

SCANNED by ASBP

1 99-0030-PHR

2 **BEFORE THE ARIZONA STATE BOARD OF PHARMACY**

3 In the Matter of:

4 MICHAEL P. WRAY
5 Certificate of Registration
6 Number 6396

NOTICE OF HEARING

NO. 99-0030-PHR

7 DIRECTED TO: MICHAEL P. WRAY
8 540 N. Longmere
9 Chandler, AZ 85224

10 This Notice of Hearing is prepared pursuant to the requirements established by A.R.S. § 32-1928
11 and A.A.C. § R4-23-104.

12 **JURISDICTION**

13 **I**

14 For the reasons stated herein below, and pursuant to A.R.S. § 32-1928, the Board of Pharmacy
15 will conduct a hearing at 9:00 AM the 13th day of January, 2000 at the Midwestern University College
16 of Pharmacy, 19555 N. 59th Avenue, Glendale, Arizona to determine whether or not Certificate of
17 Registration No. 6396 should be revoked, suspended, or placed on probation, censured or fined.

18 **PARTIES**

19 **II**

20 The Arizona State Board of Pharmacy is that body created and empowered pursuant to A.R.S.
21 § 32-1904 to administer the laws of the State of Arizona relating to the practice of pharmacy.

22 **III**

23 MICHAEL P. WRAY is the holder of Certificate of Registration Number 6396 which allows him
24 to engage in the practice of Pharmacy in the State of Arizona.

25 **FACTUAL ALLEGATIONS**

26 **IV**

1. On or about the 29th day of October, 1999, MICHAEL P. WRAY, after a request from Board

1 staff, failed to produce the original certificates verifying participation in the 30 hours of Continuing
2 Education required for renewal on October 31, 1998 of the Certificate of Registration Number 6396 for
3 the period from July 1, 1996 to October 31, 1998 as provided for in A.R.S. § 32-1936 (A) and board
4 administrative rules A.A.C. § R4-23-204(A) in violation of A.A.C. § R4-23-204 (D) (1).

5 CAUSE OF ACTION

6 Y

7 A.R.S. § 32-1927(A) provides that the license of any pharmacist or pharmacy intern may be
8 revoked or suspended or a pharmacist or pharmacy intern may be placed on probation by the board when:

- 9 10. The licensee is found by the board to be guilty of violating any Arizona or federal law, rule
10 or regulation relating to the manufacture and distribution of drugs, devices or the practice
11 of pharmacy.

11 Further A.R.S. § 32-1925(G) provides that the board shall not renew a license for a pharmacist
12 unless the pharmacist has complied with the mandatory continuing education requirements of A.R.S. §
13 32-1936 and board administrative rule at A.A.C. § R4-23-204(A):

14 A. General: In accordance with A.R.S. § 32-1925(G), no renewal of license shall be issued by the
15 Board unless the applicant has, during the two years preceding the application for renewal,
16 participated in 30 contact hours (3.0 CEU's) of continuing education activities sponsored by an
17 Approved Provider as defined in (B)(5) of this section, at least three contact hours (0.3 CEU's)
18 of which shall be approved courses in pharmacy law. Pharmacists licensed for less than 24
19 months shall accrue continuing education units determined by multiplying 1.25 hours times the
20 number of months between the date of their licensure and the date of their application for renewal
21 of their license.

19 MICHAEL P. WRAY is directed to mail to the Board no later than the 20th day of December,
20 1999, a written response to the charges described above, specifically his defenses, assertions, or comments
21 concerning such allegations.

22 MICHAEL P. WRAY is hereby notified that he may appear with or without the assistance of an
23 attorney, on the date and at the time specified in this Notice of hearing and present testimony and
24 argument in support of his defense with respect to the assertions contained in this Notice of Hearing. If
25 the respondent fails to appear, the Board may proceed and determine the Matter in his absence.

26 MICHAEL P. WRAY is further notified that no continuance will be granted unless a request for

1 continuance is submitted to the Board in writing, detailing the reasons for the requested continuance, and
2 that request is granted by the Board. Except in the event of an emergency, a request for continuance shall
3 be submitted to the Board no later than seven (7) days prior to the date of hearing.

4
5 DATED this 12th day of November, 1999

ARIZONA STATE BOARD OF PHARMACY

6
7 SEAL

8 By 
9 Llyn A. Lloyd
Executive Director

10 Copies of the Foregoing Notice
11 of Hearing sent by certified mail
12 this 15th day of November, 1999
to:

13 Michael P. Wray
14 540 N. Longmere
Chandler, AZ 85224

15 And by courier mail to:

16 Nancy Beck
17 Assistant Attorney General
1275 W. Washington
18 Phoenix, AZ 85007
Attorney for the State

19 and

20 Thomas Dennis
21 Assistant Attorney General
1275 W. Washington
22 Phoenix, AZ 85007
Civil Appeals Section



ARIZONA STATE BOARD OF PHARMACY

5060 NORTH 19TH AVENUE SUITE 101
PHOENIX, ARIZONA 85015
602 255 5125 FAX 602 255 5740

November 12, 1999

Mr. Michael P. Wray RPh
540 N. Longmere
Chandler, AZ 85224

Dear Mr. Wray,

An Amended Notice of Hearing containing allegations based on violations of pharmacy related statutes or rules is contained in this mailing.

In the interest of saving the time, expense and inconvenience of a formal hearing in this matter, I have included a Consent Agreement and a proposed Board Order for your consideration.

The Board Order is consistent with Board action on similar matters in Arizona. Should you decide to accept the Consent Agreement, please call me and I will arrange a meeting to discuss the terms of the proposed Board order. If the meeting results in an acceptable agreement you will sign and notarize the consent at that time. The full Board will decide to accept or reject the Order at the next regularly scheduled Board meeting. I would appreciate hearing from you as soon as possible if you desire to enter into a consent agreement.

Please contact me at this office to verify understanding of the documents or to clarify any issues that concern you.

Sincerely,

Hal Wand
Deputy Director

Z 353 698 059

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to MICHAEL P. WRAY	
Street & Number 370 N. LONG MERE	
Post Office, State, & ZIP Code CHANDLER AZ 85224	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 11-12-99	

PS Form 3800, April 1995

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SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- 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:

MICHAEL P. WRAY
370 N. LONG MERE
CHANDLER, AZ 85224

4a. Article Number

Z-353-698-059

4b. Service Type

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

7. Date of Delivery

11/16/99

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *[Signature]*

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

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