

1 98-03-HO

2 BEFORE THE ARIZONA STATE BOARD OF PHARMACY

3 In the Matter of:	)	
	)	FINDINGS OF FACT, CONCLUSIONS
4 THOMAS WHITE	)	OF LAW AND BOARD ORDER
Certificate of Registration	)	
5 Number 11380	)	NO. 98-0003-PHR
	)	

6

7 DIRECTED TO: THOMAS WHITE  
 8 71 E. Windhill Drive  
 9 Tucson, AZ 85737

10 Pursuant to the foregoing Consent to Entry of Order, the evidence  
 11 and records compiled and contained in the file for THOMAS WHITE  
 12 and for good cause appearing, the Board on this 12th day of March,  
 13 1998 enters the following Finding of Fact, Conclusions of Law and  
 14 Board Order in the Matter of 98-0003-PHR.

14 FINDINGS OF FACT

15 I

16 1. THOMAS WHITE is the holder of Certificate of Registration  
 17 Number 11380 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 3<sup>rd</sup> day of March, 1998, THOMAS WHITE 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 98-0003-PHR are true and accurate.

23 3. That THOMAS WHITE admits to violations of A.R.S. §  
 24 32-1927(A)(10), A.R.S. § 32-1927(B)(2) and A.A.C. § R4-23-409 (A)

25 to wit:

1 32-1927(A)(10) The licensee is found by the Board to be guilty of  
2 violating any Arizona or federal law, rule or regulation relating to  
3 the manufacture and distribution of drugs, and devices or the practice  
4 of pharmacy.

5 32-1927(B)(2) The licensee is found by the Board, or is convicted  
6 in a federal or state court, of having violated federal or state laws  
7 or administrative rules pertaining to marijuana, prescription-only  
8 drugs, narcotics, dangerous drugs or controlled substances.

9 R4-23-409 (A) After it has been taken from the premises where  
10 sold, distributed or dispensed, no drug shall be accepted for return  
11 or exchange for resale unless the following conditions have been met:

- 12 1. It is in the original, unopened container;
- 13 2. The container has not been subject to contamination or  
14 deterioration.

#### 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 THOMAS WHITE did violate A.R.S. §  
20 32-1927(A)(10), A.R.S. § 32-1927(B)(2) and A.A.C. § R4-23-409(A).

#### 21 ORDER

##### 22 III

23 The certificate of Registration Number 11380 issued to THOMAS  
24 WHITE is hereby placed on probation for up to (1) year commencing ten  
25 (10) days from the date of this Order. The probation is subject to the  
26 following conditions:

1. THOMAS WHITE 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. THOMAS WHITE shall complete eight (8) hours of Continuing

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

7 3. THOMAS WHITE shall pay all fees and complete all Continuing  
8 Education requirements throughout the term of probation to maintain  
9 Certificate of Registration Number 11380.

10 4. THOMAS WHITE shall obey all federal and state laws and rules  
11 governing the practice of pharmacy.

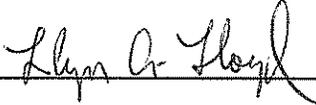
12 5. The Arizona State Board of Pharmacy shall terminate the  
13 probation upon completion of the conditions outlined in paragraphs 1.  
14 and 2. above.

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

19  
20 DATED this 16<sup>th</sup> day of March, 1998

21 ARIZONA STATE BOARD OF PHARMACY

22  
23  
24 SEAL

BY 

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 16<sup>th</sup> day of March, 1998  
5 to:

6 THOMAS WHITE  
7 71 E. Windhill Drive  
8 Tucson, AZ 85737

9 and by Courier Mail to:

10 Michael Harrison  
11 Assistant Attorney General  
12 Attorney General's Office  
13 1275 W. Washington  
14 Phoenix, AZ 85007  
15 Attorney for the State

16 and

17 Teresa Skladany  
18 Assistant Attorney General  
19 1275 W. Washington  
20 Phoenix, AZ 85007  
21 Solicitor General's Office  
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