

NEVADA STATE BOARD OF PHARMACY

431 W Plumb Lane • Reno, NV 89509

APPLICATION BY RECIPROCATATION AS A PHARMACIST

If you are requesting licensure by reciprocatation (i.e. you have a current pharmacist license from another state and wish to transfer license information and only need to take the Nevada MPJE), complete this application:

Total Fee: \$330.00 (non-refundable, money order or cashier's check only, no cash)

Money Order or Cashier's Check made payable to: Nevada State Board of Pharmacy

Complete Name (no abbreviations):

First: Scott Middle: Dean Last: Huft

Mailing Address: E. Ardmore Rd.

City: Phoenix State: AZ Zip Code: 85044

Telephone: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Place of Birth: Harvey, North Dakota

Social Security Number: \_\_\_\_\_ Sex: ☒ M or ☐ F  
(Full Number Required)

Original State of Licensure you are reciprocating from must be active and issued by exam;

State: Arizona Date of Issuance: 7/31/1987

College of Pharmacy Information

Graduation Date: \_\_\_\_\_  
(mm/dd/yy)

Degree Received: ☐ PharmD ☒ BS in Pharmacy ☐ Other (check one)

Name of Pharmacy School: Idaho State University

Location of School: Pocatello, Idaho

If you are a **foreign graduate** you must attach a copy of your FPGE certificate to THIS APPLICATION. You also need to complete the college of pharmacy information

**Board Use Only**

Processed: 12.18.17 Amount: \$330.00 Entity #: 99316

Email \_\_\_\_\_ MPJE \_\_\_\_\_

Other states where you are (or were) licensed as a pharmacist or print "none"

State	Lic #	Is the license active?	State	Lic #	Is the license active?
CA	41154	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	CO	PHA.0022049	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>

\*\*Attach separate sheet if needed

Have you ever served in the military, either active, reserve or retired? Yes ☐ No ☒

Branch: \_\_\_\_\_

Military Occupation/Specialty: \_\_\_\_\_

Dates of Service: \_\_\_\_\_

A licensee is not required to have a Nevada State Business License, however, if you do, please provide the number: \_\_\_\_\_

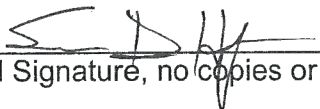
						Yes	No
Been diagnosed or treated for any mental illness, including alcohol or substance abuse, or physical condition that would impair your ability to perform the essential functions of your license?.....						<input checked="" type="checkbox"/>	<input type="checkbox"/>
1. Been charged, arrested or convicted of a felony or misdemeanor in <u>any</u> state?.....						<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Been the subject of a board citation or an administrative action or board citation whether completed or pending in <u>any</u> state?.....						<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Had your license subjected to any discipline for violation of pharmacy or drug laws in <u>any</u> state?.....						<input checked="" type="checkbox"/>	<input type="checkbox"/>
If you marked <b>YES</b> to any of the numbered questions (1-3) above, include the following information & provide an explanation & documentation:							
Board Administrative Action: <u>Susp/Probation</u>		State: <u>AZ</u>	Date: <u>3/29/91</u> <u>8/17/05</u>	Case #: <u>91-62-H</u> <u>05-0015-PHR</u>	See attached		
Criminal Action: <u>M.S. Leavins</u>	State: <u>AZ</u>	Date: <u>6/1/2005</u>	Case #: <u>?</u>	County: <u>Maricopa</u>	Court: <u>Phoenix</u>	See Attached	
<b>FEDERALLY MANDATED REQUIREMENTS</b>							
In response to Federally mandated requirements, the Nevada Legislature and Attorney General require that we include this questions as part of all applications.							
4. Are you the subject of a court order for the support of a child?.....						Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<b>4a. If you marked Yes, to the question 4,</b> are you in compliance with the court order?.....						Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

I have read all questions, answers and statements and know the contents thereof. I hereby certify, under penalty of perjury, that the information furnished on this application are true, accurate and correct. I hereby authorize the Nevada State Board of Pharmacy, it's agents, servants and employees, to conduct any investigation(s) of my business, professional, social and moral background, qualification and reputation, as it may deem necessary, proper or desirable.

No liability of any sort or kind shall attach to the said Nevada State Board of Pharmacy, it's members, servants or employees because or by reason of the use of the authorization.

I attest to knowledge of and compliance with the guidelines of the Centers for Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices.

I understand that Nevada law requires a licensed pharmacist who, in their professional or occupational capacity, comes to know or has reasonable cause to believe, a child has been abused/neglected, to report the abuse/neglect to an agency which provides child welfare services or to a local law enforcement agency.

  
Original Signature, no copies or stamps accepted

12/5/2017  
Date

## Summary of Board Violations

No. 91-02-H

3/29/1991 My Arizona License was Suspended for 6 months and put on probation for 4 1/2 years due to my theft and use of cocaine.

