BEFORE THE ARIZONA STATE BOARD OF PHARMACY

In The Matter of the Hearing to Determine Whether or Not to Revoke, Suspend, or Place on Probation the Certificate of Registration No. 3129 Issued to Blaine J. Cooper and the Pharmacy Permit No. 446 issued to Blaine's United Drug.	)	FINDING OF FACT CONCLUSIONS OF LAW AND ORDER No. 81 - 1 - H

DIRECTED TO: Blaine J. Cooper
Blaine's United Drug
3100 E. Bell Road
Phoenix, AZ 85032

This matter came before the Arizona State Board of Pharmacy for hearing on the 14th day of December, 1981, pursuant to Complaint and Notice of Hearing No. 81-1-H (hereinafter referred to as "Complaint"), attached and made a part of this order. Glen Crandall, president, presided, with Thomas M. Samuels, vice president and members John Burnham and Joseph Rowan and James Broening, attorney for the respondent in attendance and participating therein.

FINDINGS OF FACT

I

Blaine J. Cooper is a pharmacist holding Certificate of Registration No. 3129 issued by the Board under A.R.S. § 32-1922.

II

Blaine's United Drug is a pharmacy holding Pharmacy Permit No. 446 issued by the Board under A.R.S. § 32-1929.

III

Charges identified in the complaint as: A, B, V, W and X were dismissed.

IV

Sufficient evidence was presented to substantiate charges identified in the complaint as: C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, Y, Z, AA, BB, And CC.

CONCLUSIONS OF LAW

V

That the Findings of Fact set forth hereinabove constitute sufficient evidence to find that Blaine J. Cooper is in violation of those state and federal laws rules and regulations contained in the complaint in charges delineated in paragraph IV.

VI

That the above described violations constitute grounds for suspension, revocation, or placement on probation of Certificate of Registration No. 3129 issued to Blaine J. Cooper in accordance with the provision of A.R.S. §§ 32-1927.8, 32-1927.10 and 32-1927.13.

VII

That the above described violations constitute grounds for suspension, revocation or placement on probation of the Pharmacy Permit No. 446 issued to Blaine's United Drug in accordance with the provision of A.R.S. § 32-1932.A.

ORDER

In view of the above Findings of Fact and Conclusions of Law the Board hereby issues the following Order:

1. That the Certificate of Registration No. 3129 issued to Blaine J. Cooper is suspended for sixty days, effective January 15, 1982.

2. That during the above period of suspension, Blaine J. Cooper is not to enter Blaine's United Drug.

3. That Blaine J. Cooper appear before the Board on March 9, 1982 to give assurance of intention to abide by new pharmacy regulations.

4. Following the above period of suspension, the Certificate of Registration No. 3129 issued to Blaine J. Cooper shall be placed on probation for five years, terminating at midnight March 15, 1987. During the period of probation Blaine J. Cooper must not violate any state or federal law concerning the practice of pharmacy or the use or possession of any drugs.

5. Following the period of suspension and before the Certificate of Registration No. 3129 may be reinstated, Blaine J. Cooper must make a minimum grade of 90% on the Arizona Pharmacy Jurisprudence examination.

6. That Blaine's United Drug be inspected three times during the Calendar year 1982.

7. If at any time during the five year period of probation Blaine J. Cooper is found to be in violation of any federal or state law or rule or regulation promulgated pursuant thereto regarding the practice of pharmacy and/or the dispensing of drugs, or any other condition imposed by this order, the probationary period may terminate and a suspension period be reimposed following a hearing, for the remainder of the five year term upon motion carried by the majority of the Board.

Blaine J. Cooper is hereby notified he has the right to petition this Board for a rehearing within ten (10) days after receipt of this Order pursuant to the provisions of Administrative Rule R4-23-109.

DATED this 23rd day of December, 1981.

ARIZONA STATE BOARD OF PHARMACY

By Loren K. West

Loren K. West
Chief Inspector

Copies of the Foregoing Notice of Hearing mailed by certified mail this 23rd day of December 1981, to

Blaine J. Cooper
Blaine's United Drug
3100 E. Bell Road
Phoenix, AZ 85032

James R. Broening
1570 First Interstate Bank Plaza
100 W. Washington
Phoenix, AZ 85003

and delivered by Courier mail to:

Julia Smock
Assistant Attorney General
1275 W. Washington
Phoenix, AZ 85007
Attorney for the State.

