

BEFORE THE ARIZONA STATE BOARD OF PHARMACY

In the Matter of:)
)
1 GEOFFREY E. BYRNE)
Certificate of Registration)
2 Number 9711)
)
3

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND BOARD ORDER

NO. 92 - 14 - H

4 DIRECTED TO: GEOFFREY E. BYRNE
406 N. Cobblestone
5 Gilbert, AZ 85231

6 Pursuant to the foregoing Consent to Entry of Order, the
7 evidence and records compiled and contained in the file for
8 GEOFFREY E. BYRNE and for good cause appearing, the Board on this
9 10 th day of September, 1992 enters the following Finding of Fact,
10 Conclusions of Law and Board Order in the Matter of 92-14-H.

11 FINDINGS OF FACT

12 I

13 1. GEOFFREY E. BYRNE is the holder of Certificate of
14 Registration Number 9711 issued by the Arizona State Board of
15 Pharmacy which permits the holder to practice pharmacy in the State
16 of Arizona.

17 2. That on the 31st day of July, 1992 GEOFFREY E. BYRNE did
18 enter into a Consent to Entry of Order with the Arizona State Board
19 of Pharmacy admitting that factual allegations contained in the
20 Notice of Hearing Number 92-14-H are true and accurate.

21 3. That GEOFFREY E. BYRNE admits to violations of A.R.S. § 32-
22 1968, A.R.S. § 36-2525 and 21 C.F.R. § 1306.11 to wit: the removal
23 of CII Controlled Substances from the Walgreen Pharmacy #1791
24 without a legitimate medical need and without a valid prescription
25 order and for personal use.

4. That GEOFFREY E. BYRNE is aware of the fact that the
1 conduct contained in the factual allegations constitutes grounds for
2 disciplinary action as provided for in A.R.S. § 32-1927(A)(10) and
3 A.R.S. § 32-1927(B)(2).

4 CONCLUSIONS OF LAW

5 II

6 1. The Board concludes that it has jurisdiction in this Matter
7 pursuant to A.R.S. § 32-1927 (A)(10) and 32-1927(B)(2).

8 2. The Board concludes that GEOFFREY E. BYRNE did violate
9 A.R.S. § 32-1968 and A.R.S. § 36-2525 and 21 C.F.R. § 1306.11 to
10 wit: the removal of CII Controlled Substances from Walgreen
11 Pharmacy #1791 without a legitimate medical need and without a valid
12 prescription order and for personal use.

13 3. The Board further concludes that GEOFFREY E. BYRNE
14 is in violation of A.R.S. § 32-1927(A)(10) and 32-1927(B)(2).

15 ORDER

16 III

17 The certificate of Registration Number 9711 issued to
18 GEOFFREY S. BYRNE is hereby suspended for a period of five (5) years
19 effective 10 days from the date of this Order.

20 On or after November 18, 1992, GEOFFREY E. BYRNE may appear
21 before the Arizona State Board of Pharmacy, then and there to show
22 cause why the suspension should be stayed and a probation be imposed
23 for the same period of time commencing at the time the suspension is
24 stayed and continuing to at least September 9th, 1997. Further if
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granted said probation would be subject to the following conditions:

1 1. GEOFFREY E. BYRNE shall have initiated a five (5) year
2 contract with the Pharmacists Assisting Pharmacists of Arizona and
3 comply with each and every requirement of that contract.

4 2. GEOFFREY E. BYRNE shall submit to a minimum of four random
5 biological fluid screenings for the presence of drugs in the system
6 per month as determined by the Pharmacists Assisting Pharmacists of
7 Arizona program for the period of suspension and the first twenty-
8 four (24) months of the probation period.

9 3. GEOFFREY E. BYRNE shall not serve as a preceptor pharmacist
10 nor as a responsible pharmacist throughout the term of probation.

11 5. GEOFFREY E. BYRNE shall take and successfully complete the
12 Arizona Jurisprudence Examination (AZPLEX) with a score of 90% or
13 better within 90 days of the date of this Order.

14 6. GEOFFREY E. BYRNE shall furnish the Arizona State Board of
15 Pharmacy with a list of all jurisdictions in which he maintains or
16 has maintained licensure in the profession of pharmacy along with
17 the registration number of said licenses.

18 7. GEOFFREY E. BYRNE is required to advise the Arizona State
19 Board immediately of any change in pharmacy employment status
20 throughout the term of probation.

21 8. GEOFFREY E. BYRNE is required to furnish any and all
22 pharmacy employers with a copy of this Board Order throughout the
23 term of probation.

24 9. GEOFFREY E. BYRNE shall pay all fees and complete all
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Continuing Education requirements to maintain certificate of
1 registration number 9711 throughout the term of probation.

2 10. GEOFFREY E. BYRNE shall obey all federal and state laws
3 and rules governing the practice of pharmacy.

4 11. GEOFFREY E. BYRNE shall bear the responsibility for the
5 release of information forms and reports required by this Order.

6 12. GEOFFREY E. BYRNE shall bear all costs for testing,
7 rehabilitation, aftercare programs and reports to be filed.

8 13. GEOFFREY E. BYRNE shall "hold harmless" the provider of
9 any required reports to the Board of Pharmacy.

10 14. GEOFFREY E. BYRNE shall appear before the Arizona State
11 Board of Pharmacy on or after September 18, 1997, then and there to
12 show cause why the probation imposed by this Order should be
13 vacated.

14 15. If GEOFFREY E. BYRNE violates this Order in any way or
15 fails to fulfill the requirements of this Order, the Board, after
16 giving the Respondent Notice and the opportunity to be heard, may
17 revoke, suspend or take other disciplinary action against the
18 Respondent.

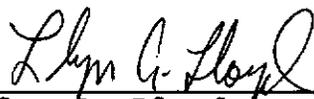
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DATED this 11 th day of September, 1992

ARIZONA STATE BOARD OF PHARMACY

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SEAL

By 
Llyn A. Lloyd
Executive Director

Copies of the foregoing Finding of Fact, Conclusions of Law and Board Order mailed by certified mail this 11th day of September, 1992 to:

GEOFFREY E. BYRNE
406 N. Cobblestone
Gilbert, AZ 85231

and by Courier Mail to:

Montgomery Lee
Assistant Attorney General
1275 W. Washington
Phoenix, AZ 85007
Attorney for the State

and

Peggy Velasco
Assistant Attorney General
1275 W. Washington
Phoenix, AZ 85007
Solicitor General's Office

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

GEORGE E. BYRNE
406 N. COBBLESTONE
GILBERT, AZ 85231

4a. Article Number

P 332 836-294
ORDER 9-14-92

4b. Service Type

- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery

9-14-92

5. Signature (Addressee)

Kim Byrne

6. Signature (Agent)**8. Addressee's Address (Only if requested and fee is paid)**

PS Form 3811, November 1990 *U.S. GPO: 1991-287-086

DOMESTIC RETURN RECEIPT

P 332 836 294

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

U.S.G.P.O. 1989-234-555

PS Form 3800, June 1985

Sent to GEORGE E. BYRNE	
Street and No. 406 N. COBBLESTONE	
P.O., State and ZIP Code GILBERT, AZ 85231	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date 9-14-92 ORDER	