

1 ARIZONA STATE BOARD OF PHARMACY
2 1616 W. Adams Street, Room 120
3 Phoenix, Arizona 85007
4 (602) 771-2727

5 In the Matter of:

6 JAIMEE GARCIA,

7 Holder of License No. T022592

8 As a Pharmacy Technician

9 In the State of Arizona

FINDINGS OF FACT, CONCLUSIONS
of LAW and BOARD ORDER
No. 12-0004-PHR

10
11 Pursuant to Notice of Hearing Number 12-0004-PHR (Notice) this matter came before
12 the Arizona State Board of Pharmacy (Board) on June 28, 2012.

13
14 Dan Milovich, president, presided with vice-president Tom Van Hassel and members
15 James W. Foy, William Francis, Joanne Galindo, Dennis McAllister, Nona Rosas, Kyra
16 Locnikar, and John Musil in attendance.

17
18 The State was represented by the Office of the Attorney General, Monty Lee, Assistant
19 Attorney General, Licensing and Enforcement Section. Jaimee Garcia, (Respondent) was not
20 present and was not represented by an attorney. The Board granted the State's motion to deem the
21 allegations in the Complaint to be admitted. Based upon A.R.S. § 32-1927.01(O) and the Complaint
22 and Notice of Hearing No. 12-0004 filed in this matter, the Board issues the following Findings of
23 Fact and Conclusions of Law, and Order revoking Respondent's license.

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25 **FINDINGS OF FACT**

26
27 1. The Board is the duly constituted authority for licensing and regulating
28 the practice of pharmacy in the State of Arizona.
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1 controlled substance or precursor chemicals when determine by the Board or by conviction in
2 a federal or state court).

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4 5. The conduct and circumstances described above violated A.R.S. § 12-2292(A)
5 (Unless otherwise provided by law, all medical records and payment records, and the
6 information contained in medical records and payment records, are privileged and confidential.

7
8 A health care provider may only disclose that part or all of a patient's medical records and
9 payment records as authorized by state or federal law or written authorization signed by the
10 patient or the patient's health care decision maker).

11
12 6. The conduct and circumstances described above violated 45 C.F.R. § 164.508(a)
13 (Unless otherwise permitted, a covered entity may not use or disclose protected health
14 information without a valid authorization).

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16 **ORDER**

17 In view of the above Findings of Fact and Conclusions of Law, the Board issues the
18 following Order:

19
20 The pharmacy technician license issued to Jaimee Garcia is hereby revoked.

21
22 **RIGHT TO PETITION FOR REHEARING OR REVIEW**

23 Respondent is hereby notified of the right to petition for a rehearing or review by filing
24 a petition with the Board's Executive Director within thirty (30) days after service of this
25 Order. A.R.S. § 41-1092.09. The petition must set forth legally sufficient reasons for granting
26 a rehearing. A.C.C. R4-23-128. Service of this order is effective five (5) days after date of
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28
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1 mailing. If a motion for rehearing is not filed, the Board's Order becomes effective thirty-five
2 (35) days after it is mailed to Respondent.

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4 Respondent is further notified that the filing of a motion for rehearing is required to
5 preserve any rights of appeal to the Superior Court.

6
7 DATED this 17th day of July, 2012.

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9 ARIZONA STATE BOARD OF PHARMACY

10
11 SEAL

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14 Hal Wand, R.Ph.
15 Executive Director

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1 COPY OF THE FOREGOING MAILED
2 BY CERTIFIED & REGULAR FIRST-CLASS MAIL
3 this 17th day of July, 2012, to:

4 Jaimee Garcia
5 6826 N. 60th Avenue
6 Glendale, Arizona 85301
7 Respondent

8 COPY OF THE FOREGOING MAILED
9 this 17th day of July, 2012, to:

10 Christopher Munns
11 Assistant Attorney General
12 1275 W. Washington Street, CIV/SGO
13 Phoenix, Arizona 85007
14 Attorney for the Board

15 and

16 Monty Lee
17 Assistant Attorney General
18 1275 W. Washington Street, CIV/LES
19 Phoenix, Arizona 85007
20 Attorney for the State

21 Receipt # _____
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