I participated in Arizonas 'Pharmacist Assisting Pharmacists of Arizona' (PAPA) program, and successfully completed i the 5 years time.

No. 05-0015-PHR

Aug 17, 2005

My Arizona license was suspended for 6 months and placed on probation for 4 1/2 years after the suspension. I did remove Hydrocodone/APAP tablets, however I was not ingesting the product. I successfully completed the PAPA program at the conclusion of the 5 years.

Letters of completion of the PAPA program are attached.

In response to these charges, My California license was given a fine ( It was in inactive status).

California case numbers:

1684 9/17/1993

5057 1/12/15

I never worked in California, and my license remains "inactive" and "delinquent" due to charges imposed.

I was charged with a misdemeanor approximately June, 2005, from the State of Arizona in Maricopa County. Records do not exist anymore and a document from The Courts is attached.

**Jim Corrington, Jr. MSW, LCSW  
Addictions Recovery  
5010 East Shea Suite D-202  
Scottsdale, Az. 85254  
602-740-8403**

**8-19-10**

**Re: Scott Huff support letter (completed his PAPA contract)**

**To Arizona State Board of Pharmacy:**

**This letter is in support of Scott Huff. He has successfully completed his PAPA contract and obligations. He has been a huge asset to the group and we will surely miss him and his input. Scott should be congratulated. He has helped many other pharmacists on their journey in recovery as well. I have no doubt he will continue on his positive path. I wish him well. Feel free to contact me if any further information is needed.**

**Sincerely,**

A handwritten signature in cursive script that reads "Jim Corrington, Jr. MSW, LCSW". The signature is written in dark ink and is positioned above the printed name.

**Jim Corrington, Jr. MSW, LCSW**

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YOUR RECORDS

1 DANIEL E. LUNGREN, Attorney General  
of the State of California  
2 JOEL S. PRIMES, Supervising  
Deputy Attorney General  
3 ARTHUR TAGGART,  
Deputy Attorney General  
4 1515 K Street, Suite 511  
P.O. Box 944255  
5 Sacramento, California 94244-2550  
Telephone: (916) 324-5339

6 Attorneys for Complainants  
7  
8

9 BEFORE THE  
10 CALIFORNIA STATE BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
11 STATE OF CALIFORNIA  
12

13 In the Matter of the Accusation )  
Against: )

No. 1684

14 SCOTT DEAN HUFT )  
15 East Rockledge Road )  
Phoenix, Arizona 85044-0392 )  
16 Pharmacist Licentiate )  
No. RPH 41154, )

STIPULATION, DECISION AND  
ORDER

17 Respondent. )  
18

19 The California Board of Pharmacy, through its legal  
20 counsel, Daniel E. Lungren, Attorney General, by and through  
21 Deputy Attorney General Arthur Taggart, and Scott Dean Huft  
22 (hereinafter "Respondent"), stipulate that matters set forth in  
23 the following paragraphs numbered one through seventeen of the  
24 Stipulation, Decision and Order ("stipulation") are true and  
25 correct:

26 1. Complainant Patricia F. Harris made and filed.  
27 Accusation No. 1684 (hereinafter "accusation") in her official  
28 capacity of Executive Officer, Board of Pharmacy, Department of

1 Consumer Affairs (hereinafter "Board") and in no other capacity.

2 2. On August 20, 1987, the board issued pharmacist  
3 licentiate No. RPH 41154 (hereinafter "License") to Respondent.  
4 The license is in full force and effect until April 30, 1995.

5 3. On June 3, 1993, the accusation was filed against  
6 Respondent. The accusation and the other documents required by  
7 law have been duly and properly served on Respondent.

8 4. Respondent filed a timely notice of defense.

9 CAUSES OF DISCIPLINE

10 5. Respondent is subject to disciplinary order  
11 pursuant to Business and Professions Code section 4350.5 and 4355  
12 as is more specifically set forth below:

13 A. On or about March 29, 1991, the Arizona State  
14 Board of Pharmacy issued a decision entitled "In the Matter of:  
15 Scott Dean Huft, Certificate of Registration, NU 8864, No 91-02-  
16 H" suspending Respondent's Arizona Certificate of Registration.  
17 The suspension was stayed and a five year probation imposed with  
18 numerous terms and conditions. The factual basis for the  
19 decision was Respondent's "removal of controlled substances for  
20 personal use without a prescription order and adulteration and  
21 misbranding of Cocaine Hydrochloride."

22 WAIVER OF RIGHTS

23 6. Respondent gives-up, relinquishes and waives the  
24 right to a hearing, the right to subpoena witnesses and documents  
25 on his behalf, the right to cross-examine witnesses, the right to  
26 present evidence in his defense, the right to introduce evidence  
27 in mitigation, the right to reconsideration, and the right to  
28 appeal any adverse decision or order, which might be rendered by

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1 the Board following an administrative hearing held pursuant to  
2 the provisions of the Administrative Procedure Act of the State  
3 of California.

