

1 95-17-HO

2 BEFORE THE ARIZONA STATE BOARD OF PHARMACY

3 In the Matter of:)

4 THOMAS R. BELLIS)
5 Certificate of Registration)
6 Number 4524)

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND BOARD ORDER

NO. 95 - 17 - H

7 DIRECTED TO: THOMAS R. BELLIS
8 6840 E. 45th
9 Tucson, AZ 85730

10 Pursuant to the foregoing Consent to Entry of Order, the evidence
11 and records compiled and contained in the file for THOMAS R. BELLIS
12 and for good cause appearing, the Board on this 14th day of September,
13 1995 enters the following Finding of Fact, Conclusions of Law and
14 Board Order in the Matter of 95-17-H.

14 FINDINGS OF FACT

15 I

16 1. THOMAS R. BELLIS is the holder of Certificate of Registration
17 Number 4524 issued by the Arizona State Board of Pharmacy which
18 permits the holder to practice pharmacy in the State of Arizona.

19 2. That on the 8th day of September, 1995, THOMAS R. BELLIS did
20 enter into a Consent to Entry of Order with the Arizona State Board of
21 Pharmacy admitting that factual allegations contained in the Notice of
22 Hearing Number 95-17-H are true and accurate.

23 3. That THOMAS R. BELLIS admits to violations of A.R.S. § 36-
24 2525.D, A.R.S. § 36-2525.E, 21 C.F.R. § 1306.21 and 21 C.F.R. §
25 1306.31 to wit:

1 the dispensing of Controlled Substances as listed in Notice of
2 Hearing 95-17-H without valid prescriptions.

3 4. That THOMAS R. BELLIS is aware of the fact that the conduct
4 contained in the factual allegations constitutes grounds for
5 disciplinary action as provided for in A.R.S. § 32-1927(A)(10) and
6 A.R.S. § 32-1927(B)(2).

7 CONCLUSIONS OF LAW

8 II

9 1. The Board concludes that it has jurisdiction in this Matter
10 pursuant to A.R.S. § 32-1927 (A)(10) and 32-1927(B)(2).

11 2. The Board concludes that THOMAS R. BELLIS did violate
12 A.R.S. § 36-2525.D, A.R.S. § 36-2525.E, 21 C.F.R. § 1306.21 and 21
13 C.F.R. § 1306.31, to wit:

14 the dispensing of Controlled Substances as listed in Notice of
15 Hearing 95-17-H without valid prescriptions.

16 3. The Board further concludes that THOMAS R. BELLIS is in
17 violation of A.R.S. § 32-1927(A)(10) and 32-1927(B)(2).

18 ORDER

19 III

20 The Certificate of Registration Number 4524 issued to THOMAS R.
21 BELLIS is hereby suspended for five (5) years effective June 1, 1995,
22 said suspension is stayed and a probation is imposed continuing to at
23 least June 1, 2000.

24 Further, said probation is subject to the following conditions:
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1 1. THOMAS R. BELLIS shall not serve as a preceptor pharmacist nor
2 as a pharmacist in charge throughout the term of probation.

3 2. THOMAS R. BELLIS shall take and successfully complete the
4 Arizona Jurisprudence Examination (AZPLEX) with a score of 90% or
5 better within 120 days of the date of this order.

6 3. THOMAS R. BELLIS shall furnish the Arizona State Board of
7 Pharmacy with a list of all jurisdictions in which he maintains or has
8 maintained licensure in the profession of pharmacy along with the
9 registration number of said licenses.

10 4. THOMAS R. BELLIS is required to advise the Arizona State
11 Board of Pharmacy immediately of any change in pharmacy employment
12 status throughout the term of probation.

13 5. THOMAS R. BELLIS is required to furnish any and all pharmacy
14 employers with a copy of this Board Order throughout the term of
15 probation.

16 6. THOMAS R. BELLIS shall pay all fees and complete all
17 Continuing Education requirements to maintain certificate of
18 registration number 4524 throughout the term of probation.

19 7. THOMAS R. BELLIS shall obey all federal and state laws and
20 rules governing the practice of pharmacy.

21 8. THOMAS R. BELLIS shall bear the responsibility for the
22 release of information forms and reports required by this Order.

23 9. THOMAS R. BELLIS shall pay a civil penalty of one hundred
24 dollars (\$100.00) for each violation contained in paragraphs one
25 through twenty in the Notice of Hearing 95-17-H. The total penalty of
26

1 two thousand dollars (\$2000.00) shall be paid within twenty-four (24)
2 months of the date of this Order.

3 10. THOMAS R. BELLIS shall participate in a Stress Management
4 program overseen by Dr. Joel R. Heerboth Ph.D. of Pharmacists
5 Assisting Pharmacists of Arizona (PAPA) or a board approved Stress
6 Management program. The program shall provide quarterly reports to the
7 board until such time as the program director shall deem necessary.

8 11. THOMAS R. BELLIS shall "hold harmless" the provider of any
9 required reports to the Board of Pharmacy.

10 12. THOMAS R. BELLIS shall appear before the Arizona State Board
11 of Pharmacy on or after June 1, 2000, then and there to show cause why
12 the probation imposed by this Order should be vacated.

13 13. If THOMAS R. BELLIS violates this Order in any way or fails
14 to fulfill the requirements of this Order, the Board, after giving
15 the Respondent Notice and the opportunity to be heard, may revoke,
16 suspend or take other disciplinary action against the Respondent.

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18
19 DATED this 14th day of ~~September~~ 1995

20 ARIZONA STATE BOARD OF PHARMACY

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23 SEAL

24 By _____
25 Llyn A. Lloyd
26 Executive Director

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Copies of the foregoing Finding of Fact, Conclusions of Law and Board Order mailed by certified mail this 21st day of September, 1995 to:

THOMAS R. BELLIS
6840 E. 45th
Tucson, AZ 85730

and by Courier Mail to:

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

and

Paula Bickett
Assistant Attorney General
1275 W. Washington
Phoenix, AZ 85007
Solicitor General's Office