

1 03-0003-PHR

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

3 In the Matter of:

4 MANSUR OLOUMI)
5 Pharmacist License)
6 Number 11733)
_____)

**CONSENT AGREEMENT AND
STIPULATED ORDER
03-0003-PHR**

7 DIRECTED TO: MANSUR OLOUMI
8 12470 N. Granville Way
9 Tucson, AZ 85737

9 **RECITALS**

10 In the interest of a prompt and judicious settlement of this case, consistent with the public interest,
11 statutory requirements and the responsibilities of the Arizona State Board of Pharmacy (“Board”) and
12 pursuant to A.R.S. §§ 32-1901 *et seq* and 41-1092.07(F)(5) , MANSUR OLUMI (“Respondent”),
13 holder of pharmacist license number 11733 to practice pharmacy in the State of Arizona, and the Board
14 enter into the following Recitals, Findings of Fact, Conclusions of Law and Order (“CONSENT
15 AGREEMENT”) as a final disposition of this matter.

16 1. Respondent has read and understands this CONSENT AGREEMENT and has had the
17 opportunity to discuss this CONSENT AGREEMENT with an attorney, or has waived the opportunity
18 to discuss this CONSENT AGREEMENT with an attorney.

19 2. Respondent understands that he has a right to a public administrative hearing concerning each
20 and every allegation set forth in the above-captioned matter, at which hearing he could present evidence
21 and cross-examine witnesses. By entering into this CONSENT AGREEMENT, Respondent freely and
22 voluntarily relinquishes all right to such an administrative hearing, as well as rights of rehearing, review,
23 reconsideration, appeal, judicial review or any other administrative and/or judicial action, concerning the
24 matters set forth herein. Respondent affirmatively agrees that this CONSENT AGREEMENT shall be
25 irrevocable.

26 3. Respondent understands that this CONSENT AGREEMENT or any part of the agreement may

1 be considered in any future disciplinary action against him.

2 4. Respondent understands that this CONSENT AGREEMENT does not constitute a dismissal
3 or resolution of any other matters currently pending before the Board, if any, and does not constitute any
4 waiver, express or implied, of the Board statutory authority or jurisdiction regarding any other pending
5 or future investigation, action or proceeding. Respondent also understands that acceptance of this
6 CONSENT AGREEMENT does not preclude any other agency, subdivision, or officer of this State from
7 instituting other civil or criminal proceedings with respect to the conduct that is the subject of this
8 CONSENT AGREEMENT.

9 5. Respondent acknowledges and agrees that upon signing this CONSENT AGREEMENT and
10 returning this document to the Board's Executive Director, Respondent may not revoke his acceptance
11 of the CONSENT AGREEMENT or make any modifications to the document regardless of whether the
12 CONSENT AGREEMENT has been signed by the Executive Director. Any modification to this original
13 document is ineffective and void unless mutually agreed by the parties in writing.

14 6. Respondent understands that the foregoing CONSENT AGREEMENT shall not become
15 effective unless and until adopted by the Board and signed by its Executive Director.

16 7. Respondent understands and agrees that if the Board does not adopt this CONSENT
17 AGREEMENT, he will not assert as a defense that the Board's consideration of this CONSENT
18 AGREEMENT constitutes bias, prejudice, prejudgement or other similar defense.

19 8. Respondent understands that this CONSENT AGREEMENT is a public record that may be
20 publicly disseminated as a formal action of the Board and may be reported as required by law to the Health
21 Care Integrity and Protection Data Bank.

22 9. Respondent understands that if he violates this Order in any way or fails to fulfill the
23 requirements of this Order, the Board, after giving him notice and the opportunity to be heard, may
24 revoke, suspend or take other disciplinary action against him. The sole issue at such hearing shall be
25 whether or not he violated this Order.

26 . . .

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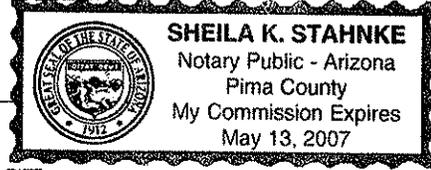
REVIEWED AND ACCEPTED BY:

Mansur Olumt
MANSUR OLUMT

5-22-03

DATE

Sheila K. Stahnke
Notary Public



FINDINGS OF FACT

By stipulation of the parties, this CONSENT AGREEMENT is entered into for final disposition of the matters described herein. Respondent acknowledges that sufficient evidence exists for the Board to make the following Findings of Fact:

10. Respondent is the holder of license 11733 which permits him to engage in the practice of pharmacy in Arizona.

11. On March 26, 2001, Respondent signed a Pharmacists Assisting Pharmacists of Arizona ("PAPA") contract that required him to complete Compass outpatient treatment program, attend three (3) self-help meetings per week, submit twenty-four (24) random urine screens per year and attend weekly peer group counseling sessions.

