

FILE:H
89-9-H01

BEFORE THE ARIZONA STATE BOARD OF PHARMACY

In the Matter of the Hearing to)	FINDINGS OF FACT
Determine Whether or Not to Revoke,)	CONCLUSIONS OF LAW
Suspend, or Place on Probation the)	AND THE BOARD ORDER
Certificate of Registration Number)	
5673 censure or fine CHARLES ADRIAN)	No. 89 - 9 - H
JONES.)	

DIRECTED TO: CHARLES ADRIAN JONES
625 Elm Street (P.O. Box N)
Page, AZ 86040

This Matter came before the Arizona State Board of Pharmacy for hearing on the 19th day of October, 1989 pursuant to Complaint and Notice of Hearing No. 89 - 9 - H (hereinafter referred to as "Complaint"). Michael Noel, president, presided with J. Edward Saba, vice-president, and members Kathryn L. Kalsman, Daniel J. Jacob, Linda Tansik and Martha Barron in attendance and participating therein.

The State was represented by the office of the Attorney General, Timothy J. Agan, Assistant Attorney General. The respondent CHARLES ADRIAN JONES was present and was represented by counsel, Albert G. Freeman Jr. of Flagstaff, Arizona.

The Board received legal counsel from Bridget K. Fitzgibbons, Assistant Attorney General, Solicitor General Division of the State of Arizona.

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

FINDINGS OF FACT

I

1 1. CHARLES ADRIAN JONES is the holder of Certificate of Registration Number
2 5673 issued by the Arizona State Board of Pharmacy pursuant to A.R.S. § 32-1922
3 which allows him to engage in the practice of pharmacy in the State of Arizona.

4 2. CHARLES ADRIAN JONES was the Responsible Pharmacist, as defined in
5 A.R.S. 32-1901.55, for Jones Drug of Page, Arizona between the dates of January
6 1, 1987 and August 1, 1988 and as such was responsible to the Board for
7 compliance with laws and regulations, both State and Federal, pertaining to the
8 practice of pharmacy at Jones Pharmacy in accordance with A.C.C. R4-23-610.A.

9 3. The evidence and testimony presented did sustain the allegations
10 contained in paragraphs A through Z and AA through ZZ of the Complaint.

CONCLUSIONS OF LAW

II

11
12
13 1. The Arizona State Board of Pharmacy has jurisdiction in this matter
14 pursuant to A.R.S. § 32-1904 and A.R.S. § 32-1927.A.10 and A.R.S. § 32-1927.B.2.

15 2. The conduct alleged and sustained in paragraphs A and B, P through R,
16 V and W, DD through HH, OO through RR and XX through ZZ of the Complaint
17 constitute violations of A.R.S. § 36-2525.D and C.F.R. § 1306.21 in that
18 CHARLES ADRIAN JONES did dispense CIV Controlled Substances, as defined in
19 A.R.S. § 36-2525.D and C.F.R. § 1308.14 without a valid prescription order
20 as defined in A.R.S. § 32-1901.52.

21 3. The conduct alleged and sustained in paragraphs C through O, S through
22 U, X through CC, II through NN, and SS through WW of the Complaint constitute
23 violations of A.R.S. § 32-1968.A and USC 503 [353] (B) (C), in that CHARLES
24 ADRIAN JONES did dispense prescription only drugs, as defined in A.R.S. §
25 32-1901.51 (d) without a valid prescription order as defined in A.R.S. §
26 32-1901.52.

ORDER

III

- 1 1. Certificate Number 5673 issued to CHARLES ADRIAN JONES is hereby
2 Suspended for two (2) years effective the 8th day of November, 1989.
- 3 2. Said Suspension may be stayed on 8th day of May, 1990 and a 5 year
4 probation imposed pursuant to the following conditions:
- 5 A. CHARLES ADRIAN JONES shall take the Arizona Pharmacy Law Examination
6 (AZPLEX) and attain a score of 90% or better.
- 7 B. CHARLES ADRIAN JONES shall appear before the Arizona State Board of
8 Pharmacy prior to reinstatement of Certificate Number 5673.
- 9 3. Suspension and or Probationary period will be effective from the 8th day
10 of November 1989 through the 7th day of May, 1995 pursuant to the
11 following conditions:
- 12 A. Compliance audits (not to exceed two (2) per annum) may be conducted,
13 at the discretion of the Executive Director or the Deputy Director
14 the Arizona State Board of Pharmacy, on the Jones Drug Company in
15 Page, Arizona. Said audits shall be conducted by Board Staff and
16 and reasonable costs shall be the responsibility of CHARLES ADRIAN
17 JONES.
- 18 B. CHARLES ADRIAN JONES shall pay all fees and fulfill all C.E.
19 requirements pursuant to license renewal.
- 20 C. CHARLES ADRIAN JONES shall obey all federal and state laws and
21 rules governing the practice of pharmacy.
- 22 D. If CHARLES ADRIAN JONES violates this Order in any way or fails to
23 fulfill the requirements of this Order, the Board, after giving
24 the Respondent notice and the opportunity to be heard, may revoke,

further suspend or take other disciplinary action against the Respondent.

1 CHARLES ADRIAN JONES is hereby notified he has the right to petition this
2 Board for a rehearing within ten (10) days after receipt of this order
3 pursuant to the provisions of A.C.C. R4-23-109.

4 DATED this 27th day of October, 1989.

5 ARIZONA STATE BOARD OF PHARMACY

6 SEAL

7 By Llyn A. Lloyd
8 Llyn A. Lloyd
9 Executive Director

10
11 Copies of the foregoing
12 Findings of Fact, Conclusions
13 of Law and Board Order mailed
14 by certified mail this 27th
15 day of October, 1989 to:

16 CHARLES ADRIAN JONES
17 625 Elm Street (P.O. Box N)
18 Page, AZ 86040

19 and

20 Albert G. Freeman Jr.
21 121 East Birch Avenue Suite 500
22 Flagstaff, AZ 86001

23 and by courier mail to:

24 Timothy J. Agan
25 Assistant Attorney General
26 1275 W. Washington
Phoenix, AZ 85007
Attorney for the State

and

Bridget K. Fitzgibbons
Assistant Attorney General
1275 W. Washington
Phoenix, AZ 85007
Solicitor General Division

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 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. (Extra charge) 2. Restricted Delivery (Extra charge)

3. Article Addressed to: CHARLES A. JONES 625 ELM ST. P.O. Box N PAGE, AZ 86040	4. Article Number P 569-298-905
Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
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6. Signature 	
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P 569 298 905

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U.S.G.P.O. 1985-234-555

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P.O., State and ZIP Code	PAGE, AZ 86040
Postage	\$
Certified Fee	
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TOTAL Postage and Fees	\$

PS Form 3800, June 1985

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 1-19-90
 ORDER