

1 TERRY GODDARD  
Attorney General  
2 (Firm State Bar No. 14000)

3 SETH T. HARGRAVES  
Assistant Attorney General  
4 State Bar No. 020176  
1275 W. Washington, CIV/LES  
5 Phoenix, Arizona 85007-2997  
Tel: (602) 542-7033  
6 Fax: (602) 364-3202

7 Attorneys for the Arizona State Board of Pharmacy

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

9  
10 In the Matter of

11 **CATHERINE TORDA,**  
12 Holder of License No. 0002  
As a Pharmacy Technician  
13 In the State of Arizona

Board Case No. 07-0043-PHR

**CONSENT AGREEMENT  
FOR STAYED REVOCATION -  
PROBATION**

14  
15 **RECITALS**

16 In the interest of a prompt and judicious settlement of this case, consistent with the  
17 public interest, statutory requirements and the responsibilities of the Arizona State Board  
18 of Pharmacy ("Board") and under A.R.S. §§ 32-1901, *et. seq.* and 41-1092.07(F)(5),  
19 Catherine Torda ("Respondent"), holder of Pharmacy Technician License Number 2 in  
20 the State of Arizona, and the Board enter into the following Recitals, Findings of Fact,  
21 Conclusions of Law and Order ("Consent Agreement") as a final disposition of this  
22 matter.

23 1. Respondent has read and understands this Consent Agreement and has had  
24 the opportunity to discuss this Consent Agreement with an attorney, or has waived the  
25 opportunity to discuss this Consent Agreement with an attorney.  
26

1           2.     Respondent understands that she has a right to a public administrative  
2 hearing concerning the above-captioned matter, at which hearing she could present  
3 evidence and cross examine witnesses. By entering into this Consent Agreement,  
4 Respondent knowingly and voluntarily relinquishes all right to such an administrative  
5 hearing, as well as rights of rehearing, review, reconsideration, appeal, judicial review or  
6 any other administrative and/or judicial action, concerning the matters set forth herein.

7           3.     Respondent affirmatively agrees that this Consent Agreement shall be  
8 irrevocable.

9           4.     Respondent understands that this Consent Agreement or any part of the  
10 agreement may be considered in any future disciplinary action by the Board against her.

11          5.     Respondent understands this Consent Agreement deals with Board  
12 Complaint No. 3290 involving allegations of unprofessional conduct against Respondent.  
13 The investigation into these allegations against Respondent shall be concluded upon the  
14 Board's adoption of this Consent Agreement.

15          6.     Respondent understands that this Consent Agreement does not constitute a  
16 dismissal or resolution of any other matters currently pending before the Board, if any,  
17 and does not constitute any waiver, express or implied, of the Board's statutory authority  
18 or jurisdiction regarding any other pending or future investigation, action or proceeding.

19          7.     Respondent also understands that acceptance of this Consent Agreement  
20 does not preclude any other agency, subdivision, or officer of this State from instituting  
21 any other civil or criminal proceedings with respect to the conduct that is the subject of  
22 this Consent Agreement.

23          8.     All admissions made by the Respondent in this Consent Agreement are  
24 made solely for the final disposition of this matter, and any related administrative  
25 proceedings or civil litigation involving the Board and Respondent. Therefore, any  
26

1 admissions made by Respondent in this Consent Agreement are not intended for any  
2 other use, such as in the context of another regulatory agency's proceedings, or civil or  
3 criminal proceedings, whether in the State of Arizona or in any other state or federal  
4 court.

5 9. Respondent acknowledges and agrees that, upon signing this Consent  
6 Agreement and returning this document to the Board's Executive Director, she may not  
7 revoke her acceptance of the Consent Agreement or make any modifications to the  
8 document regardless of whether the Consent Agreement has been signed by the  
9 Executive Director. Any modification to this original document is ineffective and void  
10 unless mutually agreed by the parties in writing.

11 10. Respondent understands that the Consent Agreement shall not become  
12 effective unless and until adopted by the Board and signed by its Executive Director.

13 11. If a court of competent jurisdiction rules that any part of this Consent  
14 Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement  
15 shall remain in full force and effect.

16 12. Respondent understands and agrees that if the Board does not adopt this  
17 Consent Agreement, she will not assert as a defense that the Board's consideration of this  
18 Consent Agreement constitutes bias, prejudice, prejudgment or other similar defenses.

19 13. Respondent understands that this Consent Agreement is a public record that  
20 may be publicly disseminated as a formal action of the Board and may be reported as  
21 required by law to the National Practitioner Data Bank and the Healthcare Integrity and  
22 Protection Data Bank.

23 14. Respondent understands that any violation of this Consent Agreement  
24 constitutes unprofessional conduct and may result in disciplinary action. A.R.S. §§ 32-  
25 1901.01(C)(16), -1927.01(A)(1).

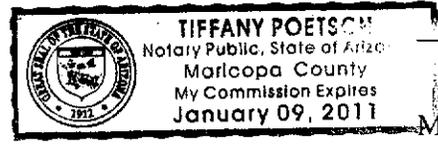
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ACCEPTED AND AGREED BY RESPONDENT

Catherine Torda  
Catherine Torda

Dated: April 26, 2007

Subscribed and sworn to before me in the County of Maricopa, State of Arizona,  
this 26 day of April, 2007, by Catherine Torda.



