.0
9/3/11	What's New in Diabetes – Update for Pharmacists	Pharmacist's Letter ACPE #0422-0000-11-217-H01-P	1.0
9/8/11	PL CE LIVE September Forum 2011	Pharmacist's Letter ACPE #0422-0000-11-509-L01-P	1.0
9/9/11	Emerging Developments in Drug Therapy and Implementation into Patient Care	Pharmacist's Letter 0422-0000-11-006-H01-P	1.0
9/14/11	Seat at the Editorial Board Table for October 2011 Recommendations	Pharmacist's Letter ACPE #0422-0000-11-589-L01-P	1.0
9/14/11	Celiac Disease: Knowing the Disease and Cultivating the Clientele	Pharmacist's Letter ACPE #0422-0000-09-805-H04-P	1.0
9/18/11	Emerging Developments in Drug Therapy and Implementation into Patient Care	Pharmacist's Letter ACPE #0422-0000-11-008-H01-P	1.0
9/19/11	Natural Medicines in the Clinical Management of Heart Failure	Pharmacist's Letter ACPE #0422-0000-10-111-H01-P	1.0
9/20/11	Emerging Developments in Drug Therapy and Implementation into Patient Care	Pharmacist's Letter ACPE #0422-0000-11-007-H01-P	1.0
9/21/11	Emerging Developments in Drug Therapy and Implementation into Patient Care	Pharmacist's Letter ACPE #0422-0000-11-004-H01-P	1.0
9/25/11	Emerging Developments in Drug Therapy and Implementation into Patient Care	Pharmacist's Letter ACPE #0422-0000-11-003-H01-P	1.0
4/29/12	Emerging Developments in Drug Therapy and Implementation into Patient Care	Pharmacist's Letter ACPE #0422-0000-12-005-H01-P	1.0
5/1/2012	Combating Methamphetamine Abuse 2012	Pharmacist's Letter ACPE #0422-0000-11-315-H03-P	1.0

In addition, Lovrich has provided 11 hours of continuing education completed after June 30, 2012.

Table 2: Contact hours completed after June 30, 2012

Date Complete	Activity/Program/Course	Sponsor/Provider/Instructor	Contact Hours
1/12/13	Emerging Developments in Drug Therapy and Implementation into Patient Care	Pharmacist's Letter ACPE #0422-0000-12-012-H01-P	1.0
3/10/13	Emerging Developments in Drug Therapy and Implementation into Patient Care	Pharmacist's Letter ACPE #0422-0000-13-001-H01-P	1.0
3/20/13	Emerging Developments in Drug Therapy and Implementation into Patient Care	Pharmacist's Letter ACPE #0422-0000-13-002-H01-P	1.0
3/20/13	Emerging Developments in Drug Therapy and Implementation into Patient Care	Pharmacist's Letter ACPE #0422-0000-13-003-H01-P	1.0
4/19/13	Emerging Developments in Drug Therapy and Implementation into Patient Care	Pharmacist's Letter ACPE #0422-0000-13-004-H01-P	1.0
5/7/13	Emerging Developments in Drug Therapy and Implementation into Patient Care	Pharmacist's Letter ACPE #0422-0000-13-005-H01-P	1.0
9/24/13	Emerging Developments in Drug Therapy and Implementation into Patient Care	Pharmacist's Letter ACPE #0422-0000-13-006-H01-P	1.0

Under the terms of this Agreement, these seven hours will be used to satisfy Lovrich's deficient continuing education from her 2012-2014 license renewal. Any continuing education contact hours used to satisfy the requirement **may not** be applied as hours to fulfill the continuing education requirement of any subsequent renewal period of the license.

C. Reprimand

The Board of Pharmacy issues Lovrich a reprimand for her failure to complete the continuing education portion of the license renewal application accurately.

To renew the license for the 2012-2014 licensing period, AS 08.80.165 and 12 AAC 52.320(a) require Lovrich to complete 30 contact hours of continuing education in programs approved under 12 AAC 52.340 during the concluding license period. On her renewal application, Lovrich certified her compliance with the continuing education requirements in 12 AAC 52.

Subsequent to the renewal of the license, Lovrich was informed her license renewal application was among the group randomly selected for audit to monitor compliance with the continuing education requirements. Lovrich was requested to provide documentation to verify completion of the continuing education indicated on her renewal application. In response to the audit, Lovrich admits that she was unable to verify her completion of the minimum number of acceptable continuing education contact hours required under AS 08.80 and 12 AAC 52 for the renewal of the license.

1 The Board issues the renewal of these licenses in advance of requiring an applicant to
2 provide documentation to verify completion of the reported continuing education contact
3 hours based upon the applicant's affirmative certification that the requirement has been
4 met. The Board expects each Alaska-licensed pharmacist to be aware of all laws and
regulations pertaining to the practice of pharmacy in Alaska and relies upon each
applicant's honesty and integrity to respond to the question on the renewal application
accurately.

5 Lovrich is hereby reprimanded for her inaccurate response on the renewal application and
6 her failure to complete the minimum number of continuing education contact hours in
ACPE approved programs during the concluding license period as indicated on her 2010-
2012 license renewal application.

7 **D. Mandatory Audit of Compliance with the Continuing Education Requirement**

8 Lovrich's renewal application for her Alaska pharmacist license will be subject
9 to a mandatory audit for the following two renewal periods to ensure compliance with the
continuing education requirements under AS 08.80 and 12 AAC 52.

10 It is understood and agreed that Lovrich's renewal application for the next two license
11 periods will not be processed until documentation to verify Lovrich's successful
completion of the required continuing education has been received and accepted by the
Board or its agent (the Division).