4 7. Respondent understands that the Board may revoke  
5 his license if he fails to fulfill a term or condition of this  
6 stipulation.

7 8. Respondent understands that the Board will limit  
8 his right to practice as a pharmacist in the State of California  
9 in accordance with the terms and conditions of probation set  
10 forth in this stipulation.

11 9. The admissions made in this stipulation may be  
12 used in any other licensing and disciplinary proceeding involving  
13 the right of Respondent to practice as a licensee of the board in  
14 the State of California, and in any action taken by or before any  
15 governmental body responsible for licensing.

16 10. The admissions made in the stipulation shall be  
17 null, void, and of no legal consequence, in whole, or part, if  
18 the Board does not adopt the stipulation as its decision in this  
19 case.

20 DISCIPLINARY ORDER

21 A. Order of Revocation. Pharmacist license No. RPH  
22 41154 heretofore issued to Respondent is hereby ordered revoked.  
23 However, the order of revocation is stayed during the period  
24 Respondent practices pharmacy outside California, and remains  
25 stayed pending successful completion of the terms and conditions  
26 of probation, once the probationary period provided in the  
27 disciplinary order commences.

28 B. Order of Probation. Respondent is ordered placed



1 on probation for a period of three years upon the terms and  
2 conditions provided in paragraphs 1 through 16 of the  
3 disciplinary order. However, paragraphs 3, 4, 5, 6, 8 and 9  
4 through 16 of the disciplinary order are stayed until Respondent  
5 is authorized by the Board to commence probation in California.  
6 Paragraphs 1, 2 and 7 of the disciplinary order become effective  
7 thirty (30) days from the effective date of the stipulation. The  
8 three-year probationary period shall not commence until  
9 Respondent receives notification from the Board.

10 C. Terms and Conditions of Probation.

11 1. Authorization to Practice In California.

12 Respondent is currently practicing pharmacy in Arizona and is  
13 uncertain whether he will practice pharmacy in California. If  
14 Respondent intends to practice pharmacy in California, no less  
15 than one hundred and twenty (120) days prior to coming to  
16 California for such purpose, Respondent shall inform a designated  
17 Board representative in writing of his arrival date and the  
18 location, if known, of his pharmacist practice. Respondent shall  
19 not practice pharmacy in California until he receives written  
20 authorization from the Board in writing that he may commence the  
21 practice of pharmacy.

22 2. Pharmacists Recovery Program (formerly  
23 Impaired Pharmacist Program). Not less than thirty (30) days  
24 prior to commencing the practice of pharmacy in California,  
25 Respondent shall contact the Pharmacist Recovery Program (PRP)  
26 for evaluation and shall successfully participate in and complete  
27 the treatment contract as recommended by the PRP. The cost for  
28 PRP participation shall be borne by Respondent.

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Exhibit A

Accusation No. 5057

1 KAMALA D. HARRIS  
Attorney General of California  
2 JANICE K. LACHMAN  
Supervising Deputy Attorney General  
3 ANAHITA S. CRAWFORD  
Deputy Attorney General  
4 State Bar No. 209545  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 322-8311  
Facsimile: (916) 327-8643  
7 *Attorneys for Complainant*

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BEFORE THE  
CALIFORNIA STATE BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 5057

12 SCOTT DEAN HUFT  
13 E. ROCKLEDGE ROAD  
14 PHOENIX, AZ 85048

ACCUSATION

Pharmacist License Number RPH 41154

Respondent.

Complainant alleges:

PARTIES

1. Virginia K. Herold (Complainant) brings this Accusation solely in her official capacity as the Executive Officer of the California State Board of Pharmacy.

2. On or about August 20, 1987, the California State Board of Pharmacy issued Pharmacist License Number RPH 41154 to Scott Dean Huft (Respondent). The Pharmacist License expired on April 30, 2015, and has not been renewed.

JURISDICTION

3. This Accusation is brought before the California State Board of Pharmacy, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

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1 4. Section 4300 of the Code states:

2 (a) Every license issued may be suspended or revoked.

3 (b) The board shall discipline the holder of any license issued by the board,  
4 whose default has been entered or whose case has been heard by the board and found  
guilty, by any of the following methods:

5 (1) Suspending judgment.

6 (2) Placing him or her upon probation.

7 (3) Suspending his or her right to practice for a period not exceeding one year.

8 (4) Revoking his or her license.

9 (5) Taking any other action in relation to disciplining him or her as the board in  
its discretion may deem proper.

10  
11 (e) The proceedings under this article shall be conducted in accordance with  
12 Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the  
13 Government Code, and the board shall have all the powers granted therein. The  
14 action shall be final, except that the propriety of the action is subject to review by the  
superior court pursuant to Section 1094.5 of the Code of Civil Procedure.

