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IN STATE BOARD  
2003 OCT 31 10 01

1 Arr03-0013-HO

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

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4 In the Matter of: )  
5 JAMES R. REHOVSKY, R.Ph. )  
6 Holder of Pharmacist License )  
7 Number 8636 )  
8 In the State of Arizona, )  
Respondent. )

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND BOARD ORDER  
CASE NO. 03-0013-PHR**

9 **DIRECTED TO: JAMES R. REHOVSKY, R.PH.**  
10 **1840 Palm Croft Drive, NE**  
**Phoenix, Arizona 85002**

11 Under the foregoing Consent to Entry of Order, the evidence and records compiled and  
12 contained in the file for JAMES R. REHOVSKY ("Respondent") and for good cause appearing, the  
13 Board on this 6<sup>th</sup> day of November, 2003 enters the following Finding of Fact, Conclusions of Law  
14 and Board Order in the Matter of 03-0013-PHR.

15 **FINDINGS OF FACT**

16 1. Respondent is the holder of Pharmacist License Number 8636 issued by the Arizona  
17 State Board of Pharmacy which permits the holder to practice pharmacy in the State of Arizona.

18 2. That on the 31<sup>st</sup> day of OCTOBER, 2003, Respondent entered into a  
19 Consent to Entry of Order with the Arizona State Board of Pharmacy consenting to discipline for the  
20 conduct alleged in the Complaint and Notice of Hearing number 03-0013-PHR.

21 3. That Respondent consents to discipline for alleged to violations of A.R.S. § 32-  
22 1927(A)(10), A.R.S. § 32-1927(B)(2) and A.A.C. R4-23-402(A)(6)&(11) to wit:

23 32-1927(A)(10) The licensee is found by the Board to be guilty of  
24 violating any Arizona or federal law, rule or regulation relating to the  
25 manufacture and distribution of drugs, and devices or the practice of  
26 pharmacy.

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

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A.A.C. R4-23-402(A)(6)&(11) A pharmacist or a graduate intern or pharmacy intern under the supervision of a pharmacist shall perform the following professional practices in dispensing a prescription medication from a prescription order:

- 6. Verify that a dosage is within proper limits;
- 11. Make a final accuracy check on the completed prescription medication and manually initial the finished label;

**CONCLUSIONS OF LAW**

- 4. The Board concludes that it has jurisdiction in this Matter under A.R.S. § 32-1901, *et seq.*
- 5. The Board concludes that Respondent violated A.R.S. § 32-1927(A)(10), A.R.S. § 32-1927(B)(2) and A.A.C. R4-23-402(A)(6)&(11).

**ORDER**

The Pharmacist License Number 8636 issued to Respondent is hereby placed on SUSPENSION for a period of ninety (90) days followed by PROBATION for a period of one (1) year commencing ten (10) days from the date of this Order. The suspension and probation are subject to the following conditions:

- 6. Respondent shall pay a civil penalty of one thousand dollars (\$1000.00) to the Board for each violation as listed in the Notice, for a total of two thousand (\$2000.00) within ninety (90) days of the date of this Order.
- 7. Respondent shall pay all fees and complete all Continuing Education requirements to maintain Pharmacist License number 8636 throughout the term of probation.
- 8. Respondent shall enroll in a Board-approved pharmacy education course on compounding.
- 9. Respondent shall enroll in a Board-approved pharmacy education course on pharmacy management.
- 10. If Respondent violates this Order in any way or fails to fulfill the requirements of this

1 Order, the Board, after giving the Respondent notice and the opportunity to be heard, may revoke,  
2 suspend or take other disciplinary action against the Respondent. The issue at such hearing will be  
3 limited solely to whether this Board Order has been violated.

4 11. Respondent shall appear before the Board at a regularly scheduled Board meeting on  
5 or after November 16, 2004, to request termination of the probation.

6 DATED this 6<sup>th</sup> day of November, 2003.

7 ARIZONA STATE BOARD OF PHARMACY

8  
9 SEAL By:   
10 Hal Wand  
Executive Director

11 Copies of the foregoing Finding of  
12 Fact, Conclusions of Law and  
13 Board Order mailed by certified  
14 mail this 6<sup>th</sup> day of November, 2003, to:

15 JAMES R. REHOVSKY  
16 1840 Palm Croft Drive, NE  
17 Phoenix, Arizona 85002

18 Copy of the foregoing mailed by US Mail this  
19 7<sup>th</sup> day of November, 2003, to:

20 Roger N. Morris  
21 Quarles & Brady Streich Lang  
22 Two N. Central  
23 Phoenix, AZ 85004  
24 Attorneys for Respondent

25 and by Courier Mail to:

26 Roberto Pulver  
Assistant Attorney General  
Office of the Attorney General  
Civil Division  
1275 W. Washington  
Phoenix, AZ 85007

and

1 Victoria Mangiapane  
Assistant Attorney General  
2 1275 W. Washington  
Phoenix, AZ 85007  
3 Solicitor General's Office

4 By: Clairine C. Messer

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