

1 96-0004-HO

2 BEFORE THE ARIZONA STATE BOARD OF PHARMACY

3 In the Matter of:	)	
4 JOAN KAY BREKKEN	)	FINDINGS OF FACT, CONCLUSIONS
5 Certificate of Registration	)	OF LAW AND BOARD ORDER
6 Number 6899	)	NO. 96-0004-PHR
	)	

7 DIRECTED TO: JOAN KAY BREKKEN  
8 812 E. Bruce Ave.  
9 Gilbert, AZ 85234

10 Pursuant to the foregoing Consent to Entry of Order, the evidence  
11 and records compiled and contained in the file for JOAN KAY BREKKEN  
12 and for good cause appearing, the Board on this 18th day of July, 1996  
13 enters the following Finding of Fact, Conclusions of Law and Board  
14 Order in the Matter of 96-0004-PHR.

14 **FINDINGS OF FACT**

15 **I**

16 1. JOAN KAY BREKKEN is the holder of Certificate of Registration  
17 Number 6899 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 20th day of June, 1996, JOAN KAY BREKKEN did enter  
20 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 96-0004-PHR are true and accurate.

23 3. That JOAN KAY BREKKEN admits to violations of A.R.S. § 32-  
24 1932.01, A.R.S. § 1927(A)(5)&(10) and A.R.S. § 32-1925(A) to wit:

25 The licensee has failed to submit to a bodily fluid screen as  
26 required by her contract with the Pharmacists Assisting  
Pharmacists of Arizona (PAPA).

1 The licensee is addicted to the use of alcohol or drugs to such  
2 a degree as to render her unfit, in the opinion of the board to  
practice the profession of pharmacy.

3 The licensee attempted to practice the profession of pharmacy on  
4 a suspended license.

5 JOAN KAY BREKKEN admits to the fact that the conduct contained in  
6 the factual allegations constitutes grounds for disciplinary action as  
7 provided for in A.R.S. § 32-1927(A)(5)&(10) and A.R.S. § 32-  
8 1927(B)(2).

9 CONCLUSIONS OF LAW

10 II

11 1. The Board concludes that it has jurisdiction in this Matter  
12 pursuant to A.R.S. § 32-1927 (A)(5)& (10) and 32-1927(B)(2).

13 2. The Board concludes that JOAN KAY BREKKEN did violate A.R.S.  
14 § 32-1932.01, A.R.S. § 32-1927(A)(5)&(10), and A.R.S. § 32-1925.A  
15 to wit:

16 The licensee has failed to submit to a random bodily fluid  
17 screen as required by her contract with Pharmacists Assisting  
Pharmacists of Arizona (PAPA).

18 The licensee is addicted to the use of alcohol or drugs to such  
19 a degree as to render her unfit, in the opinion of the  
board, to practice the profession of pharmacy.

20 The licensee attempted to practice the profession of pharmacy on  
21 a suspended license.

22 ORDER

23 III

24 The Certificate of Registration Number 6899 issued to JOAN KAY  
25 BREKKEN is hereby suspended for ten (10) days, said suspension is  
26 stayed and a probation is imposed for five (5) years effective ten

1 (10) days from the date of this Order, and continuing to at least July  
2 18th, 2001.

3 Further, said probation would be subject to the following  
4 conditions:

5 1. JOAN KAY BREKKEN shall not serve as a preceptor pharmacist  
6 nor as a pharmacist in charge throughout the term of probation.

7 2. JOAN KAY BREKKEN shall take and successfully complete the  
8 Arizona Jurisprudence Examination (AZPLEX) with a score of 90% or  
9 better within 120 days of the date of this order.

10 3. JOAN KAY BREKKEN shall initiate a new five (5) year contract  
11 with the Pharmacists Assisting Pharmacists of Arizona (PAPA) which  
12 shall include a minimum of twenty four (24) random bodily fluid  
13 screens as determined by PAPA if not employed in the profession of  
14 pharmacy, increasing to a minimum of forty eight (48) random bodily  
15 fluid screens if employed in the profession of pharmacy.

16 4. JOAN KAY BREKKEN shall furnish the Arizona State Board of  
17 Pharmacy with a list of all jurisdictions in which she maintains or  
18 has maintained licensure in the profession of pharmacy along with the  
19 registration number of said licenses.

20 4. JOAN KAY BREKKEN is required to advise the Arizona State Board  
21 of Pharmacy immediately of any change in pharmacy employment status  
22 throughout the term of probation.

23 5. JOAN KAY BREKKEN is required to furnish any and all pharmacy  
24 employers with a copy of this Board Order throughout the term of  
25 probation.

26 6. JOAN KAY BREKKEN shall pay all fees and complete all

1 Continuing Education requirements to maintain certificate of  
2 registration number 6899 throughout the term of probation.

3 7. JOAN KAY BREKKEN shall obey all federal and state laws and  
4 rules governing the practice of pharmacy.

5 8. JOAN KAY BREKKEN shall bear the responsibility for the release  
6 of information forms and reports required by this Order.

7 10. JOAN KAY BREKKEN shall appear before the Arizona State Board  
8 of Pharmacy on or after July 18th, 2001, then and there to show cause  
9 why the probation imposed by this Order should be vacated.

10 12. If JOAN KAY BREKKEN violates this Order in any way or fails  
11 to fulfill the requirements of this Order, the Board, after giving  
12 JOAN KAY BREKKEN Notice and the opportunity to be heard, may revoke,  
13 suspend or take other disciplinary action against JOAN KAY BREKKEN.

14  
15 DATED this 18th day of July, 1996

16 ARIZONA STATE BOARD OF PHARMACY

17  
18  
19 SEAL

By Llyn A. Lloyd  
Llyn A. Lloyd  
Executive Director

1 Copies of the foregoing Finding  
2 of Fact, Conclusions of Law and  
3 Board Order hand delivered  
4 this 18th day of July, 1996 to:

5 JOAN KAY BREKKEN  
6 812 E. Bruce Ave.  
7 Gilbert, AZ 85234

8 and by Courier Mail to:

9 Montgomery Lee  
10 Assistant Attorney General  
11 1275 W. Washington  
12 Phoenix, AZ 85007  
13 Attorney for the State

14 and

15 Paula Bickett  
16 Assistant Attorney General  
17 1275 W. Washington  
18 Phoenix, AZ 85007  
19 Solicitor General's Office

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	3. Article Addressed to: JOAN K. BREKKEN 812 E. BRUCE AVE. GILBERT, AZ 85234		4a. Article Number P-384-710-173	
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