Schedule A, Charge A

Drug	Total to be Accounted for	Variation	% Variation
Demerol 30 cc, 50 mg/cc	12	- 1	- 8%
Demerol 50 mg. tablet	1,672	- 606	- 36%
Dilaudid 4 mg. tablet	400	+ 50	+ 12.5%

Schedule A, Charge B

Drug	Total to be Accounted for	Variation	% Variation
Quaalude 300 mg.	406	- 231	- 57%
Seconal 100 mg.	217	+ 14	+ 7%

Schedule A, Charge C

Drug	Total to be Accounted for	Variation	% Variation
Empirin Cmpd. #3	9,892	+ 3,031	+ 31%
Tylenol #3	23,367	+11,247	+ 48%

Schedule A, Charge D

Drug	Total to be Accounted for	Variation	% Variation
Dalmane 15 mg.	4,537	+ 522	+ 12%
Dalmane 30 mg.	14,735	+ 526	+ 4%
Valium 2 mg.	6,252	+ 323	+ 5%
Valium 5 mg.	60,943	-1,784	- 3%
Tenuate Dospan	1,176	+2,456	+ 208%
Tenuate 25 mg.	245	- 9	- 4%

Schedule A, Charge E

Prescription Number	Name of Drug
08666	Eskatrol
08768	Percocet
08770	Mepergan Fortis
08812	Mepergan Fortis
08822	Percodan
08832	Percocet
08843	Percodan
08859	Percocet
284801	Placidyl 500 mg.
285445	Dalmane 30 mg.
286320	Tylenol #3
288518	Tenuate Dospan
291602	Dalmane 30 mg.
293276	Darvocet-N 100
303487	Tussi Organidin

Schedule A, Charge G.

Prescription Number	Name of Drug
286320	D-N-100 (Darvocet-N 100)
288184	D-N-100 (Darvocet-N 100)
293058	Empirin #3
296960	Dalmane 30 mg.
297760	Empirin #3
299737	Tenuate Dospan
302353	Darvon Compound 65
303487	Tussi Organidin
303767	Tussi Organidin
305356	Valium 5 mg.
307128	Lomotil
310221	Darvocet-N 100
310386	Tussi Organidin
310974	Empirin #3
311095	Lomotil
311639	Darvocet-N 100
312716	Lomotil
313826	Valium 5 mg.

Schedule A, Charge H.

Prescription Number	Name of Drug
08704	Percodan
08747	Percodan
08859	Percocet
08872	Percodan
284103	Lomotil
285156	Valium 5 mg.
286320	Tylenol #3
288518	Tenuate Dospan
291602	Dalmane 30 mg.
293276	Darvocet-N 100
303487	Tussi Organidin
303655	Tranxene 7.5 mg.
304069	Tranxene 7.5 mg.
305356	Valium 5 mg.
306001	Dalmane 30 mg.

Schedule A, Charge I.

Prescription Number	Name of Drug
08673	Percodan
08704	Percodan
08706	Percodan
08819	Percodan
08836	Percodan
08850	Demerol 50 mg.
08859	Percocet
08872	Percodan
284103	Lomotil
285156	Valium 5 mg.
286320	Tylenol #3
288518	Tenuate Dospan
291602	Dalmane 30 mg.
303487	Tussi Organidin
303744	Dalmane 30 mg.

Schedule A, Charge J.

Prescription Number	Name of Drug
285156	Valium 5 mg.
286320	Tylenol #3
288518	Tenuate Dospan
290600	Darvocet-N 100
290827	Tylenol #3
291424	Dalmane 30 mg.
293276	Darvocet-N 100
303487	Tussi Organidin
303719	Lomotil
304069	Tranxene 7.5 mg.
306001	Dalmane 30 mg.
307475	Calcidrine Syrup
307846	Phenobarbital 100 mg.
311916	Ativan 2 mg.
312613	Fiorinal Tabs.

Schedule A, Charge K.

Prescription Number	Name of Drug
08660	Percodan
08673	Percodan
08675	Tuinal 100 mg.
08690	Demerol 30 ml. 50 mg/ml.
08704	Percodan
08744	Percocet
08755	Demerol 50 mg. tabs.
08761	Demerol 50 mg.
08859	Percocet
08872	Percodan
284103	Lomotil
285796	Dalmane 15 mg.
291602	Dalmane 30 mg.
305356	Valium 5 mg.
307125	Lomotil

Schedule A, Charge L.

Prescription Number	Name of Drug
08704	Percodan
08768	Percocet
08843	Percodan
08859	Percocet
285156	Valium 5 mg.
286320	Tylenol #3
288518	Tenuate Dospan
291602	Dalmane 30 mg.
293276	Darvocet-N 100
303487	Tussi Organidin
303719	Lomotil
304069	Tranxene 7.5 mg.
305356	Valium 5 mg.
306001	Dalmane 30 mg.
308304	Fiorinal

Schedule A, Charge M.

Prescription Number	Name of Drug
285723	Empirin #3
285796	Valium 5 mg.
287981	Valium 5 mg.
289524	Tylenol #3
290323	Placidyl 500 mg.
290418	Noludar 300 mg.
290500	Tranxene 7.5 mg.
290868	Librium 10 mg.
291286	Empirin #3
291430	Valium 5 mg.
296840	Tranxene 7.5 mg.
297954	Empirin #3
299307	Tussi Organidin
299493	Darvocet-N 100
299826	Librium 10 mg.

