

File: H
87-8-OR1

BEFORE THE ARIZONA STATE BOARD OF PHARMACY

In the Matter of the Hearing to)	
Determine Whether or Not to Revoke,)	FINDINGS OF FACT
Suspend, or Place on Probation the)	CONCLUSIONS OF LAW
Certificate of Registration Number)	AND ORDER
5785 censure or fine MARTIN D.)	No. 87 - 8 - H
JACOBS.)	

DIRECTED TO: MARTIN D. JACOBS
1505 N. Country Club Drive #219
Mesa, AZ 85201.

This matter came before the Arizona State Board of Pharmacy for hearing on the 8th day of December, 1987, pursuant to Complaint and Notice of hearing No. 87-8-H (hereinafter referred to as "Complaint"), attached to and made a part of this order. Danny Jacob, president, presided, with Norma McConnell, vice president, and members Simon Eisenberg, Paula Bickett, and Martha Barron, in attendance and participating therein.

The State was represented by the office of the Attorney General, Montgomery Lee, Assistant Attorney General. The respondent, MARTIN D. JACOBS was present but was not represented by counsel.

The Board, after consideration of the evidence and testimony presented, hereby makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

I

MARTIN D. JACOBS is a pharmacist holding Certificate of Registration No. 5785 issued by the Board under A.R.S. § 32-1922.

II

A. On August 12, 1987, MARTIN D. JACOBS was judged guilty of possession of marijuana, a class six felony, in Judge Francis P. Koopman's Superior Court, Maricopa County.

1 B. As a result of this conviction, MARTIN D. JACOBS was incarcerated in
2 the Maricopa Jail for one month.

3 C. That MARTIN D. JACOBS was fined \$100.00 and is to serve a three year
4 probation.

5 D. That MARTIN D. JACOBS failed to renew his Certificate of Registration
6 on December 31, 1985, in accordance with A.R.S. §32-1925.C. and did practice
7 pharmacy on numerous occasions at Lewis Drug Store, 730 East Brown Road, Mesa,
8 Arizona during 1986 and 1987.

9 CONCLUSIONS OF LAW

10 The violations listed in the above Findings of Fact constitute sufficient
11 grounds for discipline pursuant to A.R.S. § 32-1927.

12 ORDER

13 In view of the above Findings of Fact and Conclusions of Law the Board
14 hereby issues the following Order:

15 1. That the Certificate of Registration No. 5785 issued to MARTIN D. JACOBS
16 be suspended for a period of five years, effective December 18, 1987 terminating
17 December 17, 1992.

18 2. That the suspension of Certificate of Registration No. 5785 issued to
19 MARTIN D. JACOBS be stayed after a period of one year.

20 3. That the Certificate of Registration No. 5785 issued to MARTIN D. JACOBS
21 be placed on probation for a period of 4 years, effective December 18, 1988
22 terminating December 17, 1992.

23 4. That MARTIN D. JACOBS provide the Board with monthly reports validating
24 findings that no illegal drugs were present in his system. Any questionable
25 report may be cause for reconsideration of these sanctions.

26 5. Prior to reinstatement, MARTIN D. JACOBS must pay all past due renewal
fees and penalties.

1 6. Prior to reinstatement, MARTIN D. JACOBS must complete 480 hours of
2 approved internship.

3 7. Prior to reinstatement, MARTIN D. JACOBS must take the Arizona-Pharmacy
4 Law exam (AZPLEX) obtaining a score of not less than 90%.

5 8. If at any time during the suspension period and probation period, MARTIN
6 D. JACOBS is found, after a hearing, to be in violation of any federal or state
7 law, rule or regulation promulgated pursuant thereto, regarding the practice of
8 pharmacy and/or the dispensing of drugs, or is found guilty of drug or alcohol
9 abuse, or any other condition imposed by this order, the Certificate of
10 Registration No. 5785 issued to MARTIN D. JACOBS may be revoked upon motion
11 carried by the majority of the Board.

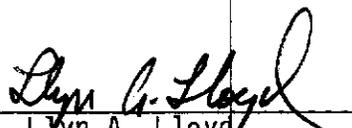
12 MARTIN D. JACOBS is hereby notified he has the right to petition this
13 Board for a rehearing within ten (10) days after receipt of this Order pursuant
14 to the provisions of Administrative Rule R-4-23-109.

15 DATED this 18th day of December, 1987.

16 ARIZONA STATE BOARD OF PHARMACY

17 S E A L

18 By


19 Lynn A. Lloyd
Executive Director

20 Copies of the Foregoing Order
21 mailed by certified mail this
18th Day of December, 1987, to:

22 Martin D. Jacobs
23 1505 N. Country Club Drive #219
Mesa, AZ 85201

24 And by Courier Mail to:

25 Montgomery Lee
26 Assistant Attorney General
1275 W. Washington
Phoenix, AZ 85007
Attorney for the State