15 5. Section 4300.1 of the Code states:

16 The expiration, cancellation, forfeiture, or suspension of a board-issued license  
17 by operation of law or by order or decision of the board or a court of law, the  
18 placement of a license on a retired status, or the voluntary surrender of a license by a  
licensee shall not deprive the board of jurisdiction to commence or proceed with any  
investigation of, or action or disciplinary proceeding against, the licensee or to render  
a decision suspending or revoking the license.

19 STATUTORY PROVISIONS

20 6. Section 4301 of the Code states:

21 The board shall take action against any holder of a license who is guilty of  
22 unprofessional conduct or whose license has been procured by fraud or  
misrepresentation or issued by mistake. Unprofessional conduct shall include, but is  
23 not limited to, any of the following:

24  
25 (n) The revocation, suspension, or other discipline by another state of a license  
26 to practice pharmacy, operate a pharmacy, or do any other act for which a license is  
required by this chapter.

27 //

28 //

1 COST RECOVERY

2 7. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
3 administrative law judge to direct a licentiate found to have committed a violation or violations of  
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
5 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being  
6 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
7 included in a stipulated settlement.

8 CAUSE FOR DISCIPLINE

9 (Out of State Discipline)

10 8. Respondent is subject to disciplinary action under section 4301 (n) in that on or about  
11 August 17, 2005, Respondent entered into a Consent Agreement and Order for Suspension and  
12 Probation before the Arizona State Board of Pharmacy *In the Matter of: Scott Dean Huft, RPh.*  
13 *Holder of License No. 8864, For the Practice of Pharmacy, In the State of Arizona.* On August  
14 17, 2005, Respondent's license was ordered suspended for 6-12 months, and thereafter placed on  
15 probation for 4-4 ½ years from the final date of suspension. Respondent's probation was  
16 successfully completed and terminated effective September 15, 2010. The circumstances that led  
17 to his discipline in Arizona are as follows:

18 a. On March 29, 1991, Respondent's Pharmacist I license was placed on probation for  
19 five years due to his use of controlled substances without valid prescription. Respondent  
20 successfully completed the Board rehabilitation program and his probation was terminated on  
21 April 17, 1996.

22 b. From October 2, 2000 to May 24, 2005, Respondent was employed as pharmacist in  
23 charge at Albertson's Pharmacy. On May 19, 2005, Respondent admitted that he stole about 200  
24 tablets of hydrocodone 10 mg with APAP 325 mg tablets from Albertson's Pharmacy the month  
25 preceding May 19, 2005 without a valid prescription. Audits for drugs were performed from May  
26 2, 2004 through May 24, 2005 and revealed almost 24,000 tablets missing of hydrocodone 10 mg  
27 with APAP 325 mg and almost 3,000 tablets missing of hydrocodone 10 mg APAP 500 mg.

28 //

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DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Pharmacist License No. RPH 41154 issued to Respondent Scott Dean Huft (Respondent) shall, by way of letter from the Board's Executive Officer, be publicly reprimanded. The letter shall be in the same form as the letter attached as Exhibit B to this stipulation.


IT IS FURTHER ORDERED that Respondent shall pay \$922.50 to the Board for its costs associated with the investigation and enforcement of this matter. Respondent shall be permitted to pay these costs in a payment plan approved by the Board. If Respondent fails to pay the Board costs as ordered, Respondent shall not be allowed to renew his Pharmacist License until Respondent pays costs in full.

ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order for Public Reprimand. I understand the stipulation and the effect it will have on my Pharmacist License. I enter into this Stipulated Settlement and Disciplinary Order for Public Reprimand voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED:

9/28/2014

  
SCOTT DEAN HUFT  
Respondent

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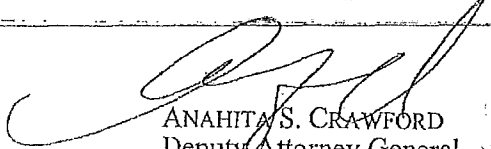
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order for Public Reprimand is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

Dated: 12.6.14

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
JANICE K. LACHMAN  
Supervising Deputy Attorney General

  
ANAHITA S. CRAWFORD  
Deputy Attorney General  
*Attorneys for Complainant*

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FILE:H  
91-02-H01

BEFORE THE ARIZONA STATE BOARD OF PHARMACY

In the Matter of: )

SCOTT DEAN HUFT )  
Certificate of Registration )  
Number 8864 )

FINDING OF FACT, CONCLUSIONS OF LAW  
AND BOARD ORDER

NO. 91 - 02 - H

DIRECTED TO: SCOTT DEAN HUFT  
2629 E. Rockledge Rd.  
Phoenix, Arizona 85044

Pursuant to the foregoing Consent to Entry of Order, the evidence and records compiled and contained in the file for SCOTT DEAN HUFT and for good cause appearing, the Board on this 28th day of March, 1991 enters the following Finding of Fact, Conclusions of Law and Board Order in the Matter of 91-02-H.

