

1 02-0007-HO

2 **BEFORE THE ARIZONA STATE BOARD OF PHARMACY**

3 In the Matter of :

4 KEVIN DENICK
5 Arizona Pharmacist License
6 Number 8392

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND BOARD ORDER
NO. 02-0007-PHR**

7 DIRECTED TO: KEVIN DENICK
8 6902 E Continental Drive
9 Scottsdale, AZ 85257

10 Pursuant to the foregoing Consent to Entry of Order, the evidence and records compiled and
11 contained in the file for KEVIN DENICK and for good cause appearing, the Board on this 20th day of
12 June, 2002 enters the following Findings of Fact, Conclusions of Law and Board Order in the Matter of
13 Notice of Hearing Number 02-0007-PHR ("Notice").

14 **FINDINGS OF FACT**

15 **I**

16 1. KEVIN DENICK is the holder of Pharmacist License Number 8392 issued by the Arizona State
17 Board of Pharmacy which permits the holder to practice pharmacy in the State of Arizona.

18 2. The evidence presented in this matter sustained the factual allegations in paragraphs one (1)
19 through eleven (11) in section IV of the Notice. The Board finds that:

20 KEVIN DENICK has violated A.R.S. § 32-1927(A)(10), A.R.S. § 32-1927(B)(2), A.R.S. § 36-
21 2525(D), A.R.S. § 32-1968(A), and 21 C.F.R. § 1306.21(a) to wit:

22 the dispensing of prescription-only drugs and Class III Controlled Substances as listed in the
23 Notice of Hearing Number 02-0007-PHR without valid prescriptions from a medical practitioner.

24 **CONCLUSIONS OF LAW**

25 **II**

26 1. The Board concludes that it has jurisdiction in this Matter pursuant to A.R.S. § 32-1927
(A)(10) and 32-1927(B)(2).

1 maintain certificate of registration number 8392 throughout the term of probation.

2 7. KEVIN DENICK shall obey all federal and state laws and rules governing the practice of
3 pharmacy.

4 8. KEVIN DENICK shall bear the responsibility for the release of information forms and reports
5 required by this Order.

6 9. KEVIN DENICK shall "hold harmless" the provider of any required reports to the Board of
7 Pharmacy.

8 10. KEVIN DENICK shall submit to a minimum of twenty-four (24) annual random biological fluid
9 screenings for the presence of drugs in the system as determined by PAPA for the period of suspension and
10 the first twenty-four (24) months of probation. The annual random biological fluid screenings for the
11 presence of drugs in the system shall increase to a minimum of forty-eight (48) when KEVIN DENICK
12 accepts employment as a pharmacist and shall continue for the first twenty-four (24) months of of probation.

13 11. KEVIN DENICK shall appear before the Arizona State Board of Pharmacy on or after June 20th,
14 2007, to request that the probation imposed by this Order be terminated.

15 12. If KEVIN DENICK violates this Order in any way or fails to fulfill the requirements of this
16 Order, the Board, after giving KEVIN DENICK notice and the opportunity to be heard, may revoke,
17 suspend or take other disciplinary action against KEVIN DENICK. The sole issue at such hearing shall be
18 whether or not KEVIN DENICK violated this Order.

19
20 DATED this 20th day of June, 2002

21
22 ARIZONA STATE BOARD OF PHARMACY

23
24 SEAL

25 By 
Llyn A. Lloyd
26 Executive Director

1 Copies of the foregoing Finding of Fact,
2 Conclusions of Law and Board Order
3 sent via Certified US mail this 20th day
4 of June 2002, to:

4 KEVIN DENICK
5 6902 E Continental Drive
6 Scottsdale, AZ 85257

6 and by Courier Mail to:

7 Victoria Martin
8 Assistant Attorney General
9 1275 W. Washington
10 Phoenix, AZ 85007
11 Attorney for the State

10 and

11 Victoria Mangiapane
12 Assistant Attorney General
13 1275 W. Washington
14 Phoenix, AZ 85007
15 Solicitor General's Office

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