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8 **BEFORE THE ARIZONA STATE BOARD OF PHARMACY**

9 In the Matter of

10
11 **JAMES J. GREEN**
Pharmacist License No. 5337
12 in the State of Arizona

Board Case No. 08-0012-PHR

**CONSENT AGREEMENT ORDER
REINSTATING PHARMACIST
LICENSE WITH PROBATION**

13
14 **CONSENT AGREEMENT**

15 As James J. Green ("Mr. Green") has petitioned the Arizona State Board of
16 Pharmacy (the "Board") for reinstatement of his pharmacist license and, consistent with
17 the public interest, statutory requirements and the responsibilities of the Board under
18 A.R.S. §§ 32-1901, *et. seq.*, the Board and Mr. Green enter into the following Recitals,
19 Findings of Fact, Conclusions of Law and Order ("Consent Agreement") for the
20 reinstatement of Mr. Green's Pharmacist License No. 5337 with probation.

21 1. Mr. Green has read and understands this Consent Agreement and has had
22 the opportunity to discuss this Consent Agreement with an attorney, or has waived the
23 opportunity to discuss this Consent Agreement with an attorney.

24 2. By entering into this Consent Agreement, Mr. Green knowingly and
25 voluntarily relinquishes all right to such an administrative hearing, as well as rights of
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1 rehearing, review, reconsideration, appeal, judicial review or any other administrative
2 and/or judicial action, concerning the matters set forth herein.

3 3. Mr. Green affirmatively agrees that this Consent Agreement shall be
4 irrevocable.

5 4. Mr. Green acknowledges and agrees that, upon signing this Consent
6 Agreement and returning this document to the Board's Executive Director, he may not
7 revoke his acceptance of the Consent Agreement or make any modifications to the
8 document regardless of whether the Consent Agreement has been signed by the
9 Executive Director. Any modification to this original document is ineffective and void
10 unless mutually agreed by the parties in writing.

11 5. Mr. Green understands that the Consent Agreement shall not become
12 effective unless and until signed by the Board's Executive Director.

13 6. If a court of competent jurisdiction rules that any part of this Consent
14 Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement
15 shall remain in full force and effect.

16 7. Mr. Green understands that this Consent Agreement is a public record that
17 may be publicly disseminated as a formal action of the Board and may be reported as
18 required by law to the National Practitioner Data Bank and the Healthcare Integrity and
19 Protection Data Bank.

20 8. Mr. Green understands that any violation of this Consent Agreement
21 constitutes unprofessional conduct and may result in disciplinary action. A.R.S. §§ 32-
22 1901.01(B)(20), -1927(A)(1).

23 9. Mr. Green agrees that the Board will adopt the following Findings of Fact,
24 Conclusions of Law and Order.

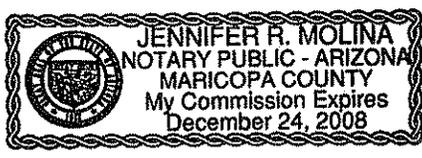
1 ACCEPTED AND AGREED BY JAMES J. GREEN

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James J. Green
James J. Green

Dated: 10-5-07

Subscribed and sworn to before me in the County of Maricopa, State of Arizona,
this 5th day of October, 2007, by James J. Green.



Jennifer R. Molina
NOTARY PUBLIC

My Commission expires: December 24, 2008

FINDINGS OF FACT

1. The Arizona State Board of Pharmacy ("Board") is the duly constituted authority for licensing and regulating the practice of pharmacy in the State of Arizona.
2. James J. Green ("Mr. Green") was the holder of license number 5337 to practice as a pharmacist in the State of Arizona.
3. On August 2, 2006, Mr. Green's pharmacist license was revoked pursuant to the Consent Agreement for Revocation in Board Case No. 06-0028-PHR.
4. At the Board's September 2007 Board Meeting, Mr. Green requested that the Board reinstate his license. The Board voted to reinstate Mr. Green's license subject to certain conditions.

CONCLUSIONS OF LAW

1. The Board possesses jurisdiction over the subject matter and over Mr. Green pursuant to A.R.S. § 32-1901 *et seq.*
2. Under A.R.S. § 32-1928(D), with or without conditions, the Board may reinstate the license of any pharmacist or pharmacy intern that it has placed on probation or whose license it has suspended or revoked.

1 ORDER

2 Based upon the above Findings of Fact and Conclusions of Law and under the
3 authority granted to the Board by A.R.S. § 32-1928(D), IT IS HEREBY ORDERED AS
4 FOLLOWS:

5 1. Mr. Green's License No. 5337 to engage in the practice of pharmacy will
6 be REINSTATED upon completion of the following:

7 a. Submission of proof of completion of any continuing education due
8 under A.R.S. § 32-1936 and A.A.C. R4-23-204; and

9 b. Payment of any renewal fees due pursuant to A.R.S. § 32-1925.

10 2. Mr. Green's reinstated license is immediately placed on PROBATION for a
11 period of six (6) months from the effective date of this Order. During the term of
12 PROBATION, Mr. Green shall complete the following terms and conditions:

13 a. Mr. Green's scope of practice is limited to that of a pharmacy intern
14 as described in A.R.S. § 32-1923(D), i.e., Mr. Green may compound, dispense and
15 sell drugs, devices and poisons or perform other duties of a pharmacist only in the
16 presence and under the immediate personal supervision of a pharmacist.

17 b. Mr. Green shall appear before the Board at a regularly scheduled
18 Board meeting six (6) months after the effective date of this Order to request that
19 the probation imposed by this order be terminated. Upon petitioning the Board for
20 termination of the probation, Mr. Green shall supply the Board with a letter of
21 recommendation from his immediate supervisor. Mr. Green's failure to petition
22 the Board to terminate the probation or to provide the Board with the letter of
23 recommendation from his immediate supervisor shall extend the probation period.

1 DATED this 9th day of OCTOBER, 2007.

2 ARIZONA STATE BOARD OF PHARMACY

3 (Seal)

4 By: 
5 HAL WAND, R.Ph.
6 Executive Director

7
8
9 ORIGINAL OF THE FORGOING FILED
10 this 11 day of oct., 2007, with:

11 Arizona State Board of Pharmacy
12 1700 West Washington, Suite 250
13 Phoenix, Arizona 85007

14 EXECUTED COPY OF THE FOREGOING MAILED
15 BY REGULAR MAIL
16 this 11 day of oct., 2007, to:

17 James J. Green
18 2017 North 56th Ave.
19 Phoenix, Arizona 85035-3604



20 64952