FINDINGS OF FACT

I

1. SCOTT DEAN HUFT is the holder of Certificate of Registration Number 8864 issued by the Arizona State Board of Pharmacy which permits the holder to practice pharmacy in the State of Arizona.

2. That on the 5th day of February, 1991 SCOTT DEAN HUFT did enter into a Consent to Entry of Order with the Arizona State Board of Pharmacy admitting that the factual allegations contained in Notice of Hearing Number 91-02-H are true and accurate.

3. That SCOTT DEAN HUFT admits to violations of A.R.S. § 36-2525, A.R.S. § 32-1968, C.F.R. 1306.11, A.R.S. § 32-1967, 21 USC 501.[351](d) and [352](a) to wit: removal of Controlled Substances for personal use without a prescription order and adulteration and misbranding of Cocaine Hydrochloride.



1       4. That SCOTT DEAN HUFT is aware of the fact that the conduct contained  
2 in the factual allegations constitute grounds for disciplinary action as  
3 provided for in 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 pursuant to  
7 A.R.S. § 32-1927.

8       2. The Board concludes that SCOTT DEAN HUFT did violate A.R.S. § 36-2525,  
9 A.R.S. § 32-1968, C.F.R. 1306.11, A.R.S. § 32-1967, 21 USC 501.[351](d) and  
10 [352](a) to wit: obtaining Controlled Substances for personal use without a  
11 prescription order as defined in A.R.S. § 32-1901.57 and for adulteration and  
12 misbranding of Cocaine Hydrochloride.

13       3. The Board further concludes that SCOTT DEAN HUFT is in violation of  
14 A.R.S. § 32-1927(B)(2).

15                               ORDER

16                               III

17       The Certificate of Registration 8864 issued to SCOTT DEAN HUFT is hereby  
18 suspended. SCOTT DEAN HUFT may appear before the Board on or after the 28th  
19 day of March, 1991 to show cause why the suspension shall be stayed.

20       A five (5) year probation shall be imposed to replace the stayed suspension  
21 with the following conditions:

22       1. Respondent shall actively participate in the Pharmacists Assisting  
23 Pharmacists of Arizona or a similar program throughout the term of suspension  
24 and probation.

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1        2. Respondent shall attend at least sixty (60) support group meetings  
2        (Alcoholics Anonymous or equivalent) during the term of suspension and average  
3        three such support group meetings per week through March 28th, 1992, thereafter,  
4        Respondent shall attend at least one such group meeting per week throughout the  
5        term of the probation.

6        3. Respondent shall not enter the compounding area of any pharmacy for any  
7        reason during the term of suspension.

8        4. Respondent shall pay a civil penalty of \$1000.00 due and payable within  
9        ninety (90) days of date suspension is stayed.

10       5. Respondent shall submit to at least one (1) random, comprehensive drug  
11       screening per month during the term of probation. Such testing to conform to  
12       that prescribed by the Pharmacists Assisting Pharmacists of Arizona program.

13       6. Respondent shall pay all fees and complete all Continuing Education  
14       requirements throughout the suspension and probation period to maintain  
15       Certificate of Registration 8864.

16       7. Respondent shall obey all the laws and rules governing the practice of  
17       pharmacy.

18       8. Respondent shall be responsible for all expenses incurred in the rehabi-  
19       litation program and shall "hold harmless" the providers of information to the  
20       Board.

21       9. Respondent shall appear before the Arizona State Board of Pharmacy  
22       after March 28, 1996 to show cause why the probation imposed on Certificate of  
23       Registration 8864 should be removed.



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BEFORE THE ARIZONA STATE BOARD OF PHARMACY

In the Matter of:

Investigation Case Number 05-0015-PHR

SCOTT DEAN HUFT, RPh,  
Holder of License No. 8864  
For the Practice of Pharmacy  
In the State of Arizona,

Respondent

CONSENT AGREEMENT AND ORDER  
FOR SUSPENSION AND PROBATION

CONSENT AGREEMENT

RECITALS

In the interest of a prompt and judicious settlement of this case, consistent with the public interest, statutory requirements and the responsibilities of the Arizona State Board of Pharmacy ("Board") and under A.R.S. §§ 32-1901 *et. seq.* and 41-1092.07(F)(5), SCOTT DEAN HUFT, RPh, ("Respondent"), holder of pharmacist license number 8864 to practice pharmacy in the State of Arizona, and the Board enter into the following Recitals, Findings of Fact, Conclusions of Law and Order ("Consent Agreement") as a final disposition of this matter.

