

APR 03 2012

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

9 In the Matter of Y005544 Board Case No. 12-0022-PHR  
10 **HARBOR DRUG COMPANY, INC. dba** **CONSENT AGREEMENT FOR**  
**STEVEN'S PHARMACY** **PERMIT WITH PROBATION**  
11

12 **CONSENT AGREEMENT**

13 As Harbor Drug Company, Inc. ("Applicant") has made application to the Arizona  
14 State Board of Pharmacy (the "Board") for a non-resident pharmacy permit and,  
15 consistent with the public interest, statutory requirements and the responsibilities of the  
16 Board under A.R.S. § 32-1901, *et. seq.*, the Board and Applicant enter into the following  
17 Recitals, Findings of Fact, Conclusions of Law and Order ("Consent Agreement") for  
18 issuance of the permit with probation.

19 1. Applicant has read and understands this Consent Agreement and has had  
20 the opportunity to discuss this Consent Agreement with an attorney, or has waived the  
21 opportunity to discuss this Consent Agreement with an attorney.

22 2. By entering into this Consent Agreement, Applicant knowingly and  
23 voluntarily relinquishes all right to an administrative hearing, as well as rights of  
24 rehearing, review, reconsideration, appeal, judicial review or any other administrative  
25 and/or judicial action, concerning the matters set forth herein.  
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1           3.     Applicant affirmatively agrees that this Consent Agreement shall be  
2 irrevocable.

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

9           5.     Applicant understands that the Consent Agreement shall not become  
10 effective unless and until approved by the Board and signed by the Board's Executive  
11 Director.

12          6.     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.

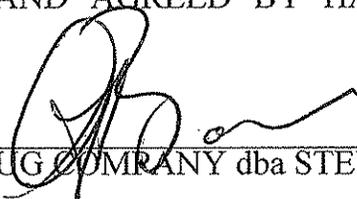
15          7.     Applicant understands that this Consent Agreement is a public record that  
16 may be publicly disseminated as a formal action of the Board and may be reported as  
17 required by law to the National Practitioner Data Bank and the Healthcare Integrity and  
18 Protection Data Bank.

19          8.     Applicant understands that any violation of this Consent Agreement  
20 constitutes unprofessional conduct and may result in disciplinary action. A.R.S. § 32-  
21 1901.01(A)(19) and A.R.S. § 1927.02(A)(1).

22          9.     Applicant agrees that the Board will adopt the following Findings of Fact,  
23 Conclusions of Law and Order.

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1 ACCEPTED AND AGREED BY HARBOR DRUG COMPANY dba STEVEN'S  
2 PHARMACY.

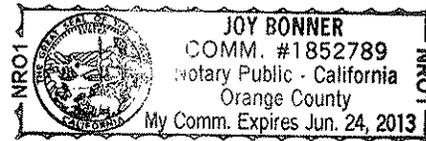
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4 HARBOR DRUG COMPANY dba STEVEN'S PHARMACY

5 \_\_\_\_\_  
6 Dated

7 Subscribed and sworn to before me in the County of ORANGE, State of  
8 CALIFORNIA, this 29<sup>th</sup> day of MARCH, 2012, by Harbor Drug  
9 Company, Inc. dba Steven's Pharmacy.

10   
11 \_\_\_\_\_  
12 NOTARY PUBLIC

13 My Commission expires: JUNE 24 2013



15 **FINDINGS OF FACT**

16 1. The Board is the duly constituted authority for licensing and regulating the  
17 practice of pharmacy in the State of Arizona.

18 2. Applicant has applied for a non-resident pharmacy in the State of Arizona.

19 3. Effective June 23, 2010, Applicant's California pharmacy was disciplined  
20 pursuant to a Decision and Order in California Case No. 3279.

21 4. Effective June 23, 2010 the California pharmacist's license of Applicant's  
22 President and Pharmacist-in-Charge, Charles T. Bonner was disciplined pursuant to a  
23 Decision and Order in California Case No. 3279.

24 5. The California Pharmacy Board Decision and Order placed Applicant's  
25 pharmacy permit and Charles T. Bonner's pharmacist's license on probation for a period  
26 of three (3) years under the conditions set forth in the attached copy of the California  
Decision and Order.



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b. Applicant shall comply with all of the terms and conditions of probation set forth in the California Decision and Order in California Case No. 3279.

c. Applicant shall obey all federal and state laws and rules governing the practice of pharmacy.

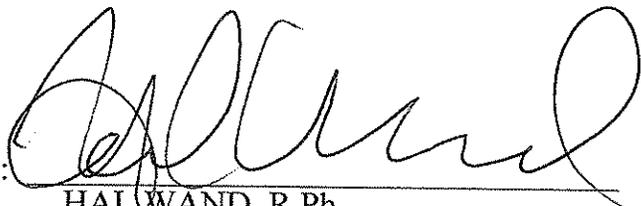
d. If Applicant violates this order in any way or fails to fulfill the requirements of this order, the Board, after giving the respondent notice and the opportunity to be heard, may revoke, suspend or take other disciplinary actions against the Respondent's license. The issue at such a hearing will be limited solely to whether this order has been violated.

e. Applicant shall appear before the Board at a regularly scheduled Board meeting one (1) year after the effective date of this Order to request that the probation imposed by this Order be terminated. Applicant's failure to petition the Board to terminate the probation shall extend the probation period.

DATED this 28 day of June 2012.

ARIZONA STATE BOARD OF PHARMACY

(Seal)

By:   
HAL WAND, R.Ph.  
Executive Director

ORIGINAL OF THE FOREGOING FILED  
this 28 day of June, 2012 with:

Arizona State Board of Pharmacy  
1616 W. Adams Street  
Phoenix, Arizona 85007

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EXECUTED COPY OF THE FOREGOING MAILED  
this 28 day of June, 2012 to:

Harbor Drug Company, Inc.  
dba Stevens' Pharmacy  
1525 Mesa Verde Dr. E.  
Costa Mesa, California 92626

Montgomery Lee  
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Attorneys for the State of Arizona

By: \_\_\_\_\_  
#2629219