

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

In the Matter of the Accusation Against:

Case No. 4653

RONNIE EUGENE HILL
611 W. D Street
Lebanon, OR 97355

Pharmacist License No. RPH 40967

Respondent.

DECISION AND ORDER

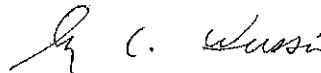
The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This decision shall become effective on May 12, 2014.

It is so ORDERED on May 7, 2014.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By



STAN C. WEISSER
Board President

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 KAREN R. DENVIR
Deputy Attorney General
4 State Bar No. 197268
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-5333
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 4653

12 **RONNIE EUGENE HILL**
13 **611 W. D Street**
Lebanon, OR 97355

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

14 **Pharmacist License No. RPH 40967**

15 Respondent.

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17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 PARTIES

21 1. Virginia Herold (Complainant) is the Executive Officer of the Board of Pharmacy.
22 She brought this action solely in her official capacity and is represented in this matter by Kamala
23 D. Harris, Attorney General of the State of California, by Karen R. Denvir, Deputy Attorney
24 General.

25 2. Ronnie Eugene Hill (Respondent) is representing himself in this proceeding and has
26 chosen not to exercise his right to be represented by counsel.

27 3. On or about August 12, 1987, the Board of Pharmacy issued Pharmacist License No.
28 RPH 40967 to Ronnie Eugene Hill (Respondent). The Pharmacist License was in full force and

1 effect at all times relevant to the charges brought in Accusation No. 4653 and will expire on
2 September 30, 2014, unless renewed.

3 JURISDICTION

4 4. Accusation No. 4653 was filed before the Board of Pharmacy (Board), Department of
5 Consumer Affairs, and is currently pending against Respondent. The Accusation and all other
6 statutorily required documents were properly served on Respondent on October 8, 2013.
7 Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation
8 No. 4653 is attached as Exhibit A and incorporated by reference.

9 ADVISEMENT AND WAIVERS

10 5. Respondent has carefully read, and understands the charges and allegations in
11 Accusation No. 4653. Respondent also has carefully read, and understands the effects of this
12 Stipulated Surrender of License and Order.

13 6. Respondent is fully aware of his legal rights in this matter, including the right to a
14 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
15 his own expense; the right to confront and cross-examine the witnesses against him; the right to
16 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
17 the attendance of witnesses and the production of documents; the right to reconsideration and
18 court review of an adverse decision; and all other rights accorded by the California
19 Administrative Procedure Act and other applicable laws.

20 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
21 every right set forth above.

22 CULPABILITY

23 8. Respondent admits the truth of each and every charge and allegation in Accusation
24 No. 4653, agrees that cause exists for discipline and hereby surrenders his Pharmacist License
25 No. RPH 40967 for the Board's formal acceptance.

26 9. Respondent understands that by signing this stipulation he enables the Board to issue
27 an order accepting the surrender of his Pharmacist License without further process.

28 ///

CONTINGENCY

1
2 10. This stipulation shall be subject to approval by the Board of Pharmacy. Respondent
3 understands and agrees that counsel for Complainant and the staff of the Board of Pharmacy may
4 communicate directly with the Board regarding this stipulation and surrender, without notice to or
5 participation by Respondent. By signing the stipulation, Respondent understands and agrees that
6 he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board
7 considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,
8 the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this
9 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not
10 be disqualified from further action by having considered this matter.

11 11. The parties understand and agree that Portable Document Format (PDF) and facsimile
12 copies of this Stipulated Surrender of License and Order, including Portable Document Format
13 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

14 12. This Stipulated Surrender of License and Order is intended by the parties to be an
15 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
16 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
17 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
18 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
19 executed by an authorized representative of each of the parties.

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

ORDER

23 IT IS HEREBY ORDERED that Pharmacist License No. RPH 40967, issued to Respondent
24 Ronnie Eugene Hill, is surrendered and accepted by the Board of Pharmacy.

25 1. The surrender of Respondent's Pharmacist License and the acceptance of the
26 surrendered license by the Board shall constitute the imposition of discipline against Respondent.
27 This stipulation constitutes a record of the discipline and shall become a part of Respondent's
28 license history with the Board of Pharmacy.

