

## **Arizona Board of Pharmacy Guidelines for Complaint Resolution**

All Board resolutions are public record. If no violations of rule or statute are found, the Board may dismiss a complaint or if minor violations were found that do not warrant disciplinary action, the Board may offer an Advisory Letter. The following are guidelines representing the resolution options available to the Board for violations of A.R.S. Title 32, Chapter 18, A.A.C. Title 4, Chapter 23, and/or Community Standards of Pharmaceutical practice. The Board may consider several factors when adjudicating complaints, including but not limited to, the nature and severity of the offense, the factual scenarios, whether the licensee has been disciplined previously and whether aggravating and/or mitigating factors exist. The Board is not limited by these guidelines and may select any one or a combination of resolutions found in this chart. **IN THE EVENT OF A CONFLICT BETWEEN THIS DOCUMENT AND THE ACTION BY THE BOARD, THE ACTION IMPOSED BY THE BOARD SHALL PREVAIL.**

Advisory Letters and Non-disciplinary Orders for Continuing Education are non-disciplinary. All other resolutions listed below are disciplinary actions which must be concluded through a consent agreement or a hearing process, whether informal or formal.

<b>Level</b>	<b>Errors or Violations of Law/Rule and/or Community Standards of Care</b>	<b>Resolution</b>
I	Errors are not of sufficient seriousness to merit direct action against the licensee. Examples may include prescription dispensing errors that did not cause harm, failure to provide counseling, insignificant recordkeeping deficiencies or failing to report to the Board a change of home address, employer or residency status.	<ul style="list-style-type: none"> <li>● Advisory Letter</li> <li>● Order for Continuing Education (Non-Disciplinary)</li> </ul>
II	Violations of law or community standard of pharmaceutical practice have occurred that do not warrant revocation or suspension of a license. Examples may include ethical violations, violation of any federal or state law/rules relating to the practice of pharmacy; engaging in activities that are unprofessional by current standards of practice; records violations; dispensing error resulting in potential harm; unintentional misrepresentation; providing rebates or entering into an agreement for the payment of rebates to a medical practitioner or any other person in the health care field;	<ul style="list-style-type: none"> <li>● Letter of Reprimand</li> <li>● Order for Continuing Education</li> <li>● Censure</li> <li>● Civil penalty</li> <li>● Probation</li> <li>● Order for rehabilitation</li> <li>● Operation evaluation</li> <li>● Assessment of RPh competence (NAPLEX &amp;/or MPJE)</li> <li>● Assessment of Technician competence (approved Technician Certification Exam)</li> <li>● Restriction or limitation on Practice/profession</li> </ul>
III	Violations of law or community standard of pharmaceutical practice that warrant suspension or revocation; mentally or physically unable to safely engage in the practice of pharmacy. This level may include egregious acts of unprofessional conduct. Examples may include ethical violations; a dispensing error that results in potential harm or death; commission of a felony or misdemeanor involving moral turpitude; intentional and/or willful fraud, misrepresentation, or deception; intentional and/or willful violation of confidentiality; knowingly dispensing a drug without a valid prescription; violating a formal Board order, consent agreement, or term of probation; gross negligence; failing to comply with a Board-issued subpoena; refusing without just cause authorized Board agents to examine documents that are required to be maintained by law; or practicing pharmacy while impaired or incapacitated.	<ul style="list-style-type: none"> <li>● Order for rehabilitation</li> <li>● Probation with Suspension</li> <li>● Summary Suspension</li> <li>● Suspension/Revocation</li> <li>● Assessment of competence (NAPLEX &amp;/or MPJE)</li> <li>● Assessment of Technician competence (approved Technician Certification Exam)</li> <li>● Operation evaluation</li> </ul>