

1 97-01-HO

2 BEFORE THE ARIZONA STATE BOARD OF PHARMACY

3 In the Matter of:)	
)	FINDINGS OF FACT, CONCLUSIONS
4 ROBERT A. CLAYTON)	OF LAW AND BOARD ORDER
Certificate of Registration)	
5 Number 5071)	NO. 97-001-PHR
)	

6
7 DIRECTED TO: ROBERT A. CLAYTON
8 10544 W. Catalina
Avondale, AZ 85323

9 Pursuant to the foregoing Consent to Entry of Order, the evidence
10 and records compiled and contained in the file for ROBERT A. CLAYTON
11 and for good cause appearing, the Board on this 8th day of May,
12 1997 enters the following Finding of Fact, Conclusions of Law and
13 Board Order in the Matter of 97-0001-PHR.

14 FINDINGS OF FACT

15 I

16 1. ROBERT A. CLAYTON is the holder of Certificate of Registration
17 Number 5071 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 18th day of April, 1997, ROBERT A. CLAYTON 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 97-0001-PHR are true and accurate.

23 3. That ROBERT A. CLAYTON admits to violations of A.R.S. §
24 32-1927(A)(10), A.R.S. § 32-1927(B)(2) and A.A.C. § R4-23-402 (A) (7)
25 to wit:

1 1. The licensee is found by the Board to be guilty of violating
2 any Arizona or federal law, rule or regulation relating to the
3 manufacture and distribution of drugs, and devices or the practice of
4 pharmacy.

5 2. The licensee is found by the Board, or is convicted in a
6 federal or state court, of having violated federal or state laws or
7 administrative rules pertaining to marijuana, prescription-only drugs,
8 narcotics, dangerous drugs or controlled substances.

9 3. The following professional practices in directly dispensing a
10 prescription medication from a prescription order shall be performed
11 by a pharmacist or a pharmacy intern under the supervision of a
12 pharmacist:

13 checking the label to see that it communicates the
14 prescriber's directions precisely.

15 CONCLUSIONS OF LAW

16 II

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

19 2. The Board concludes that ROBERT A. CLAYTON did violate A.R.S.
20 § 32-1927(A)(10), A.R.S. § 32-1927(B)(2) and A.A.C. § R4-23-402(A)(7).

21 ORDER

22 III

23 The certificate of Registration Number 5071 issued to ROBERT A.
24 CLAYTON is hereby placed on probation for two (2) years commencing ten
25 (10) days from the date of this Order. The probation is subject to the
26 following conditions:

1. ROBERT A. CLAYTON shall pay a civil penalty of one hundred
dollars (\$100.00) to the Board of Pharmacy within sixty (60) days of
the date of this Order.

2. ROBERT A. CLAYTON shall complete eight (8) hours of Continuing
Education within two years of the date of this Order. Said hours shall

1 consist of the two part series (4 hours each) titled Pharmacist-
2 Patient Consultation Program or an alternative program approved by the
3 Board and shall apply only to satisfy this Order and shall not be
4 applied to Continuing Education requirements for subsequent license
5 renewals.

6 3. ROBERT A. CLAYTON shall pay all fees and complete all
7 Continuing Education requirements throughout the term of probation to
8 maintain Certificate of Registration Number 5071.

9 4. ROBERT A. CLAYTON shall obey all federal and state laws and
10 rules governing the practice of pharmacy.

11 5. ROBERT A. CLAYTON shall appear before the Arizona State Board
12 of Pharmacy to request a removal of probation upon completion of the
13 conditions outlined in paragraphs 1. and 2. above.

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

18
19 DATED this 8th day of May, 1997

20 ARIZONA STATE BOARD OF PHARMACY

21
22
23 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 mailed by certified
4 mail this 12th day of May, 1997 to:

5 ROBERT A. CLAYTON
6 10544 W. Catalina
7 Avondale, AZ 85323

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 Teresa Skldany
16 Assistant Attorney General
17 1275 W. Washington
18 Phoenix, AZ 85007
19 Solicitor General's Office
20
21
22
23
24
25
26

is your RETURN ADDRESS completed on the reverse side?

SENDER

- Complete items 1 and 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Robert Clayton
10544 W. Catalina
Avondale, AZ 85323

4a. Article Number

2 212 642 522

4b. Service Type

- Registered Insured
- Certified COD
- Express Mail Return Receipt for Merchandise

7. Date of Delivery

5-13-97

5. Signature (Addressee)

R. Clayton

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991

U.S. GPO: 1992-225-422

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

Z 212 642 522



Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

PS Form 3800, March 1993

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Return Receipt Showing to Whom & Date Delivered
Return Receipt Showing to Whi Date, and Addressee's Address
TOTAL Postage & Fees
Postmark or Date

Robert Clayton
10544 W. Catalina
Avondale, AZ 85323

5/12/97