

1 95-20-HO

2 BEFORE THE ARIZONA STATE BOARD OF PHARMACY

3	In the Matter of:)	
4	ROBERT PAUL BROWER)	FINDINGS OF FACT, CONCLUSIONS
	Certificate of)	OF LAW AND BOARD ORDER
5	Registration No. 6995)	NO. 95 - 20 - H
6	_____)		

7 DIRECTED TO: ROBERT PAUL BROWER
8 6841 E. Golden Hills Way
9 Mesa, AZ 85208

10 This Matter came before the Arizona State Board of Pharmacy on
11 the 16th day of November, 1995 pursuant to Notice of Hearing Number
12 95-20-H (hereinafter referred to as "Notice").

13 Charles E. Cordell, vice-president, presided with members
14 Michael Noel, Dennis K. McAllister and Natalie A. Spencer in
15 attendance and participating therein.

16 The State was represented by the Office of the Attorney General,
17 Montgomery Lee, Assistant Attorney General.

18 The respondent ROBERT PAUL BROWER was present and was not
19 represented by counsel. ROBERT PAUL BROWER was advised of his right to
20 be represented by counsel and ROBERT PAUL BROWER waived that right.

21 The Board, after consideration of the evidence and testimony
22 presented, hereby makes the following Findings of Fact, Conclusions of
23 Law and Board Order.

24 FINDINGS OF FACT

25 I

26 1. ROBERT PAUL BROWER is the holder of Certificate of
Registration Number 6995 issued by the Arizona State Board of Pharmacy

1 which permits the holder to practice pharmacy in the State of Arizona
2 and that he was so engaged between March 1, 1995 and November 16,
3 1995.

4 2. That the evidence and testimony presented in this Matter did
5 sustain allegation number one (1) in paragraph IV of the Notice, to
6 wit:

7 On or about the 18th day of August, ROBERT PAUL BROWER was found
8 by the Superior Court of the State of Arizona in the County of Yuma in
9 the matter of SC95C 00467 to be guilty of a class three (3) felony,
10 the Crime of Theft, in violation of A.R.S. § 13-1802(A)(3), 13-1802,
11 13-1801, 13-701, and 13-801.

12 CONCLUSIONS OF LAW

13 II

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

16 2. The conduct alleged and sustained in Paragraph IV of the
17 Notice constitutes violations of A.R.S. § 32-1927(A)(2) and A.R.S. §
18 32-1927(A)(10).

19 ORDER

20 III

21 The Certificate of Registration Number 6995 issued to
22 ROBERT PAUL BROWER is hereby suspended for a period of five (5) years,
23 said suspension is stayed and a probation is imposed for the same
24 period of time, effective 10 days from the date of this Order subject
25 to the following conditions:
26

1 1. ROBERT PAUL BROWER shall submit to a psychological evaluation
2 by the Pharmacists Assisting Pharmacists of Arizona (PAPA) within 30
3 days of the date of this order.

4 2. ROBERT PAUL BROWER shall sign a five (5) year contract with
5 PAPA within 30 days of the date of this Order which shall include the
6 provision of quarterly reports, including reports from his employer,
7 directly to the Board for the duration of the contract, subject to
8 modification by the Board.

9 3. ROBERT PAUL BROWER shall ensure that quarterly reports from
10 his pshychologist are provided directly to the Board office for the
11 term of probation, subject to modification by the Board.

12 4. ROBERT PAUL BROWER shall ensure that quarterly reports from
13 his probation officer are provided directly to the Board office for
14 the term of probation, subject to modification by the Board.

15 5. ROBERT PAUL BROWER shall not act as a pharmacist in charge nor
16 as a preceptor pharmacist throughout the term of the probation.

17 6. ROBERT PAUL BROWER shall furnish the Arizona State Board of
18 Pharmacy with a list of all jurisdictions in which he maintains or has
19 maintained licensure in the profession of pharmacy along with the
20 registration number of said licenses.

21 7. ROBERT PAUL BROWER is required to notify the Arizona State
22 Board of Pharmacy immediately of any change in pharmacy employment
23 status throughout the term of probation.

24 8. ROBERT PAUL BROWER is required to furnish any and all pharmacy
25 employers with a copy of this board Order throughout the terms of
26 probation.

1 9. ROBERT PAUL BROWER shall pay all fees and complete all
2 Continuing Education requirements to maintain Certificate of
3 Registration number 6995 throughout the term of probation.

4 10. ROBERT PAUL BROWER shall obey all federal and state laws and
5 rules governing the practice of pharmacy.

6 11. ROBERT PAUL BROWER shall bear the responsibility for the
7 release of information forms and reports required by this Order.

8 12. ROBERT PAUL BROWER shall "hold harmless" the provider of any
9 required reports to the Board of Pharmacy.

10 13. ROBERT PAUL BROWER shall appear before the Arizona State
11 Board of Pharmacy on or after November 16, 2000, then and there to
12 show cause why the probation imposed by this Order should be vacated.

13 14. If ROBERT PAUL BROWER violates this Order in any way or fails
14 to fulfill the requirements of this Order, the Board, after giving
15 ROBERT PAUL BROWER Notice and the opportunity to be heard, may revoke,
16 suspend or take other disciplinary action against ROBERT PAUL BROWER.

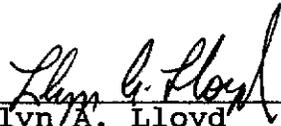
17 ROBERT PAUL BROWER is hereby notified that he has a right to
18 petition this Board for a rehearing within fifteen (15) days after
19 receipt of this Order pursuant to provisions of A.A.C. § R4-23-109.
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1 DATED this 20th day of November, 1995

2 ARIZONA STATE BOARD OF PHARMACY

3
4
5 SEAL

By


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
mail this 20th day of November,
1995 to:

12 ROBERT PAUL BROWER
13 6841 E. Golden Hills Way
Mesa, AZ 85208

14 and by Courier Mail to:

15 Montgomery Lee
16 Assistant Attorney General
1275 W. Washington
17 Phoenix, AZ 85007
Attorney for the State

18 and

19 Paula Bickett
20 Assistant Attorney General
1275 W. Washington
21 Phoenix, AZ 85007
Solicitor General's Office