

1 2003-14-HC

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

3 In the Matter of:

4 MARVIN ROSSOF, RPh)
5 Holder of Pharmacist License)
6 Number 6978)
7 In the State of Arizona,)
8 Respondent)

CONSENT TO ENTRY OF ORDER

2003-14-PHR

9 TO: MARVIN ROSSOF
10 819 E. Hemet Place
11 Oro Valley, AZ 85737

12 Complaint and Notice of Hearing No. 2003-14-PHR ("Notice") has been properly served on
13 Respondent charging him with violation of :

14 A. A.R.S. § 32-1927 (A)(10): The licensee is found by the board to be guilty of violating any
15 Arizona or federal law, rule or regulation relating to the manufacture and distribution of drugs and devices
16 or the practice of pharmacy.

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

20 C. A.A.C. R4-23-409(A): After a person for whom a drug is prescribed or the person's agent
21 takes the drug from the premises where sold, distributed, or dispensed, a pharmacist or pharmacy
22 permittee shall not accept the drug for return or exchange for the purpose of resale unless the pharmacist
23 determines that:

- 24 1. The drug is in its original, manufacturer's, unopened container; and
- 25 2. The drug or its container has not been subjected to contamination or deterioration.

26 In lieu of a Board hearing on this matter, Respondent knowingly and voluntarily executes this
Consent to Entry of Order ("Consent") under A.R.S. § 32-1901, et seq. and A.R.S. § 41-1092.07 for
purposes of resolving this matter expeditiously. Respondent agrees as follows:

- 1. He is the holder of Arizona Pharmacist License Number 6978.
- 2. The conduct described in the Complaint and Notice of Hearing is conduct constituting grounds
for disciplinary action under to A.R.S. §§ 32-1927(A)(10), 32-1927(B)(2) and A.A.C. R4-23-409(A), and

1 admits his conduct violated these statutes and rules.

2 3. The record prepared in this matter, all investigative materials and reports prepared and received
3 by the Board concerning the allegations, and all related exhibits and materials may be retained in the
4 Board's file pertaining to this matter.

5 4. Under A.R.S. § 32-1928, Respondent has a right to a public hearing at which he could present
6 evidence and cross examine witnesses. Respondent waives his right to a hearing.

7 5. Respondent waives any right to rehearing or review or judicial review of the Findings of Fact,
8 Conclusions of Law, and Order.

9 6. The Board shall adopt the attached Findings of Fact, Conclusions of Law, and Order.

10 7. The Findings of Fact and Conclusions of Law are accurate and true.

11 8. MARVIN ROSOFF has been given the opportunity to consult with an attorney prior to
12 entering into this Consent to Entry of Order.

13 9. This Consent will be effective only upon its acceptance by the Board.

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16
17 DATED this 14 day of OCTOBER, 2003

18
19 MARVIN ROSOFF

20 By *Marvin Rosoff*

21
22 SUBSCRIBED AND SWORN to before me this 14 day of Oct, 2003.

23
24 *Rita Valencia*
25 Notary Public