- 1 2. Respondent shall lose all rights and privileges as a Pharmacist in California as of the
2 effective date of the Board's Decision and Order.
- 3 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was
4 issued, his wall certificate on or before the effective date of the Decision and Order.
- 5 4. If he ever applies for licensure or petitions for reinstatement in the State of California,
6 the Board shall treat it as a new application for licensure. Respondent must comply with all the
7 laws, regulations and procedures for licensure in effect at the time the application or petition is
8 filed, and all of the charges and allegations contained in Accusation No. 4653 shall be deemed to
9 be true, correct and admitted by Respondent when the Board determines whether to grant or deny
10 the application or petition.
- 11 5. Respondent shall pay the agency its costs of investigation and enforcement in the
12 amount of \$910.00 prior to issuance of a new or reinstated license.
- 13 6. If Respondent should ever apply or reapply for a new license or certification, or
14 petition for reinstatement of a license, by any other health care licensing agency in the State of
15 California, all of the charges and allegations contained in Accusation No. 4653 shall be deemed to
16 be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any
17 other proceeding seeking to deny or restrict licensure.
- 18 7. Respondent may not apply for any license, permit, or registration from the Board for
19 three years from the effective date of this decision. Respondent stipulates that should he or she
20 apply for any license from the Board on or after the effective date of this decision, all allegations
21 set forth in the accusation shall be deemed to be true, correct, and admitted by Respondent when
22 the Board determines whether or not to grant or deny the application. Respondent shall satisfy all
23 requirements applicable to that license as of the date the application is submitted to the Board,
24 including, but not limited to taking and passing the California Pharmacist Licensure Examination
25 prior to the issuance of a new license. Respondent is required to report this surrender as
26 disciplinary action.
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ACCEPTANCE

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

DATED: 3-11-14 Ronnie Eugene Hill
RONNIE EUGENE HILL
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

Dated: 4-2-14 Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
JANICE K. LACHMAN
Supervising Deputy Attorney General
Karen Denvir
KAREN R. DENVIR
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 4653

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 KAREN R. DENVER
Deputy Attorney General
4 State Bar No. 197268
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-5333
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 4653

13 **RONNIE EUGENE HILL**
611 W. D Street
Lebanon, OR 97355

A C C U S A T I O N

14 **Pharmacist License No. 40967**

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

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

21 2. On or about August 12, 1987, the Board of Pharmacy issued Pharmacist License
22 Number 40967 to Ronnie Eugene Hill (Respondent). The Pharmacist License was in full force
23 and effect at all times relevant to the charges brought herein and will expire on September 30,
24 2014, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board of Pharmacy (Board), Department of
27 Consumer Affairs, under the authority of the following laws. All section references are to the
28 Business and Professions Code unless otherwise indicated.

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4. Section 4300 of the Code states, in pertinent part:

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

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

(1) Suspending judgment.

(2) Placing him or her upon probation.

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

(4) Revoking his or her license.

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

5. Section 4301 of the Code states, in pertinent part:

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

....

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

....

6. Section 4300.1 of the Code states:

The expiration, cancellation, forfeiture, or suspension of a board-issued license by operation of law or by order or decision of the board or a court of law, the 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.

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1 7. Section 4022 of the Code states:

2 "Dangerous drug" or "dangerous device" means any drug or device unsafe for self-
3 use in humans or animals, and includes the following:

4 (a) Any drug that bears the legend: "Caution: federal law prohibits dispensing without
5 prescription," "Rx only," or words of similar import.

6 (b) Any device that bears the statement: "Caution: federal law restricts this device to
7 sale by or on the order of a _____," "Rx only," or words of similar import, the blank
8 to be filled in with the designation of the practitioner licensed to use or order use of
9 the device.

10 (c) Any other drug or device that by federal or state law can be lawfully dispensed
11 only on prescription or furnished pursuant to Section 4006.

12 COST RECOVERY

13 8. Section 125.3 of the Code states, in pertinent part, that the Board may request the
14 administrative law judge to direct a licentiate found to have committed a violation or violations of
15 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
16 enforcement of the case.

17 DRUGS

18 9. Butalbital is a dangerous drug within the meaning of Business and Professions Code
19 section 4022 in that it requires a prescription under federal law. Butalbital is a barbituate
20 commonly used for pain.