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

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

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

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

5. Respondent understands this Consent Agreement deals with Board Investigation Case No. 05-0015-PHR involving allegations of unprofessional conduct against Respondent. The investigation into these allegations against Respondent shall be concluded upon the Board's

1 adoption of this Consent Agreement.

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

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

9 8. All admissions made by the Respondent in this Consent Agreement are made solely for  
10 the final disposition of this matter, and any related administrative proceedings or civil litigation involving  
11 the Board and Respondent. Therefore, any admissions made by Respondent in this Consent Agreement  
12 are not intended for any other use, such as in the context of another regulatory agency's proceedings, or  
13 civil or criminal proceedings, whether in the State of Arizona or in any other state or federal court.

14 9. Respondent acknowledges and agrees that, upon signing this Consent Agreement and  
15 returning this document to the Board's Executive Director, Respondent may not revoke his acceptance  
16 of the Consent Agreement or make any modifications to the document regardless of whether the  
17 Consent Agreement has been signed by the Executive Director. Any modification to this original  
18 document is ineffective and void unless mutually agreed by the parties in writing.

19 10. Respondent understands that the Consent Agreement shall not become effective unless  
20 and until adopted by the Board and signed by its Executive Director.

21 11. If a court of competent jurisdiction rules that any part of this Consent Agreement is void  
22 or otherwise unenforceable, the remainder of the Consent Agreement shall remain in full  
23 force and effect.

24 12. Respondent understands and agrees that if the Board does not adopt this Consent  
25 Agreement, he will not assert as a defense that the Board's consideration of this Consent  
26 Agreement constitutes bias, prejudice, prejudgment or other similar defenses.

27 13. Respondent understands that this Consent Agreement is a public record that may be  
28 publicly disseminated as a formal action of the Board and may be reported as required by law to

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the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.

14. Respondent understands that any violation of this Consent Agreement constitutes unprofessional conduct under A.R.S. § 32-1927 (A) (17) (the licensee violated a formal order, terms of probation, a consent agreement or a stipulation issued or entered into by the board or its Executive Director pursuant to this chapter) and may result in disciplinary action under A.R.S. § 32-1927.

**REVIEWED AND ACCEPTED BY:**

  
SCOTT DEAN HUFT, RPh

8/10/05

DATE

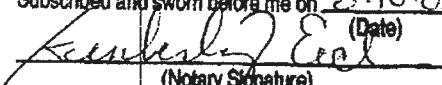


KIMBERLY EICHER  
NOTARY PUBLIC - ARIZONA  
MARICOPA COUNTY  
My Commission Expires  
July 21, 2009

Notary Public

**FINDINGS OF FACT**

State of Arizona County of Maricopa  
Subscribed and sworn before me on 8-10-05  
(Date)

  
(Notary Signature)  
Kimberly Eicher

By stipulation of the parties, this Consent Agreement is entered into for final disposition of the matters described herein. Respondent admits to the following Findings of Fact:

15. The Board is the duly constituted authority for the regulation and control of the practice of pharmacy in the State of Arizona.

16. The Board possesses jurisdiction over the subject matter and over Respondent as a licensee of the Board.

17. Respondent is the holder of a license number 8864 which permits him to engage in the practice of pharmacy in the State of Arizona.

18. On March, 29, 1991, pursuant to Board Order number 91-02-PHR, Respondent's Pharmacist License was placed on probation for five (5) years because he used Controlled Substances without valid prescriptions. Respondent also entered into a concurrent contract with the Pharmacists Assisting Pharmacists in Arizona (PAPA) for drug abuse treatment and rehabilitation as part of Board Order 91-02-PHR. Respondent successfully completed his PAPA contract and his probation was terminated on April 17, 1996.

19. From October 2, 2000, to May 24, 2005, Respondent was employed as pharmacist-in-



1 charge at Albertson's Pharmacy #946.

2 20. On May 22, 2005, the Board's Executive Director received a facsimile report from Tom  
3 Horsefield, District Loss Prevention manager for Albertson's Inc. which summarized an investigation  
4 concerning diversion of hydrocodone 10 mg./with APAP 325 mg. from Albertson's Pharmacy #946.

5 21. The report included Respondent's signature on an "Associate Statement" wherein  
6 Respondent voluntarily admitted that he stole 75 hydrocodone with APAP 325 mg. tablets from  
7 Albertson's Pharmacy #946. Respondent removed these tablets from the pharmacy without a valid  
8 prescription on May 15, 2005, which is a violation of A. R.S. § 36-2525 (D).

9 22. The report also included Respondent's second signed admission, dated May 19, 2005,  
10 wherein Respondent admitted that he stole about 200 tablets of hydrocodone 10mg. with APAP 325 mg.  
11 tablets from Albertson's Pharmacy # 946, the month preceding May 19, 2005, without a valid  
12 prescription. Respondent's theft or removal of the hydrocodone tablets is a violation of A.R.S. § 36-2525  
13 (D). Respondent further admitted that he threw away the tablets and that he adjusted the pharmacy's  
14 computer inventory counts for this drug.

