



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

3           5.     Respondent understands this Consent Agreement deals with Board  
4 Complaint No. 3509 involving allegations of unprofessional conduct against Respondent.  
5 The investigation into these allegations against Respondent shall be concluded upon the  
6 Board's adoption of this Consent Agreement.

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

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

15          8.     Respondent acknowledges and agrees that, upon signing this Consent  
16 Agreement and returning this document to the Board's Executive Director, he may not  
17 revoke his acceptance of the Consent Agreement or make any modifications to the  
18 document regardless of whether the Consent Agreement has been signed by the  
19 Executive Director. Any modification to this original document is ineffective and void  
20 unless mutually agreed by the parties in writing.

21          9.     Respondent understands that the Consent Agreement shall not become  
22 effective unless and until adopted by the Board and signed by its Executive Director.

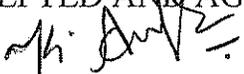
23          10.    If a court of competent jurisdiction rules that any part of this Consent  
24 Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement  
25 shall remain in full force and effect.  
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1 11. Respondent understands and agrees that if the Board does not adopt this  
2 Consent Agreement, he will not assert as a defense that the Board's consideration of this  
3 Consent Agreement constitutes bias, prejudice, prejudgment or other similar defenses.

4 12. Respondent understands that this Consent Agreement is a public record that  
5 may be publicly disseminated as a formal action of the Board and may be reported as  
6 required by law to the National Practitioner Data Bank and the Healthcare Integrity and  
7 Protection Data Bank.

8 13. Respondent understands that any violation of this Consent Agreement  
9 constitutes unprofessional conduct and may result in disciplinary action. A.R.S. §§ 32-  
10 1901.01(B)(20), -1927(A)(1)..

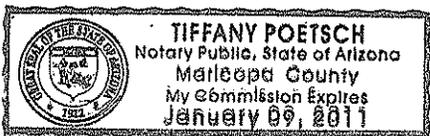
11 **ACCEPTED AND AGREED BY RESPONDENT**

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13 \_\_\_\_\_  
14 Anil Kadari

Dated: 09/10/08

15 Subscribed and sworn to before me in the County of Maricopa, State of Arizona,  
16 this 10 day of September, 2008, by Anil Kadari.

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18 \_\_\_\_\_  
19 NOTARY PUBLIC



My Commission expires: 01-09-2011

20 **FINDINGS OF FACT**

21 1. The Board is the duly constituted authority for licensing and regulating the  
22 practice of pharmacy in the State of Arizona.

23 2. Respondent is the holder of license number 15436 to practice as a  
24 pharmacist in the State of Arizona.

1           3.       During all relevant times to these findings, Respondent worked as a  
2 pharmacist at Walgreen's Pharmacy #4228 (the "Pharmacy") in Glendale, Arizona,  
3 where he was the pharmacist-in-charge.

4           4.       On January 10, 2008, the complainant had a prescription refilled for  
5 metformin 1000 mg. at the Pharmacy for her husband. Metformin is an oral medication  
6 used to treat diabetes.

7           5.       Instead of Metformin, Respondent dispensed potassium chloride 20 mg.

8           6.       In dispensing the potassium chloride, Respondent overrode two safety  
9 features normally required by Walgreens in the dispensing process—the scale or weight  
10 check and the visual or product verification. He did not use the scale to verify the  
11 prescription and did not do a visual product check on the completed prescription.

12           7.       The complainant noticed the dispensing error when she returned home.

13           8.       Neither Respondent nor the pharmacy technicians could explain how the  
14 error occurred.

15           9.       During an interview before the Board on July 9, 2008, Respondent  
16 acknowledged that, when a medication had been dispensed from the Pharmacy's  
17 automated dispensing system, but the customer does not pick up the prescription,  
18 Respondent regularly returned the medication to the automatic dispensing system.  
19 Respondent's actions violate Walgreen's company policy.  
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CONCLUSIONS OF LAW

1. The Board possesses jurisdiction over the subject matter and over Respondent pursuant to A.R.S. § 32-1901 *et seq.*

2. The Board may discipline a pharmacist who has engaged in unprofessional conduct. A.R.S. § 32-1927(A)(1).

3. The conduct and circumstances described above constitutes unprofessional conduct pursuant to A.R.S. § 32-1901.01(B)(2) (Violating any federal or state law, rule or regulation relating to the manufacture or distribution of drugs and devices or the practice of pharmacy).

4. The conduct described above violated Arizona Administrative Code R4-23-402(A)(11) (A pharmacist shall make a final accuracy check on the completed prescription medication).

5. The conduct described above violated Arizona Administrative Code R4-23-610(A)(2) (The pharmacist-in-charge shall ensure that all pharmacy policies and procedures required under 4 A.A.C. 23 are prepared, implemented, and complied with.)

6. The conduct described above violated Arizona Administrative Code R4-23-615(B) (A pharmacist-in-charge shall ensure that any drug previously counted by a mechanical storage and counting device for a drug in a solid, oral dosage form that has not left the pharmacy is not returned to the drug's original cell, cassette, or stock bottle.)

ORDER

Based upon the above Findings of Fact and Conclusions of Law, IT IS HEREBY ORDERED THAT:

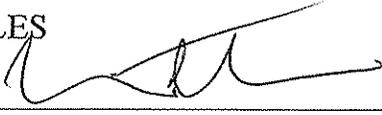
1. For returning medication to stock, Respondent shall pay a civil penalty of \$1000.00 within 180 days of the effective date of this Order.



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EXECUTED COPY OF THE FOREGOING MAILED  
this 15 day of November, 2008, to:

Elizabeth A. Campbell  
Assistant Attorney General  
1275 W. Washington Street, CIV/LES  
Phoenix, Arizona 85007  
Attorneys for the State of Arizona



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