21 FIRST CAUSE FOR DISCIPLINE

22 (Out of State Discipline)

23 10. Respondent is subject to disciplinary action under section 4301, subdivision (n), in
24 that he was disciplined by another state's licensing board as follows:

25 11. Effective July 12, 2007, pursuant to the Consent Order in Case No. 2006-0102 issued
26 by the Oregon State Board of Pharmacy, in a disciplinary proceeding titled "*In the Matter of the*
27 *Pharmacist License of RONNIE EUGENE HILL, R.PH*", Respondent's Pharmacist License No.
28 RPH-0009149 was placed on five years probation with conditions including random drug testing
and an evaluation by an addictologist with the Pharmacy Recovery Network. The order was
based on the following: On or about July 11, 2006, during an investigation of Groves' Pharmacy,
Respondent tested positive for butalbital, for which he did not have a prescription. In addition,
the investigation revealed shortages and overages of controlled substances, for which Respondent

1 had no explanation. The Consent Order and Notice of Proposed Action are attached hereto as
2 **Exhibit A** and incorporated herein by reference.

3 **SECOND CAUSE FOR DISCIPLINE**

4 **(Violation of State Statutes)**

5 12. Respondent is subject to disciplinary action under section 4301, subdivision (o), in
6 that he violated states statutes regulating pharmacy as follows:

7 13. As set forth in paragraph 11, above, and herein incorporated by reference,
8 Respondent possessed butalbital without a prescription in violation of Business and Professions
9 Code section 4022.

10 **PRAYER**

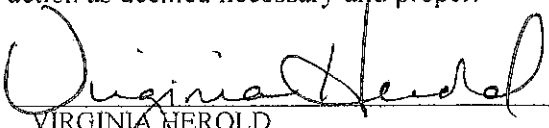
11 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
12 and that following the hearing, the Board of Pharmacy issue a decision:

13 1. Revoking or suspending Pharmacist License Number 40967, issued to Ronnie Eugene
14 Hill.;

15 2. Ordering Ronnie Eugene Hill to pay the Board of Pharmacy the reasonable costs of
16 the investigation and enforcement of this case, pursuant to Business and Professions Code section
17 125.3;

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

19 DATED: 9/19/13


20 VIRGINIA HEROLD
21 Executive Officer
22 Board of Pharmacy
23 Department of Consumer Affairs
24 State of California
25 Complainant
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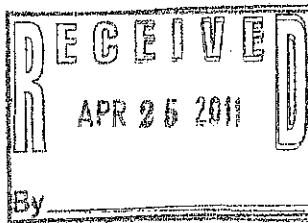
Exhibit A

Consent Order and Notice of Proposed Action No. 2006-102
Issued by the Oregon State Board of Pharmacy



Oregon

John A. Kitzhaber, MD, Governor



Board of Pharmacy

800 NE Oregon Street, Suite 150

Portland, OR 97232

Phone: 971/673-0001

Fax: 971/673-0002

Email: pharmacy.board@state.or.us

Web: www.pharmacy.state.or.us

April 14, 2011

Richard Hultgren
Enforcement Analyst
California State Board of Pharmacy
1625 N Market Blvd
Sacramento, CA 95834-2929

RE: Ronnie Hill, RPH-0009149

Pursuant to your written request on April 11, 2011 and in compliance with Oregon Revised Statute (ORS) 676.175(1), enclosed you will find a certified copy of all disclosable material regarding the above referenced licensee.

For your reference, ORS 676.175(1) reads:

A health professional regulatory board shall keep confidential and not disclose to the public any information obtained by the board as part of an investigation of a licensee or applicant, including complaints concerning licensees or applicants.

(A notice of proposed disciplinary action or final order issued by the Board is a matter of public record.)