15 23. On May 24, 2005, a Board Compliance Officer conducted two audits for hydrocodone  
16 products at Albertson's Pharmacy #964. The audit results disclosed the following :

17 A. The first audit was for the period from May 2, 2004 to April 30, 2005 and the following  
18 shortages were determined :

- 19 1. hydrocodone 10 mg. with APAP 325 mg. - 23,036 tablets  
20 2. hydrocodone 10 mg. with APAP 500 mg. - 2,864 tablets

21 B The second audit was for the period from May 1, 2005 to May 24, 2005 and the following  
22 shortages were determined :

- 23 1. hydrocodone 10 mg. with APAP 325 mg. - 772 tablets  
24 2. hydrocodone 10 mg. with APAP 500 mg. - 42 tablets

25 24. Respondent was the pharmacist-in-charge during the audit periods listed above at  
26 Albertson's Pharmacy #946 as defined in A.R.S. § 32-1901 (59) to wit :

27 "Pharmacist in charge" means the pharmacist who is responsible to the board for a licensed  
28 establishment's compliance with the laws and administrative rules of this state and of the federal  
government pertaining to the practice of pharmacy, the manufacturing of drugs and the distribution

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1 the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.


2 14. Respondent understands that any violation of this Consent Agreement constitutes  
3 unprofessional conduct under A.R.S. § 32-1927 (A) (17) (the licensee violated a formal order, terms of  
4 probation, a consent agreement or a stipulation issued or entered into by the board or its Executive  
5 Director pursuant to this chapter) and may result in disciplinary action under A.R.S. § 32-1927.  
6

7 **REVIEWED AND ACCEPTED BY:**

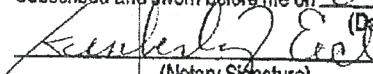
8  
9   
10 **SCOTT DEAN HUFT, RPh**

8/10/05  
DATE



11   
12 **KIMBERLY EICHER**  
13 **NOTARY PUBLIC - ARIZONA**  
14 **MARICOPA COUNTY**  
15 **My Commission Expires**  
16 **July 21, 2009**

17 **FINDINGS OF FACT**

State of Arizona County of Maricopa  
Subscribed and sworn before me on 8-10-05  
(Date)  
  
(Notary Signature)  
Kimberly Eichler

14 By stipulation of the parties, this Consent Agreement is entered into for final disposition of the  
15 matters described herein. Respondent admits to the following Findings of Fact:

16 15. The Board is the duly constituted authority for the regulation and control of the practice  
17 of pharmacy in the State of Arizona.

18 16. The Board possesses jurisdiction over the subject matter and over Respondent as a  
19 licensee of the Board.

20 17. Respondent is the holder of a license number 8864 which permits him to engage in the  
21 practice of pharmacy in the State of Arizona.

22 18. On March, 29, 1991, pursuant to Board Order number 91-02-PHR, Respondent's  
23 Pharmacist License was placed on probation for five (5) years because he used Controlled Substances  
24 without valid prescriptions. Respondent also entered into a concurrent contract with the Pharmacists  
25 Assisting Pharmacists in Arizona (PAPA) for drug abuse treatment and rehabilitation as part of Board  
26 Order 91-02-PHR. Respondent successfully completed his PAPA contract and his probation was  
27 terminated on April 17, 1996.

28 19. From October 2, 2000, to May 24, 2005, Respondent was employed as pharmacist-in-



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1 of drugs and devices.

2 CONCLUSIONS OF LAW

3 25. The Board is the duly constituted authority for the regulation and control of the practice  
4 of pharmacy in the state of Arizona, under A.R.S. § 32-1901, *et seq.*

5 26. The conduct and circumstances described in paragraphs 19 through 24 above constitute  
6 violations of A.R.S. § 32-1968 (A) to wit :

7 **A.R.S. § 32-1968 (A) :** A prescription-only drug shall be dispensed only under one of the following  
8 conditions:

9 1. By a medical practitioner in conformance with section 32-1921.

10 2. On a written prescription order.

11 3. On an oral prescription order that is reduced promptly to writing and filed by the  
12 pharmacist.

13 4. By renewing any written or oral prescription order if a renewal is authorized by the prescriber  
14 either in the original prescription order or by an oral order that is reduced promptly to writing  
15 and filed by the pharmacist.