12. On June 25, 2001, Respondent was called in by the PAPA staff for a random urine screen, Respondent informed the PAPA staff that he was not going in for the urine screen and admitted to taking hydrocodone without a prescription in violation of his PAPA contract. The Respondent was advised by the PAPA staff to admit himself to Valley Hope Treatment Center as an inpatient.

13. On June 29, 2001, Respondent's PAPA contract was terminated because he informed the PAPA staff that he would admit himself to Valley Hope Treatment Center.

14. On June 30, 2001, Respondent was admitted as an inpatient to Chandler Valley Hope Treatment Center.

15. On July 19, 2001, Respondent signed a new PAPA contract that required him to complete inpatient treatment, attend weekly peer group counseling sessions, attend three (3) self-help meetings per

1 week and submit twenty-four (24) random urine screens per month. On July 27, 2001, Respondent
2 completed the inpatient treatment.

3 16. On November 14, 2001, Respondent made a request to the Board that his license to practice
4 pharmacy be reinstated and placed on probation. The Board ordered that the Respondent's license number
5 11733 to practice pharmacy in the State of Arizona be placed on probation with the stipulation that he
6 practice with the supervision of a licensed pharmacist.

7 17. On January 9, 2002, Respondent made a request to the Board that the stipulation of the
8 probation that he practice with the supervision of a licensed pharmacist be removed. The Board ordered
9 that the stipulation be removed from Respondent's license number 11733 to practice pharmacy in the State
10 of Arizona.

11 18. On July 15, 2002, Respondent was called for a random urine screen and tested positive for
12 butalbital in violation of the PAPA contract. The positive result was confirmed by a Medical Review
13 Officer.

14 19. On August 19, 2002, Respondent signed a new PAPA contract that required him to attend
15 three (3) self-help meeting per week, submit forty-eight (48) random urine screens, attend weekly peer
16 group counseling sessions and two (2) private counseling sessions per month.

17 20. On February 10, 2003, Respondent was called for a random urine screen and tested positive
18 for propoxyphene in violation of the PAPA contract. The positive result was confirmed by a Medical
19 Review Officer. The Respondent was advised by the PAPA staff to seek outpatient treatment.

20 21. On April 16, 2003, Respondent signed a new PAPA contract that required him to complete
21 Relapse Prevention, attend ninety (90) self-help meetings in ninety (90) days, attend weekly peer group
22 counseling sessions, and after completion of the ninety (90) self-help meetings in ninety (90) days, to
23 attend three (3) self-help meetings per week and submit twenty-four (24) random urine screens per year.

24
25 **CONCLUSIONS OF LAW**

26 22. The conduct and circumstances described in the factual allegations above constitutes grounds

1 for disciplinary action pursuant to A.R.S. § 32-1932.01(D) :

2 A pharmacist or intern who is impaired by alcohol or drug abuse may enter into a stipulation order
3 with the board, or the pharmacist or intern may be placed on probation or be subject to other action
as provided by law.

4 **ORDER**

5 Based on the foregoing Findings of Fact and Conclusions of Law, the Board imposes the following:

6 23. It is ordered that the Respondent's license number 11733 to practice pharmacy in the State
7 of Arizona be limited to Board approved practice sites for a period of two (2) years commencing April
8 16, 2003.

9 24. Respondent may appear before the Board at a regularly scheduled Board meeting on or after
10 April 16, 2005, to request termination of the limitation at which time a positive recommendation from
11 the PAPA Steering Committee shall be required.

12 **DATED and EFFECTIVE** this 19th day of June, 2003

13
14 **ARIZONA STATE BOARD OF PHARMACY**

15
16 

17 _____
Lyn A. Lloyd
Executive Director

18 **ORIGINAL** of the foregoing, fully executed,
19 filed this 23rd day of June 2003, with:

20 Arizona State Board of Pharmacy
4425 W. Olive Avenue, #140
21 Glendale, AZ 85302

22 Fully Executed Copy of the foregoing sent
via Certified US mail this 23rd day of June 2003, to:

23
24 MANSUR OLUMI
12470 N. Granville Way
25 Tucson, AZ 85737
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