

TO JERRIE

MY NAME IS SCOTT JAMES LIC# 14535 I WOULD  
LIKE TO BE PUT ON THE AGENDA FOR THE BOARD  
MEETING IN LAS VEGAS, JAN. TO HAVE MY LIC.

REESTABLISHED.  
THANK YOU VERY MUCH

SCOTT & JAMES

BEFORE THE NEVADA STATE BOARD OF PHARMACY

NEVADA STATE BOARD OF PHARMACY,

Petitioner,

Case No. 06-048-RPH-S

v.

**FINDINGS OF FACT,**  
**CONCLUSIONS OF**  
**LAW, AND ORDER**

**SCOTT T. JAMES, R.Ph.,**  
**Certificate of Registration No. 14535,**

Respondent.

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THIS MATTER was heard by the Nevada State Board of Pharmacy (hereinafter Board) at its regular meeting on October 25, 2006, in Las Vegas, Nevada. The Board was represented by Louis Ling, General Counsel to the Board. Though Mr. James was lawfully notified of the date and time of the hearing of this matter, Mr. James did not appear at the hearing. Based on the presentations of the parties and the public records in the possession and control of the Board, the Board issues the following Findings of Fact, Conclusions of Law, and Order:

**FINDINGS OF FACT**

1. At hearing, Board Staff presented evidence that Mr. James had personally received the Notice of Intended Action and Accusation in this matter and that he was aware of the date and time of the hearing. Nonetheless, Mr. James did not appear at the hearing of this matter. Board Staff presented no witnesses, but did read a written statement provided by Mr. James to the Board's investigator that was made part of the Board's investigative file in the matter. Based upon the presentation of Board Staff, the Board finds the following to be the facts of this matter.

2. Mr. James was employed at Huntridge Drug from January 5, 2005 until May 22, 2006. During that period, Huntridge Drug changed ownership several times. Throughout the changing of ownership by which Huntridge Drug became Complete

Care Pharmacy and then reverted to Huntridge Drug, Mr. James remained the managing pharmacist of the pharmacy.

3. On May 22, 2006, the owners of Huntridge Drug, Mark and Michelle Peterson, did a performance evaluation of Mr. James. Mr. James' employment was terminated because he had left the pharmacy unattended and unsecured during business hours.

4. Prior to Mr. James' termination of employment, Mr. Peterson had viewed the pharmacy's security videotapes. Mr. Peterson observed that in addition to the absence of Mr. James from the pharmacy, Mr. James was also observed in an upstairs office with his brother smoking methamphetamine.

5. In a written statement provided to Fred Ackermann, Board Investigator, Mr. James admitted to smoking methamphetamine with his brother while on duty as the managing pharmacist and while leaving the pharmacy unattended for approximately 45 minutes.

### **CONCLUSIONS OF LAW**

1. The Board has jurisdiction over Mr. James because he is a pharmacist licensed by the Board.

2. In leaving the secured area of Huntridge Pharmacy unattended when it was open to the public for approximately 45 minutes while serving as the managing pharmacist of the pharmacy, Mr. James violated NRS 639.210(4) and NAC 639.520(2)(b) and 639.945(1)(i).

3. In smoking illicit methamphetamine with his brother while on duty as a managing pharmacist at Huntridge Drugs, Mr. James violated NRS 453.336(1), 453.411(1), 639.210(1), (2), (3), and (4) and 639.283 and NAC 639.945(1)(i).

**ORDER**

Based upon the foregoing, the Board hereby orders the following:

1. Mr. James's pharmacist's license (#14535) is revoked effective October 25, 2006. Mr. James may not be employed in any business or facility licensed by this Board in any capacity unless and until his license as a pharmacist has been reinstated.


2. Mr. James may not apply for reinstatement of his license until he provides evidence of the following to the Board's office:

(a) Payment to the Board's Reno office of a fine of \$2,000.00 by certified or cashier's check or money order made payable to "State of Nevada, Office of Treasurer";

(b) Payment to the Board's Reno office of costs of investigation and prosecution of this matter of \$450.00 plus the Board's administrative fee of \$295.00, for a total of \$745.00 by certified or cashier's check or money order made payable to "Nevada State Board of Pharmacy";

(c) Proof that he has entered into a substance abuse treatment agreement with PRN-PRN, that he has been successfully participating in his program, and that he has the recommendation of PRN-PRN that he be allowed to apply for reinstatement in order to recommence the practice of pharmacy.

Signed and effective this 21 day of November, 2006.

  
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David Wuest, President  
Nevada State Board of Pharmacy