16 27. The conduct and circumstances described in paragraphs 19 through 24 above constitute  
17 grounds for disciplinary action under A.R.S. § § 32-1927 (A) (10), -1927 (A) (16) and A.R.S. § 32-  
18 1927 (B)(2) to wit:

19 **A.R.S. § 32-1927 :** The license of any pharmacist or pharmacy intern may be revoked  
20 or suspended or a pharmacist or pharmacy intern may be placed on probation by the board  
21 if :

22 **(10) :** The licensee is found by the board to be guilty of violating any Arizona or federal  
23 law, rule, or regulation relating to the manufacture and distribution of drugs and devices, or the  
24 practice of pharmacy.

25 **(16) :** The licensee violated or attempted to violate, directly or indirectly, or assisted in or abetted  
26 the violation of or conspired to violate this chapter.

27 **A.R.S. § 32-1927 (B)(2)** The license of any pharmacist or pharmacy intern may be revoked  
28 or suspended or the pharmacist or pharmacy intern or graduate intern may be placed on probation  
or censured and a civil penalty of not more than one thousand dollars (\$1000.00) for each offense  
may be imposed by the board if the licensee :

Is found by the board, or is convicted in a federal or state court, of having  
violated federal or state laws or administrative rules pertaining to marijuana, prescription-  
only drugs, narcotics, dangerous drugs or controlled substances.

**ORDER**

Based upon the above Findings of Fact and Conclusions of Law, and under the authority granted to the Board under A.R.S. § § 32-1928, 41-1092.07 (F)(5), and A.A.C. R4-23-122 (C).

**IT IS HEREBY ORDERED** that :

28. Pharmacist License No. 8864, which was issued to Respondent for the practice of pharmacy in the State of Arizona, is hereby placed on **SUSPENSION** for a period of not less than six (6) months but not more than one (1) year effective the date of this Order. The period of **SUSPENSION** shall be determined by the PAPA Steering Committee. Thereafter, Respondent's license shall be placed on **PROBATION** for a period of at least four (4) years, but not more than four and one-half (4.5) years from the final date of **SUSPENSION**.

29. Respondent's disciplinary period under the **SUSPENSION** and **PROBATION** shall not exceed five (5) years, unless Respondent affirmatively fails to petition the Board to terminate the **PROBATION** in accordance with paragraph 39.

The **SUSPENSION** and **PROBATION** are subject to the following conditions :

30. Respondent shall immediately return his pharmacist license to the Board for the period of the **SUSPENSION**.

31. Respondent shall promptly sign a five (5) year contract with PAPA and abide by each and every requirement of the PAPA contract. Failure to sign a PAPA contract or abide by the PAPA contract's terms is a violation of this Order.

32. Respondent shall furnish the Board with a list of all jurisdictions in which he maintains or has maintained licensure in the profession of pharmacy along with the registration number of said licenses.

33. Respondent shall not serve as a preceptor pharmacist or pharmacist-in-charge throughout the term of his **SUSPENSION** and **PROBATION**.

34. Respondent is required to advise the Board immediately of any change in pharmacy employment status throughout the term of his **PROBATION**.

35. Respondent is required to furnish all pharmacy employers with a copy of this Board Order throughout the term of his **PROBATION**.

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1           36.    Respondent shall pay all fees and complete all Continuing Education requirements  
2 throughout the term of his **SUSPENSION** and **PROBATION** to maintain pharmacist license number  
3 8864.

4           37.    Respondent shall obey all federal and state laws and rules governing the practice of  
5 pharmacy.

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

10          39.    Respondent shall appear before the Board at a regularly scheduled Board meeting on or  
11 after August 17, 2010 to request that the probation imposed by this Order be terminated. Respondent's  
12 failure to petition the Board to terminate the **PROBATION** shall extend the **PROBATION** period.

13  
14 **DATED and EFFECTIVE this 17<sup>th</sup> day of August, 2005**

15 **ARIZONA STATE BOARD OF PHARMACY**

16 

17 \_\_\_\_\_  
18 Hal Wand, RPh  
19 Executive Director  
20 Arizona State Board of Pharmacy  
21  
22  
23  
24  
25  
26  
27  
28

1 ORIGINAL of the foregoing, fully executed,  
2 filed this 17<sup>th</sup> day of August, 2005, with:

3 Arizona State Board of Pharmacy  
4 4425 W. Olive Avenue, #140  
5 Glendale, Arizona 85302

6 Fully Executed Copy of the foregoing sent  
7 via Certified US mail this 22<sup>nd</sup> day of  
8 August, 2005 to:

9 SCOTT DEAN HUFT  
10 2629 E. Rockledge Rd.  
11 Phoenix, AZ 85048

12 Copy or the foregoing mailed  
13 this 22<sup>nd</sup> day of August, 2005 to:

14 Roberto Pulver  
15 Assistant Attorney General  
16 1275 W. Washington, CIV/LES  
17 Phoenix, Arizona 85007  
18 Attorney for the State  
19  
20  
21  
22  
23  
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25  
26  
27  
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By: \_\_\_\_\_