Tiffany Poetsch  
NOTARY PUBLIC

My Commission expires: Jan. 09, 2011

FINDINGS OF FACT

1. The Arizona State Board of Pharmacy ("Board") is the duly constituted authority for licensing and regulating the practice of pharmacy in the State of Arizona.
2. Catherine Torda ("Respondent") holds Arizona Pharmacy Technician License Number 2.
3. During all times relevant to this Complaint, Respondent was employed as a pharmacy technician at Bashas' Pharmacy #32 ("Pharmacy") in Phoenix, Arizona.
4. On or about December 4, 2006, the Pharmacy interviewed Respondent concerning possible theft of Hydrocodone. Respondent had been observed on video taking drugs from a bottle and placing them in her lab coat pocket. Respondent admitted not only to taking and ingesting two Hydrocodone 7.5/750mg., a Class III controlled substance as defined in A.R.S. § 36-2513, that very morning, but also of taking approximately \$76.00 worth of pills of varying strengths since she began working at the Pharmacy.





1 Pharmacists Assisting Pharmacists of Arizona ("PAPA"). Whichever Program is chosen  
2 by Respondent, Respondent shall furnish the provider with a copy of this Board Order  
3 and shall authorize and require the provider to submit quarterly progress reports to the  
4 Board addressing compliance and progress. Respondent shall provide the program  
5 administrator with a list of all prescription and over-the-counter ("OTC") medications  
6 that she is taking. In the case of prescription medications, Respondent shall provide the  
7 administrator with a copy of the prescription; and in the case of narcotics, verification  
8 from an addictionologist.

9       2. Whichever Program is chosen by Respondent, Respondent shall participate  
10 in a weekly group counseling class, as well as attend any required self-help group  
11 meetings.

12       3. Within ten days of the effective date of this order, Respondent shall enroll  
13 and participate in, and subsequently complete, either the TASC or Valley Hope out-  
14 patient program.

15       4. Beginning on the effective date of this Order and continuing throughout the  
16 length of this Order, Respondent shall enroll in and attend 90 Alcoholics Anonymous /  
17 Narcotics Anonymous ("AA/NA") meetings in 90 days, and thereafter attend 3 meetings  
18 each week. Respondent's participation in AA/NA shall include having a sponsor.  
19 Respondent shall require the meeting director to submit quarterly progress reports to the  
20 Board verifying her attendance.

21       5. Within ten days of the effective date of this order, Respondent shall enroll  
22 and participate in a 12-panel screen random urinalysis testing schedule, wherein  
23 Respondent is tested not less than two times per month.

24       6. Respondent shall also submit to a comprehensive urinalysis testing screen  
25 at least four times per year (quarterly).

26

1           7.     Respondent shall provide monthly reports to the Board regarding her  
2 progress in the program, as well as sign any releases to provide the Board with  
3 information regarding her progress in the program.

4           8.     Respondent shall bear all costs of compliance with this Order, including all  
5 costs associated with participating in either the TASC or PAPA program.

6           9.     Within ten days of the effective date of this order, or within ten days of the  
7 start of any new employment during the term of her probation, Respondent shall furnish  
8 all pharmacy or pharmacy related employers with a copy of this Board Order as shall  
9 require each employer to verify to the Board in writing that they have received a copy of  
10 the Order.

11          10.    Respondent shall advise the Board immediately of any change in  
12 employment status throughout the term of her probation.

13          11.    Within ten days of the effective date of this order, Respondent shall furnish  
14 the Board with a list of all jurisdictions in which she maintains or has maintained  
15 licensure as a pharmacy technician with the registration numbers of said licenses.

16          12.    Respondent shall obey all federal and state laws, including all statutes and  
17 rules governing the practice as a pharmacy technician.

18          13.    When requested by the Board, Respondent shall appear in person before the  
19 board to respond to questions or concerns regarding her compliance with this Order.

20          14.    If Respondent violates this Order in any way or fails to fulfill or timely  
21 complete any of the requirements of this Order, the Board, after giving the Respondent  
22 notice and the opportunity to be heard, shall revoke Respondent's license. The issue at  
23 such a hearing will be limited solely to whether this Order has been violated.

24          15.    Respondent shall appear before the Board at a regularly scheduled Board  
25 meeting two years after the effective date of this Order to request that the probation  
26

1 imposed by this order be terminated. Respondent's failure to petition the Board to  
2 terminate the probation shall extend the probation period.

3  
4 DATED this 10 day of May, 2007.

5 ARIZONA STATE BOARD OF PHARMACY

6 (Seal)

7  
8 By:



9  
10 HAL WAND, R.Ph.  
Executive Director

11 ORIGINAL OF THE FORGOING FILED  
12 this 10 day of May, 2007, with:

13 Arizona State Board of Pharmacy  
14 4425 W. Olive Avenue, Suite 140  
15 Glendale, Arizona 85302

16 EXECUTED COPY OF THE FOREGOING MAILED  
17 BY CERTIFIED MAIL

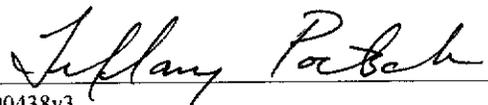
18 this 10 day of May, 2007, to:

19 Catherine Torda  
20 6029 W. Mescal  
21 Glendale, AZ 85353  
22 Respondent

7006 2760 0000 7560 7496

23 EXECUTED COPY OF THE FOREGOING MAILED  
24 this 10 day of May, 2007, to:

25 Seth T. Hargraves  
26 Assistant Attorney General  
1275 W. Washington Street, CIV/LES  
Phoenix, Arizona 85007  
Attorneys for the State of Arizona

  
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