

BEFORE THE ARIZONA STATE BOARD OF PHARMACY

In the Matter of:)	
)	FINDINGS OF FACT, CONCLUSIONS
PETER J. GENTILE)	OF LAW AND BOARD ORDER
Certificate of Registration)	
Number 7313)	NO. 93 - 13 - H
)	

DIRECTED TO: PETER J. GENTILE
 1507 E. Hearn Way
 Gilbert, AZ 85234

Pursuant to the foregoing Consent to Entry of Order, the evidence and records compiled and contained in the file for PETER J. GENTILE and for good cause appearing, the Board on this 23rd day of September, 1993 enters the following Finding of Fact, Conclusions of Law and Board Order in the Matter of 93-13-H.

FINDINGS OF FACT

I

1. PETER J. GENTILE is the holder of Certificate of Registration Number 7313 issued by the Arizona State Board of Pharmacy which permits the holder to practice pharmacy in the State of Arizona.

2. That on the 18th day of August, 1993, PETER J. GENTILE did enter into a Consent to Entry of Order with the Arizona State Board of Pharmacy admitting that factual allegations contained in the Notice of Hearing Number 93-13-H are true and accurate.

3. That PETER J. GENTILE admits to violations of A.R.S. § 36-2525 and 21 C.F.R. § 1306.21 to wit: dispensing or cause to be dispensed and removal or cause to be removed Histussin HC, a CIII Controlled Substance without a valid prescription order from

1 Smitty's Pharmacy #24 and Albertson's Pharmacy # 958.

2 4. That PETER J. GENTILE is aware of the fact that the
3 conduct contained in the factual allegations constitutes grounds
4 for disciplinary action as provided for in A.R.S. § 32-1927(A)(10)
5 and A.R.S. § 32-1927(B)(2).

6 CONCLUSIONS OF LAW

7 II

8 1. The Board concludes that it has jurisdiction in this
9 Matter pursuant to A.R.S. § 32-1927 (A)(10) and 32-1927(B)(2).

10 2. The Board concludes that PETER J. GENTILE did violate
11 A.R.S. § 36-2525 and 21 C.F.R. § 1306.21 to wit: the dispensing or
12 cause to be dispensed and removal or cause to be removed Histussin
13 HC, a CIII Controlled Substance, from Smitty's Pharmacy #24 and
14 Alberston's Pharmacy #958 without a valid prescription order.

15 3. The Board further concludes that PETER J. GENTILE
16 is in violation of A.R.S. § 32-1927(A)(10) and 32-1927(B)(2).

17 ORDER

18 III

19 The certificate of Registration Number 7313 issued to PETER J.
20 GENTILE is hereby suspended for five (5) years.

21 The suspension imposed in this Matter is stayed upon the
22 successful completion of the Arizona Jurisprudence Examination
23 (AZPLEX) with a score of 90% or better and probation is imposed at
24 least until September 21, 1998 subject to the following conditions:
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1 1. **PETER J. GENTILE shall initiate a five (5) year contract**
2 **with the Pharmacists Assisting Pharmacists of Arizona or other**
3 **board approved program and shall comply with each and every**
4 **requirement of that contract.**

5 2. **PETER J. GENTILE shall submit to a minimum of forty-eight**
6 **(48) random biological fluid screenings for the presence of drugs**
7 **or alcohol in the system per year and at times to be determined by**
8 **the Pharmacists Assisting Pharmacists or other board approved**
9 **program for the period of suspension and the entire probation**
10 **period.**

11 3. **PETER J. GENTILE shall not serve as a preceptor**
12 **pharmacist nor as a Pharmacist in Charge throughout the term of**
13 **probation.**

14 4. **In lieu of a civil penalty in this Matter, PETER J.**
15 **GENTILE is required to complete 400 hours of community service in**
16 **a board approved program during the time of probation and shall**
17 **further submit evidence of those hours to the Arizona State Board**
18 **of Pharmacy prior to September 21, 1998.**

19 5. **PETER J. GENTILE is required to advise the Arizona State**
20 **Board of Pharmacy immediately of any change in pharmacy employment**
21 **status throughout the term of probation.**

22 6. **PETER J. GENTILE is required to furnish any and all**
23 **pharmacy employers with a copy of this Board Order throughout the**
24 **term of probation.**

25 7. **PETER J. GENTILE shall furnish the Arizona State Board of**
26

1 Pharmacy with a list of all jurisdictions in which he maintains or
2 has maintained licensure in the profession of pharmacy along with
3 the registration number of said licenses.

4 8. PETER J. GENTILE shall pay all fees and complete all
5 Continuing Education requirements throughout the term of probation
6 to maintain Certificate of Registration Number 7313.

7 9. PETER J. GENTILE shall obey all federal and state laws
8 and rules governing the practice of pharmacy.

9 10. PETER J. GENTILE shall bear the responsibility for the
10 release of information forms and reports required by this Order.

11 11. PETER J. GENTILE shall bear all costs for testing,
12 rehabilitation, aftercare programs and reports to be filed.

13 12. PETER J. GENTILE shall "hold harmless" the provider of
14 any required reports to the Arizona State Board of Pharmacy.

15 13. PETER J. GENTILE shall appear before the Arizona State
16 Board of Pharmacy on or after September 21, 1998 to show cause why
17 the probation imposed in this matter should be removed.

18 14. If PETER J. GENTILE violates this Order in any way or
19 fails to fulfill the requirements of this Order, the Board, after
20 giving the Respondent Notice and the opportunity to be heard, may
21 revoke, suspend or take other disciplinary action against the
22 Respondent.

1 DATED this 22nd day of September, 1993

2 ARIZONA STATE BOARD OF PHARMACY

3

4

5 SEAL

By *Llyn A. Lloyd*
Llyn A. Lloyd
Executive Director

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8

9 Copies of the foregoing Finding
10 of Fact, Conclusions of Law and
11 Board Order mailed by certified
12 mail this 30th day of September,
13 1993 to:

14 PETER J. GENTILE
15 1507 E. Hearn Way
16 Gilbert, AZ 85234

17 and by Courier Mail to:

18 Montgomery Lee
19 Assistant Attorney General
20 1275 W. Washington
21 Phoenix, AZ 85007
22 Attorney for the State

23 and

24 Paula Bickett
25 Assistant Attorney General
26 1275 W. Washington
Phoenix, AZ 85007
Solicitor General's Office

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SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

PETER GENTILE
1507 E. HEARD WAY
GILBERT, AZ 85234

4a. Article Number

P 677 073 955

4b. Service Type

- Registered Insured
- Certified COD
- Express Mail Return Receipt for Merchandise

7. Date of Delivery

10-1-93

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, November 1990 *U.S. GPO: 1991-287-066

DOMESTIC RETURN RECEIPT

P 677 073 955



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
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PS Form 3800, June 1990

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PETER GENTILE	
Street & No.	
1507 E HEARD WAY	
P.O., State & ZIP Code	
GILBERT, AZ 85234	
Postage	\$
Certified Fee	
Special Delivery Fee	
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Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$
Postmark or Date	
9-30-93 ORDER	