12 Documentation of continuing education submitted for the mandatory audit is subject to
13 Board approval. It is understood that the Board may disallow contact hours accepted by the
division to process the renewal of the license. In accordance with 12 AAC 52.350(c),
14 Lovrich agrees to complete any such disallowed contact hours in an approved program and
report the completion to the board **within 90 days** of the date the board sends notification
15 of the disallowed contact hours.

16 If Lovrich decides not to apply for renewal of the license during one or both of the renewal
17 periods referenced above, then the terms of the Consent Agreement will remain in effect
until such time as the license has been renewed subject to the audit for two renewal periods.

18 Lovrich understands that compliance with the mandatory audit must be made in advance of
19 processing her license renewal. Lovrich accepts responsibility to provide the documentation
and understands that she will receive no additional notice with the license renewal
applications.

20 **E. Compliance with Laws**

21 Lovrich will obey all laws pertaining to her Alaska pharmacist license and the practice of
22 pharmacy in Alaska and any such violation which occurs during the period that the
agreement is in effect will constitute a violation of the agreement.

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F. Violation of Agreement

Should Lovrich fail to comply with any term or condition of the agreement, then the suspended portion of the civil fine will be reinstated, in addition to any other applicable fines or penalties authorized by law.

If a suspended portion of the civil fine is reinstated under the paragraph, then payment is immediately due and must be paid in the form of a cashier's check or money order payable to the State of Alaska and sent to the address of the board. The nonpayment of any such reinstated amount shall be grounds for the denial of the renewal of the license.

Further, it is agreed that the violation of the agreement shall result in the automatic suspension of Lovrich's Alaska pharmacist license. If her license is automatically suspended under the paragraph, she shall be entitled to an administrative hearing regarding the issue of the suspension in accordance with AS 44.62.

In the event Lovrich's license lapses for nonrenewal while in a suspended status, the license will be considered "lapsed while under suspension" and to reinstate the license:

- 1) all terms of the Consent Agreement must be satisfied; and
- 2) all requirements pursuant to AS 08.80 and 12 AAC 52 to reinstate a lapsed pharmacist license must be met.

Lovrich agrees that failure to comply with a request by the Board or its agent to allow review of Lovrich's compliance with the conditions of the Consent Agreement shall be deemed a violation of the terms of the agreement.

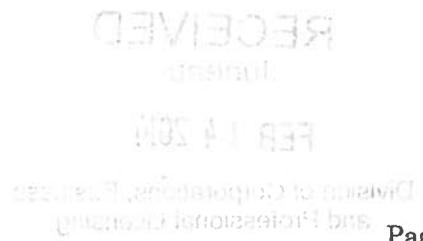
G. Address of the Board

All communication concerning the Consent Agreement should be addressed to:
Charles Ward, Paralegal
Department of Commerce, Community and Economic Development
Alaska Division of Corporations, Business and Professional Licensing
P.O. Box 110806
Juneau, AK 99811-0806

It is the responsibility of the licensee to keep the Board's agent advised in writing of any changes of her current mailing address, current physical address, and telephone number. Failure to do so will be considered a violation of the agreement and shall constitute grounds for automatic suspension of her license in accordance with paragraph F above.

H. Good Faith

All parties agree to act in good faith to carry out the stated intentions of the Consent Agreement.



1 **THE AGREEMENT SHALL TAKE EFFECT IMMEDIATELY UPON ITS ADOPTION BY THE**
2 **BOARD** and is a public record of the Board and the State of Alaska. The State may provide a copy of the
3 agreement to any person, professional licensing board, federal, state, or local government agency, or other
4 entity making a relevant inquiry. The disciplinary action taken by the Board in the agreement will be
5 reported to the National Association of Boards of Pharmacy (NABP), U.S. Department of Health and
6 Human Services/Healthcare Integrity and Protection Data Bank (HIPDB) and any other entity as may be
7 required by law.

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9
10 **ACCEPTANCE OF AGREEMENT**

11 I, Louise Lovrich, am hereby entering into the Consent Agreement voluntarily and of my own free will. I
12 declare that I am not under the influence of any medication, drugs or other substances that would affect
13 my ability to consider the action clearly and rationally. I further declare that there have been no promises
14 or threats made to me by anyone to compel me to sign the document. I have read the Consent Agreement
15 in its entirety and understand its contents and agree to be bound by its terms and conditions.

16 DATED: 2/7/14

17 *Louise Lovrich*
18 Louise Lovrich

19 SUBSCRIBED AND SWORN TO before me the 7th day of Feb., 2014, at

20 Cottonwood Heights, Utah



21 *Christine Cook*
22 Notary Public in and for Utah
23 My Commission Expires: 9/19/2016

24 On behalf of the State of Alaska, Department of Commerce, Community and Economic Development, the
25 undersigned, having read the Consent Agreement in its entirety, approves the terms and conditions of the
agreement subject to its adoption by order of the Board of Pharmacy.

DATED the 18 day of February, 2014, at Juneau, Alaska.

SUSAN BELL, COMMISSIONER
Department of Commerce, Community and
Economic Development

By:

Donald E. Habeger
Donald E. Habeger, Director
Division of Corporations, Business and
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1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
3 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
4 BEFORE THE BOARD OF PHARMACY

5 In the matter of:)
6)
7 LOUISE LOVRICH,)
8 Respondent)

Case No. 2013-002234

9 ORDER

10 The Board of Pharmacy, for the State of Alaska, having examined the Consent Agreement and proposed
11 Decision and Order in the matter of LOUISE LOVRICH, Case No. 2013-002234, hereby adopts the Consent
12 Agreement and Decision and Order in the matter , effective immediately.

13 DATED the 3 day of APRIL, 2014, at ANCHORAGE, Alaska.

14 BOARD OF PHARMACY

15 By: [Signature]
16 Chairperson

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