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7 Attorneys for the Arizona State Board of Pharmacy

8 **BEFORE THE ARIZONA STATE BOARD OF PHARMACY**
9

10 In the Matter of

11 **WANDA ROBBINS,**

12 Holder of License No. T000416
As a Pharmacy Technician
13 In the State of Arizona

Board Case No. 10-0033-PHR

**CONSENT AGREEMENT
FOR PROBATION, CIVIL
PENALTY, and CONTINUING
EDUCATION**

14
15 In the interest of a prompt and judicious settlement of this case, consistent with the
16 public interest, statutory requirements and the responsibilities of the Arizona State Board
17 of Pharmacy ("Board") under A.R.S. § 32-1901, *et. seq.*, Wanda Robbins
18 ("Respondent"), holder of Pharmacy Technician License Number T000416 in the State of
19 Arizona, and the Board enter into the following Recitals, Findings of Fact, Conclusions
20 of Law and Order ("Consent Agreement") as a final disposition of this matter.
21

22 **RECITALS**

23 1. Respondent has read and understands this Consent Agreement and has had
24 the opportunity to discuss this Consent Agreement with an attorney, or has waived the
25 opportunity to discuss this Consent Agreement with an attorney.
26

1 2. Respondent understands that she has a right to a public administrative
2 hearing concerning the above-captioned matter, at which hearing she could present
3 evidence and cross examine witnesses. By entering into this Consent Agreement,
4 Respondent knowingly and voluntarily relinquishes all right to such an administrative
5 hearing, as well as rights of rehearing, review, reconsideration, appeal, judicial review or
6 any other administrative and/or judicial action, concerning the matters set forth herein.

7 3. Respondent affirmatively agrees that this Consent Agreement shall be
8 irrevocable.

9 4. Respondent understands that this Consent Agreement or any part of the
10 agreement may be considered in any future disciplinary action by the Board against her.

11 5. Respondent understands this Consent Agreement deals with Board
12 Complaint No. 3717 involving allegations of unprofessional conduct against Respondent.
13 The investigation into these allegations against Respondent shall be concluded upon the
14 Board's adoption of this Consent Agreement.

15 6. Respondent understands that this Consent Agreement does not constitute a
16 dismissal or resolution of any other matters currently pending before the Board, if any,
17 and does not constitute any waiver, express or implied, of the Board's statutory authority
18 or jurisdiction regarding any other pending or future investigation, action or proceeding.

19 7. Respondent also understands that acceptance of this Consent Agreement
20 does not preclude any other agency, subdivision, or officer of this State from instituting
21 any other civil or criminal proceedings with respect to the conduct that is the subject of
22 this Consent Agreement.

23 8. Respondent acknowledges and agrees that, upon signing this Consent
24 Agreement and returning this document to the Board's Executive Director, she may not
25 revoke her acceptance of the Consent Agreement or make any modifications to the
26

1 document regardless of whether the Consent Agreement has been signed by the
2 Executive Director. Any modification to this original document is ineffective and void
3 unless mutually agreed by the parties in writing.

4 9. This Consent Agreement is subject to the approval of the Board and is
5 effective only when accepted by the Board and signed by the Executive Director. In the
6 event that the Board does not approve this Consent Agreement, it is withdrawn and shall
7 be of no evidentiary value and shall not be relied upon nor introduced in any action by
8 any party, except that the parties agree that should the Board reject this Consent
9 Agreement and this case proceeds to hearing, Respondent shall assert no claim that the
10 Board was prejudiced by its review and discussion of this document or any records
11 relating thereto.

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

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

19 12. Respondent understands that any violation of this Consent Agreement
20 constitutes unprofessional conduct and may result in disciplinary action. A.R.S. §§ 32-
21 1901.01(C)(16), -1927.01(A)(1).

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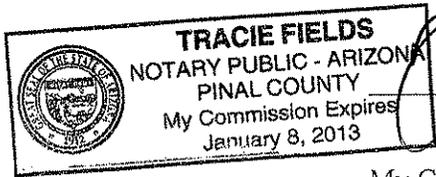
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1 ACCEPTED AND AGREED BY RESPONDENT

2 Wanda Robbins
3 Wanda Robbins

Dated: 11.14.09

4 Subscribed and sworn to before me in the County of Pinal, State of Arizona,
5 this 14 day of November 2009, by Wanda Robbins.