Schedule A, Charge N.

Prescription #283294, 50 Valium 5 mg. refilled 7 times.
Prescription #283295, 20 Tylenol #3 refilled 9 times.
Prescription #283557, 60 Limbitrol 5-12.5, refilled 10 or more times.
Prescription #286868, 30 Darvon Compound 65, refilled 7 times.
Prescription #288183, 30 Miltown 400 mg., refilled 10 times.
Prescription #289281, 50 Valium 5 mg., refilled 7 times.
Prescription #290213, 25 Meprobamate 400 mg., refilled 7 times.
Prescription #290367, 50 Serax 15 mg., refilled 8 times.
Prescription #290816, 30 Meprobamate 400 mg., refilled 7 times.
Prescription #291424, 10 Dalmane 30 mg., refilled 8 times.
Prescription #293117, 50 Darvon Compound 65, refilled 12 times.
Prescription #294191, 6 fl. oz. Tussi Organidin, refilled 8 times.
Prescription #294873, 50 Equagesic, refilled 8 times.
Prescription #296840, 60 Tranxene 7.5 mg., refilled 9 times.
Prescription #302607, 4 oz. Phenobarbital elixir, refilled 10 times.
Prescription #303063, 6 fl. oz. Tussi Organidin, refilled 8 times.

Schedule A, Charge O.

Prescription #283557, 60 Limbritol 5/12.5 refilled 4 times after 6 months.
Prescription #288027, 60 Valium 5 mg., refilled 1 time after 6 months.
Prescription #288393, 100 Darvocet-N 100, refilled 1 time after 6 months.
Prescription #288681, 30 Valium 5 mg., refilled 2 times after 6 months.
Prescription #289799, 100 Valium 5 mg., refilled 1 time after 6 months.
Prescription #289853, 30 Tenuate Dospan, refilled 1 time after 6 months.
Prescription #289889, 100 Darvon Compound 65, refilled 2 times after 6 months.
Prescription #290500, 100 Tranxene 7.5 mg., refilled 3 times after 6 months.
Prescription #291131, 30 Dalmane 30 mg., refilled 3 times after 6 months.
Prescription #292763, 30 Ativan 1 mg., refilled 2 times after 6 months.
Prescription #293476, 30 Dalmane 15 mg., refilled 2 times after 6 months.
Prescription #293800, 30 Valium 5 mg., refilled 2 times after 6 months.
Prescription #302359, 30 Dalmane 30 mg., refilled 2 times after 6 months.
Prescription #303063, 6 fl. oz. Tussi Organidin, refilled 1 time after 6 months.

Schedule A, Charge P.

Prescription Number	
08704	296976
08707	310221
08743	310267
08750	310386
08806	310507
08856	310752
08859	310974
08872	

Schedule A, Charge R.

Prescription Number	Name of Drug
303785	100 Norgesic Forte
303786	100 Darvocet-N 100
303787	100 Valium 10 mg.

Schedule A, Charge S.

Prescription Number	Name of Drug
296937	100 Parafon Forte
296938	100 Drixoral
297760	30 Empirin #3
297761	15 Grams Kenalog
297762	1/8 oz. Pontocaine Opth. Oint.
297763	40 Empirin #3
297764	40 Tylenol #3
305053	20 Naldecon

Schedule A, Charge T.

Prescription Number	Name of Drug
291602	100 Dalmane 30 mg.
291920	100 Tenuate Dospan.
293276	100 Darvocet-N 100
293278	100 Norgesic Forte
300857	50 Sanorex 2 mg.
303002	100 Valium 10 mg.
303785	100 Norgesic Forte
303786	100 Darvocet-N 100
303787	100 Valium 10 mg.
303961	100 Sanorex 2 mg.
304729	100 Darvocet-N 100
311164	100 Darvocet-N 100

Schedule A, Charge W.

Burroughs Wellcome Co. Advice No. 339610

Name of Drug	Quantity	Size	Lot Number
Tabloid APC with Codeine #3	1	1000	9K2047
Empirin with Codeine #2	1	1000	913018
Empirin with Codeine #3	38	1000	OB1443
Empirin with Codeine #4	6	1000	OA3043
Empracet Codeine Phos. #3	3	500	OA1383

Schedule A, Charge X.

Burroughs Wellcome Co. Advice No. 339610

Name of Drug	Quantity	Size	Lot Number
Tabloid APC with Codeine #3	1	1000	9K2047
Empirin with Codeine #2	1	1000	913018
Empirin with Codeine #3	38	1000	OB1443
Empirin with Codeine #4	6	[illegible]	OA3043
Empracet Codeine Phos. #3	3	500	OA1383