

1 **ARIZONA STATE BOARD OF PHARMACY**
2 **1616 W. Adams Street, Room 120**
3 **Phoenix, Arizona 85007**
4 **(602) 771-2727**

5 In the Matter of:

6 **CRYSTAL CARNEY,**

7 Holder of License No. T007850

8 As a Pharmacy Technician in the State of
9 Arizona

**FINDINGS OF FACT, CONCLUSIONS
of LAW and BOARD ORDER
No. 12-0028-PHR**

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11 Pursuant to Notice of Hearing Number 12-0028-PHR (Notice) this matter came before
12 the Arizona State Board of Pharmacy (Board) on January 25, 2013.

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14 Daniel Milovich, president, presided with vice-president Tom Van Hassel and members
15 Jim Foy, William Francis, Kyra Locnikar, Dennis McAllister, Reuben Minkus, and Nona
16 Rosas in attendance.

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18 The State was represented by the Office of the Attorney General, Montgomery Lee,
19 Assistant Attorney General, Licensing and Enforcement Section. Diana Rasner, of the
20 Solicitor General's Section of the Attorney General's Office was present to provide
21 independent legal advice to the Board. Crystal Carney, Respondent, was present and was not
22 represented by an attorney. The Board, after considering the testimony and evidence presented,
23
24 hereby issues the following Findings of Fact, Conclusions of Law, and Order.
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1 FINDINGS OF FACT

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3 1. During all relevant times to these findings, Respondent worked as a pharmacy
4 technician at Omni-Care of Chandler located at 6825 W, Galveston, #3, Chandler, Arizona
5 (the "Pharmacy").

6 2. On or about October 24, 2011, Respondent incorrectly filled a prescription for
7 morphine 10mg/5cc with morphine 20mg/1cc. Respondent then over-rode the pharmacist
8 verification using a code that she received from a former fill department supervisor. Because a
9 pharmacist was not in the narcotic cage at the time, the mis-fill/error was over-ridden by
10 Respondent and the product was sent out. The patient ingested seven (7) doses of the
11 medication that were ten (10) times greater than the strength prescribed and died.
12

13 CONCLUSIONS of LAW

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

17
18 2. The Board may discipline a pharmacy technician who has engaged in
19 unprofessional conduct. A.R.S. § 32-1927.01(A) (1).

20
21 3. The conduct and circumstances described above constitutes unprofessional
22 conduct pursuant to A.R.S. § 32-1901.01 (C) (8) (Violating a federal or state law or
23 administrative rule relating to marijuana, prescription-only drugs, narcotics, dangerous drugs,
24 controlled substances or precursor chemicals when determined by the Board or by conviction
25 in a federal or state court).
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1 COPY OF THE FOREGOING MAILED
by CERTIFIED & REGULAR FIRST-CLASS MAIL
2 this ~~28~~ day of January, 2013, to:

3 Crystal Carney
4 12317 E. Cloud Road
Gilbert, Arizona 85249
5 Respondent

6 COPY OF THE FOREGOING MAILED
7 this 31 day of January, 2013, to:

8 Christopher Munns
Assistant Attorney General
9 1275 W. Washington Street, CIV/SGO
Phoenix, Arizona 85007
10 Attorney for the Board

11 and

12 Monty Lee
Assistant Attorney General
13 1275 W. Washington Street, CIV/LES
Phoenix, Arizona 85007
14 Attorney for the State

15 Receipt # twp
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