

EXHIBIT "A"

1 98-0026-HO

2 BEFORE THE ARIZONA STATE BOARD OF PHARMACY

3 In the Matter of:	)	
	)	FINDINGS OF FACT, CONCLUSIONS
4 KEVIN T. DENICK	)	OF LAW AND BOARD ORDER
5 Certificate of Registration	)	
6 Number 8392	)	NO. 98-0026-PHR

7 DIRECTED TO: KEVIN T. DENICK  
 8 6902 E. Continental Drive  
 9 Scottsdale, AZ 85257

10 Pursuant to the foregoing Consent to Entry of Order, the evidence  
 11 and records compiled and contained in the file for KEVIN T. DENICK and  
 12 for good cause appearing, the Board on this 5th day of November, 1998  
 13 enters the following Finding of Fact, Conclusions of Law and Board  
 14 Order in the Matter of 98-026-PHR.

14 FINDINGS OF FACT

15 I

16 1. KEVIN T. DENICK is the holder of Certificate of Registration  
 17 Number 8392 issued by the Arizona State Board of Pharmacy which  
 18 permits the holder to practice pharmacy in the State of Arizona.

19 2. That on the 15<sup>th</sup> day of October, 1998, KEVIN T. DENICK did  
 20 enter into a Consent to Entry of Order with the Arizona State Board of  
 21 Pharmacy admitting that factual allegations contained in the Notice of  
 22 Hearing Number 98-0026-PHR are true and accurate.

23 3. That KEVIN T. DENICK admits to violations of A.R.S. § 32-  
 24 1927(A)(10), A.R.S. § 32-1927(B)(2), A.R.S. § 36-2523(A), and 21  
 25 C.F.R. § 1304.04 to wit:

26 . . .

1 The licensee is found by the board to be guilty of violating any  
2 Arizona or federal law, rule or regulation relating to the manufacture  
and distribution of drugs, devices or the practice of pharmacy.

3 The licensee is found by the board, or is convicted in a federal  
4 or state court, of having violated federal or state laws or  
5 administrative rules pertaining to marijuana, prescription-only drugs,  
6 narcotics, dangerous drugs or controlled substances.

7 Persons registered to manufacture, distribute or dispense  
8 controlled substances under this chapter shall keep records and  
9 maintain inventories in conformance with the record keeping and  
10 inventory requirements of federal law and title 32, chapter 18, and  
11 with any additional rules the Board issues.

12 KEVIN T. DENICK admits to the fact that the conduct contained in  
13 the factual allegations constitutes grounds for disciplinary action as  
14 provided for in A.R.S. § 32-1927(A)(10) and A.R.S. § 32-1927(B)(2).

#### 15 CONCLUSIONS OF LAW

#### 16 II

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

19 2. The Board concludes that KEVIN T. DENICK did violate A.R.S. §  
20 32-1927(A)(10), A.R.S. § 32-1927(B)(2), A.R.S. § 36-2523(A), and 21  
22 C.F.R. § 1304.04. to wit:

23 The licensee is found by the board to be guilty of violating any  
24 Arizona or federal law, rule or regulation relating to the manufacture  
25 and distribution of drugs, devices or the practice of pharmacy.

26 The licensee is found by the board, or is convicted in a federal  
or state court, of having violated federal or state laws or  
administrative rules pertaining to marijuana, prescription-only drugs,  
narcotics, dangerous drugs or controlled substances.

Persons registered to manufacture, distribute or dispense  
controlled substances under this chapter shall keep records and  
maintain inventories in conformance with the record keeping and  
inventory requirements of federal law and title 32, chapter 18, and  
with any additional rules the Board issues.



1 registration number 8392 throughout the term of probation.

2 8. KEVIN T. DENICK shall obey all federal and state laws and  
3 rules governing the practice of pharmacy.

4 9. KEVIN T. DENICK shall bear the responsibility for the  
5 release of information forms and reports required by this Order.

6 10. KEVIN T. DENICK shall appear before the Arizona State Board  
7 of Pharmacy on or after May 5th, 2001, then and there to show cause  
8 why the probation imposed by this Order should be vacated.

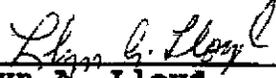
9 14. If KEVIN T. DENICK violates this Order in any way or fails  
10 to fulfill the requirements of this Order, the Board, after giving  
11 KEVIN T. DENICK Notice and the opportunity to be heard, may revoke,  
12 suspend or take other disciplinary action against KEVIN T. DENICK.

13  
14 DATED this 5th day of November, 1998

15  
16 ARIZONA STATE BOARD OF PHARMACY

17  
18  
19 SEAL

20 BY

  
\_\_\_\_\_  
Llyn A. Lloyd  
Executive Director