Sincerely,

Kim Oster
Compliance Assistant

CERTIFIED TRUE COPY

4/14/2011
OREGON BOARD OF PHARMACY

RECEIVED
JUL 13 2007
BOARD OF PHARMACY

BEFORE THE BOARD OF PHARMACY
OF THE STATE OF OREGON

4	In the Matter of the)	Case No. 2006-0102
5	Pharmacist License of)	
6)	
7	RONNIE EUGENE HILL, R.P.H.,)	CONSENT ORDER
8)	
9	Licensee,)	

WHEREAS, the Board of Pharmacy of the State of Oregon has filed a Notice of Proposed Disciplinary Action; Answer Required ("Notice"), hereby incorporated by reference, regarding the licensee in the above-captioned matter; and

WHEREAS, the above-noted Notice was duly served on the licensee as required by law; and

WHEREAS, the parties are desirous of resolving and settling those matters contained in the above-noted Notice without further proceedings thereon; and

WHEREAS, the licensee is aware of the right to a hearing with the assistance of counsel and the right to judicial review of the Board's decision, and hereby freely and voluntarily waives those rights; and

WHEREAS, the licensee admits that the facts alleged in the above-noted Notice are true, that the licensee's conduct, as admitted, violated the statutes and rules cited in the Notice, and that legal cause exists pursuant to ORS 689.405 for disciplinary action by the Board; and

WHEREAS, the licensee consents to the disciplinary action as set forth herein;

The Board finds that the allegations in the Notice are true and hereby imposes the following sanctions:

1. The licensee is placed on probation for a period of five (5) years from the date this order is signed by the Board and the licensee shall comply with the following conditions of probation:

- a. The licensee must submit to up to 24 random urinalysis tests annually at the licensee's own expense. The urinalysis tests must be taken by a person or entity approved by the Board.
- b. The licensee may petition the Board after 18 months compliance with his probation, to reduce the frequency of the random urinalysis to up to 12 random urinalysis tests annually at the licensee's own expense.
- c. The licensee must be evaluated by an addictologist approved by the Pharmacy Recovery Network (PRN) within 30 days of the day this Consent Order becomes final, and comply with all recommendations of the addictologist and the PRN Committee at the licensee's own expense.

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- d. The licensee must comply with all laws and rules regarding pharmacy practice.
- e. The licensee may not register with the Board to be a preceptor.
- f. The licensee may not be employed as a pharmacist-in-charge (PIC) except at a pharmacy owned and operated by licensee.
- g. ~~During the five (5) year probationary period, the licensee shall, as soon as~~ reasonably practical, provide all present and prospective pharmacy related employers and any pharmacists-in-charge of the licensee with a copy of the Notice and the final order in this matter and have the PIC and management acknowledge to the Board in writing, on a form supplied by the Board, that the PIC and management have received a copy of both the Notice and the Order. Licensee shall as soon as reasonably practical, submit said written acknowledgement to the Board office.
- h. The licensee must report any citations, arrests, or convictions to the Board Office within 15 days from the date of occurrence.

2. Failure of the licensee to comply with all the requirements of the final order in this matter constitutes unprofessional conduct and is grounds for revocation or any other form of discipline or sanction authorized by law.

CONSENT

I hereby acknowledge that I have read and understand the above-noted Notice with Notice of Rights and the terms of the Consent Order. I agree to the Board entering the Consent Order.

<i>Ronnie Hill RPh</i>	<i>7-12-07</i>
Ronnie Eugene Hill, R.Ph. Licensee (License No. RPH-0009149)	Date

IT IS SO ORDERED.

BOARD OF PHARMACY
FOR THE STATE OF OREGON

<i>Gary Miner</i>	<i>7/12/07</i>
Gary Miner, R.Ph., Compliance Director	Date

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**BOARD OF PHARMACY
OF THE STATE OF OREGON**

In the Matter of the) Case No. 2006-0102
Pharmacist License of)
RONNIE EUGENE HILL, R.Ph.) **NOTICE OF PROPOSED**
) **DISCIPLINARY ACTION;**
 Licensee.) **ANSWER REQUIRED**

The Oregon Board of Pharmacy proposes to take disciplinary action against you pursuant to ORS 689.135, 689.145, 689.405, and 689.445 because you violated the Oregon Pharmacy Act and the Board of Pharmacy rules as alleged below:

On 7/11/06, a DEA Investigator and the Oregon Board of Pharmacy conducted an investigation at Groves' Pharmacy located at 1301 Main Street in Sweet Home and had all staff provide urine samples for drug testing. You tested positive for butalbital for which you did not have a prescription. Illegal use of drugs is conduct contrary to accepted standards of practice and is unprofessional conduct as defined in OAR 855-019-0055(2)(c) and (h) and grounds for discipline pursuant to ORS 689.405(1)(a) and ORS 689.405(1)(e)(B).

