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

9 In the Matter of

10 **JEFFREY HANNIBAL**

11 Holder of Pharmacist License No. 11674
12 For the Practice of Pharmacy
13 In the State of Arizona

Board Case No. 06-0032-PHR

**CONSENT AGREEMENT
FOR REVOCATION**

14 **RECITALS**

15 In the interest of a prompt and judicious settlement of this case, consistent with the
16 public interest, statutory requirements and the responsibilities of the Arizona State Board
17 of Pharmacy ("Board") and under A.R.S. §§ 32 1901, *et. seq.* and 41 1092.07(F)(5),
18 Jeffrey Hannibal ("Respondent"), holder of Pharmacist License Number 11674 in the
19 State of Arizona, and the Board enter into the following Recitals, Findings of Fact,
20 Conclusions of Law and Order ("Consent Agreement") as a final disposition of this
21 matter.

22 1. Respondent has read and understands this Consent Agreement and has had
23 the opportunity to discuss this Consent Agreement with an attorney, or has waived the
24 opportunity to discuss this Consent Agreement with an attorney.
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1 2. Respondent understands that he has a right to a public administrative
2 hearing concerning the above-captioned matter, at which hearing he could present
3 evidence and cross examine witnesses. By entering into this Consent Agreement,
4 Respondent knowingly and voluntarily relinquishes all right to such an administrative
5 hearing, as well as rights of rehearing, review, reconsideration, appeal, judicial review or
6 any other administrative and/or judicial action, concerning the matters set forth herein.

7 3. Respondent affirmatively agrees that this Consent Agreement shall be
8 irrevocable.

9 4. Respondent understands that this Consent Agreement or any part of the
10 agreement may be considered in any future disciplinary action by the Board against him.

11 5. Respondent understands this Consent Agreement deals with Board Case
12 No. 3147 involving allegations of unprofessional conduct against Respondent. The
13 investigation into these allegations against Respondent shall be concluded upon the
14 Board's adoption of this Consent Agreement.

15 6. Respondent understands that this Consent Agreement does not constitute a
16 dismissal or resolution of any other matters currently pending before the Board, if any,
17 and does not constitute any waiver, express or implied, of the Board's statutory authority
18 or jurisdiction regarding any other pending or future investigation, action or proceeding.

19 7. Respondent also understands that acceptance of this Consent Agreement
20 does not preclude any other agency, subdivision, or officer of this State from instituting
21 any other civil or criminal proceedings with respect to the conduct that is the subject of
22 this Consent Agreement.

23 8. All admissions made by the Respondent in this Consent Agreement are
24 made solely for the final disposition of this matter, and any related administrative pro-
25 ceedings or civil litigation involving the Board and Respondent. Therefore, any admis-
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1 sions made by Respondent in this Consent Agreement are not intended for any other use,
2 such as in the context of another regulatory agency's proceedings, or civil or criminal
3 proceedings, whether in the State of Arizona or in any other state or federal court.

4 9. Respondent acknowledges and agrees that, upon signing this Consent
5 Agreement and returning this document to the Board's Executive Director, he may not
6 revoke his acceptance of the Consent Agreement or make any modifications to the
7 document regardless of whether the Consent Agreement has been signed by the Execu-
8 tive Director. Any modification to this original document is ineffective and void unless
9 mutually agreed by the parties in writing.

10 10. Respondent understands that the Consent Agreement shall not become
11 effective unless and until adopted by the Board and signed by its Executive Director.

12 11. If a court of competent jurisdiction rules that any part of this Consent
13 Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement
14 shall remain in full force and effect.

15 12. Respondent understands and agrees that if the Board does not adopt this
16 Consent Agreement, he will not assert as a defense that the Board's consideration of this
17 Consent Agreement constitutes bias, prejudice, prejudgment or other similar defenses.

18 13. Respondent understands that this Consent Agreement is a public record that
19 may be publicly disseminated as a formal action of the Board and may be reported as
20 required by law to the National Practitioner Data Bank and the Healthcare Integrity and
21 Protection Data Bank.

22 14. Respondent understands that any violation of this Consent Agreement
23 constitutes unprofessional conduct and may result in disciplinary action. A.R.S. §§ 32-
24 1901.01(B)(20), -1927(A)(1).

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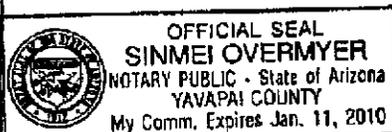
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1 ACCEPTED AND AGREED BY RESPONDENT

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3 Jeffrey Hannibal

Dated: 07/24/2006

4 Subscribed and sworn to before me in the County of Yavapai, State of Arizona
5 this 24th day of July, 2006, by Jeffrey Hannibal.




8 NOTARY PUBLIC

My Commission expires: Jan 11th 2010

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10 **FINDINGS OF FACT**

11 1. The Arizona State Board of Pharmacy ("Board") is the duly constituted
12 authority for licensing and regulating the practice of pharmacy in the State of Arizona.

13 2. Jeffrey Hannibal ("Respondent") is the holder of license number 11674
14 to practice as a pharmacist in the State of Arizona.

15 3. During all times relevant to these Findings, Respondent served as the
16 Pharmacy Manager at CVS Pharmacy in Tempe, Arizona ("Pharmacy").

17 4. On or about December 1, 2005, Board staff received information from
18 the Pharmacy Supervisor and Regional Manager of Pharmacy regarding the diversion of
19 drugs by Respondent.

20 5. The Pharmacy discovered during their investigation that there were
21 losses of various strengths of Oxycodone, Hydromorphone, Morphine, and
22 Methylphenidate. The investigation also revealed shortages consisting of Oxycodone ER
23 10mg, Hydromorphone 2mg, Hydromorphone 4mg, Oxycodone 5mg, Oxycontin 40mg,
24 Oxycodone ER 20mg, Oxycodone 40mg, and Provigil 200mg.

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DATED this 2nd day of August, 2006.

ARIZONA STATE BOARD OF PHARMACY

(Seal)

By: 
HAL WAND, R.Ph.
Executive Director

ORIGINAL OF THE FORGOING FILED
this 3rd day of August, 2006, with:

Arizona State Board of Pharmacy
4425 W. Olive Avenue, Suite 140
Glendale, Arizona 85302

EXECUTED COPY OF THE FOREGOING MAILED
BY CERTIFIED MAIL
this 3rd day of August, 2006, to:

Jeffrey Hannibal
2880 North Centre Court
Prescott Valley, Arizona 86314
Respondent

EXECUTED COPY OF THE FOREGOING MAILED
this 3rd day of August, 2006, to:

Dawn Walton Lee
Assistant Attorney General
1275 W. Washington Street, CIV/LES
Phoenix, Arizona 85007
Attorneys for the State of Arizona


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