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6

7 Attorneys for Complainant

8 **BEFORE THE**  
**BOARD OF PHARMACY**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 2513

11 RICHARD STUART JACOBS  
16493 S.E. 59<sup>th</sup> Street  
12 Bellevue, WA 98006

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

13 Pharmacist License No. RPH 27857

14 Respondent.

15  
16 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
17 proceeding that the following matters are true:

18 PARTIES

19 1. Patricia F. Harris (Complainant) is the Executive Officer of the Board of  
20 Pharmacy. She brought this action solely in her official capacity and is represented in this matter  
21 by Bill Lockyer, Attorney General of the State of California, by Marcia A. Fay, Supervising  
22 Deputy Attorney General.

23 2. Richard Stuart Jacobs (Respondent) is representing himself in this  
24 proceeding and has chosen not to exercise his right to be represented by counsel.

25 3. On or about June 14, 1972, the Board of Pharmacy issued Original  
26 Pharmacist License Number RPH 27857 to Richard Stuart Jacobs. Said license will expire July  
27 31, 2002, unless renewed.  
28



1 licensing agency is involved, and shall not be admissible in any other criminal or civil  
2 proceeding.

3 CONTINGENCY

4 11. This stipulation shall be subject to approval by the Board of Pharmacy.  
5 Respondent understands and agrees that counsel for Complainant and staff of the Board of  
6 Pharmacy may communicate directly with the Board regarding this stipulation and settlement,  
7 without notice to or participation by Respondent. By signing the stipulation, Respondent  
8 understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation  
9 prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation  
10 as its Decision and Order, the Stipulated Surrender of License and Order shall be of no force or  
11 effect, except for this paragraph, it shall be inadmissible in any legal action between the parties,  
12 and the Board shall not be disqualified from further action by having considered this matter.

13 12. The parties understand and agree that facsimile copies of this Stipulated  
14 Surrender of License and Order, including facsimile signatures thereto, shall have the same force  
15 and effect as the originals.

16 13. In consideration of the foregoing admissions and stipulations, the parties  
17 agree that the Board may, without further notice or formal proceeding, issue and enter the  
18 following Order:

19 ORDER

20 IT IS HEREBY ORDERED that Pharmacist License No. RPH 27857, issued to  
21 Respondent Richard Stuart Jacobs, is surrendered and accepted by the Board of Pharmacy as of  
22 the effective date of this decision.

23 1. Respondent shall relinquish his wall license and pocket renewal license to  
24 the board within 10 days of the effective date of this decision.

25 2. Respondent may not reapply for any license, permit, or registration from  
26 the board for three years from the effective date of this decision. Respondent stipulates that  
27 should he apply for any license from the Board on or after the effective date of this decision, all  
28 allegations set forth in Accusation No. 2513 shall be deemed to be true.



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

In the Matter of the Accusation Against:

Case No. 2513

RICHARD STUART JACOBS  
16493 S.E. 59<sup>th</sup> Street  
Bellevue, WA 98006

Pharmacist License No. RPH 27857

Respondent.

**DECISION AND ORDER**

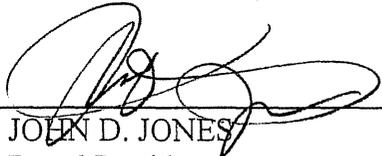
The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on August 29, 2002.

It is so ORDERED July 30, 2002.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

By: \_\_\_\_\_

  
JOHN D. JONES  
Board President

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of the State of California  
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8 **BEFORE THE**  
**BOARD OF PHARMACY**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2513

12 RICHARD STUART JACOBS  
16493 S.E. 59th Street  
13 Bellevue, WA 98006

**A C C U S A T I O N**

14 Pharmacist License No. RPH 27857

15 Respondent.

16  
17 Complainant alleges:

18 PARTIES

19 1. Patricia F. Harris (Complainant) brings this Accusation solely in her  
20 official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer  
21 Affairs.

22 2. On or about June 14, 1972, the Board of Pharmacy issued Original  
23 Pharmacist License Number RPH 27857 to RICHARD STUART JACOBS (Respondent). Said  
24 license will expire July 31, 2002, unless renewed.

25 STATUTORY PROVISIONS

26 3. Section 4301(n) of the Business and Professions Code (Code) states that  
27 the "revocation, suspension, or other discipline by another state of a license to practice pharmacy,  
28 operate a pharmacy, or do any other act for which a license is required by Chapter 9

1 (commencing with Section 4000) of the Business and Professions Code.”

2 4. Section 125.3 of the Code provides, in part, that the Board may request the  
3 administrative law judge to direct a licentiate found to have committed a violation or violations  
4 of the Licensing Act to pay a sum not to exceed the reasonable costs of the investigation and  
5 enforcement of the case.

6 CAUSE FOR DISCIPLINE

7 ( Discipline By Another State)

8 5. Respondent is subject to disciplinary action under section 4301(n) of the  
9 Code in that respondent’s license to practice pharmacy in the State of Washington was  
10 disciplined by the Board of Pharmacy for the State of Washington, as set forth In the Matter of  
11 the License to Practice as a Pharmacist of: RICHARD S. JACOBS, R.Ph., License No.  
12 PH00016230, Docket No. 00-06-A-1002PH, before State of Washington, Department of Health,  
13 Board of Pharmacy (“Washington Proceeding”). A copy of the Stipulated Findings of Fact,  
14 Conclusions of Law, and Agreed Order, dated June 7, 2001, and the Stipulated Findings of Fact,  
15 Conclusions of Law, and Agreed Order on Request for Modification, dated November 29, 2001,  
16 in the Washington Proceeding are attached hereto at Tab A and are incorporated by reference as  
17 if fully set forth herein.

18 6. Respondent’s license to practice as a pharmacist by the state of  
19 Washington was disciplined in the Washington Proceeding for unprofessional conduct, in that on  
20 or about October 27, 1999 through December 13, 1999, Respondent diverted approximately 331  
21 tablets of Roxicet (oxycodone with acetaminophen) and 310 tablets of Roxicodone from Safeway  
22 # 459 in Kent, Washington. Respondent admitted to diverting these drugs for his own use  
23 without a prescription.

24 DISCIPLINE CONSIDERATIONS

25 7. To determine the degree of discipline, if any, to be imposed on  
26 Respondent, Complainant alleges that in the Washington Proceeding, Respondent's license to  
27 practice as a pharmacist in the State of Washington has been placed on an indefinite suspension.

28

1 PRAYER

2 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
3 alleged, and that following the hearing, the Board of Pharmacy issue a decision:

4 1. Revoking or suspending Original Pharmacist License Number RPH  
5 27857, issued to RICHARD STUART JACOBS;

6 2. Ordering RICHARD STUART JACOBS to pay the Board of Pharmacy  
7 the reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
8 Professions Code section 125.3;

9 3. Taking such other and further action as deemed necessary and proper.

10 DATED: 4/29/02

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13 PATRICIA F. HARRIS  
14 Executive Officer  
15 Board of Pharmacy  
16 Department of Consumer Affairs  
17 State of California  
18 Complainant

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