6 Tracie Fields
7 NOTARY PUBLIC

8 My Commission expires: 1/8/2013

9 **FINDINGS OF FACT**

10 1. The Board is the duly constituted authority for licensing and regulating the
11 practice of pharmacy in the State of Arizona.

12 2. Respondent is the holder of license number T000416 to practice as a
13 pharmacy technician in the State of Arizona.

14 3. During all relevant times to these findings, Respondent worked as a
15 pharmacy technician at Safeway Pharmacy #1515 in Glendale, Arizona.

16 4. In a written statement dated April 2, 2009, Respondent admitted to
17 accepting fraudulently activated Safeway gift cards from Pharmacist Brian Tybor.
18 Respondent accepted approximately \$330 in fraudulently activated Safeway gift cards.
19

20 **CONCLUSIONS OF LAW**

21 1. The Board possesses jurisdiction over the subject matter and over
22 Respondent pursuant to A.R.S. § 32-1901 *et seq.*

23 2. The Board may discipline a pharmacy technician who has engaged in
24 unprofessional conduct. A.R.S. § 32-1927.01(A)(1).
25
26

1 4. Throughout the term of Respondent's probation, Respondent shall furnish
2 all pharmacy employers with a copy of this Consent Agreement. Respondent shall ensure
3 that all pharmacy employers submit to the Board a written acknowledgement that they
4 have received a copy of this Consent Agreement within ten (10) days of entering into an
5 employment relationship with Respondent.

6 5. Throughout the term of Respondent's probation, Respondent shall advise
7 the Board within ten (10) days of any change in pharmacy employment status.

8 6. Respondent shall pay all necessary fees and complete all continuing
9 education requirements throughout the term of her probation to maintain Pharmacy
10 Technician License No. T000416.

11 7. Respondent shall furnish the Board with a list of all jurisdictions in which
12 she maintains or has maintained licensure in the profession of pharmacy along with the
13 registration numbers of said licenses.

14 8. Throughout the term of Respondent's probation, Respondent shall
15 personally appear before the Board when requested to do so by the Board or Board staff.

16 9. Respondent shall obey all federal and state laws and rules governing the
17 practice of pharmacy technicians.

18 10. If Respondent violates this Order in any way or fails to fulfill the
19 requirements of this Order, the Board, after giving the Respondent notice and the
20 opportunity to be heard, may revoke, suspend or take other disciplinary actions against
21 Respondent's license. The issue at such a hearing will be limited solely to whether this
22 Order has been violated.

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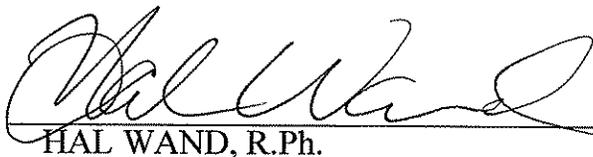
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1 DATED this 13th day of January, 2010.

3 ARIZONA STATE BOARD OF PHARMACY

4 (Seal)

5 By:



6 HAL WAND, R.Ph.
7 Executive Director

8
9
10
11 ORIGINAL OF THE FOREGOING FILED
12 this 17 day of Jan, 2010, with:

13 Arizona State Board of Pharmacy
14 1700 West Washington, Suite 250
15 Phoenix, Arizona 85007

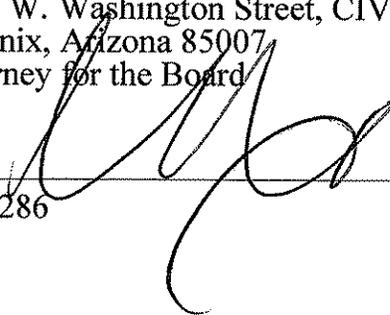
16 EXECUTED COPY OF THE FOREGOING MAILED
17 BY CERTIFIED MAIL

18 this 14 day of Jan, 2010, to:

19 Wanda Robbins
20 720 S. Dobson Road, #42
21 Mesa, Arizona 85205
22 Respondent

23 EXECUTED COPY OF THE FOREGOING MAILED
24 this 17 day of Jan, 2010, to:

25 Elizabeth A. Campbell
26 Assistant Attorney General
1275 W. Washington Street, CIV/LES
Phoenix, Arizona 85007
Attorney for the Board



25 #576286