A narcotic audit conducted by the DEA Investigator and yourself indicated a shortage of 589 tablets of Methadose 10mg, an overage of 360 tablets of Hydrocodone/APAP 7.5/750mg, and an overage of 42 tablets of Methylin 20mg tablets. As Pharmacist-in-Charge, you unable to explain the discrepancies. In addition, the records of the DEA narcotic inventory did not indicate whether it was taken at the beginning or the ending of business. As Pharmacist-in-Charge, you were responsible for maintaining adequate safeguards against theft or diversion of prescription drugs and records for such drugs pursuant to OAR 855-041-0026(1) and (2). You were also responsible for ensuring that the pharmacy was in compliance with all state and federal laws and rules governing the practice of pharmacy and that all controlled substance records and inventories are maintained in conformance with the keeping and inventory requirements of federal law and board rules as required by OAR 855-041-0020(1)(c) and OAR 855-041-0020(1)(a). The preceding audit results evidence inadequate safeguards for the proper security and recordkeeping for controlled substance prescriptions. The aforementioned are in violation of 21 CFR 1304.11(a), OAR 855-041-0026(1) and OAR 855-080-0070, which is grounds for discipline pursuant to ORS 689.335(1), 689.405(1)(e)(B) and 689.445.

The conduct identified above is in violation of the Oregon Pharmacy Act and the Board of Pharmacy rules and grounds for discipline as follows:

Based upon these alleged violations, the Board proposes to revoke your license as authorized by ORS 689.405(1) and ORS 689.445(1)(b).

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47 HEARING RIGHTS

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49 You are entitled to a hearing as provided by the Administrative Procedures Act (ORS
50 chapter 183). If you wish to have a hearing, you must file a written request for hearing with the
51 Board within 21 days from the date this notice was mailed. You may send or deliver a request
52 for hearing to:

53 Oregon Board of Pharmacy
54 800 NE Oregon Street, Suite 150
55 Portland, OR 97232
56 Fax: (971) 673-0002
57

58 If a request for hearing is not received within this 21-day period, your right to a hearing
59 shall be considered waived.
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61 If you request a hearing, you will be notified of the time and place of the hearing. Before
62 the commencement of the hearing, you will be given information on the procedures, right of
63 representation and other rights of parties relating to the conduct of the hearing. You may be
64 represented by legal counsel.
65

66 If you do not request a hearing within 21 days, or if you withdraw a hearing request,
67 notify the Board or Administrative Law Judge that you will not appear, or fail to appear at a
68 scheduled hearing, the Board may issue a final order by default imposing discipline. If the Board
69 issues a final order by default, it designates its file on this matter as the record.
70

71 ANSWER REQUIRED

72 Pursuant to OAR 855-001-0010 and OAR 855-001-0015, if you request a hearing you
73 must also provide, within 21 days from the date this document was served, a written answer to
74 the allegations set forth in this document. Your written answer must include an admission or
75 denial of each factual matter alleged in the notice. Except for good cause, factual matters alleged
76 in this document and not denied in your answer will be presumed admitted.
77
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79 **Hearing Request and Answers;**
80 **Consequences of Failure to Answer**
81 **855-001-0015**
82

83 (1) A hearing request, and answer when required, shall be made in writing to the
84 Board by the party or his attorney and an answer shall include the following:

- 85 (a) An admission or denial of each factual matter alleged in the notice;
- 86 (b) A short and plain statement of each relevant affirmative defense the party
87 may have.

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89 (2) Except for good cause;

- 90 (a) Factual matters alleged in the notice and not denied in the answer shall be
91 presumed admitted;

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- (b) Failure to raise a particular defense in the answer will be considered a waiver of such defense;
- (c) New matters alleged in the answer (affirmative defenses) shall be presumed to be denied by the agency; and
- (d) Evidence shall not be taken on any issue not raised in the notice and the answer.

BOARD OF PHARMACY
FOR THE STATE OF OREGON

Gary Miner
Gary Miner, R.Ph.,
Compliance Director

12/14/06
Date

DATE OF MAILING 12/15/2006