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BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING  
OF THE DEPARTMENT OF COMMERCE  
OF THE STATE OF UTAH

IN THE MATTER OF THE LICENSE OF ) **NONDISCIPLINARY**  
CODY R BEAUMONT ) **STIPULATION**  
TO PRACTICE AS A PHARMACIST ) **AND ORDER**  
AND TO DISPENSE CONTROLLED )  
SUBSTANCES IN THE STATE OF UTAH ) Case No DOPL 2007 -- 1

**CODY R. BEAUMONT** ("Respondent") and the Division of Occupational and Professional Licensing of the Department of Commerce of the State of Utah ("Division") stipulate and agree as follows

1 Respondent admits the jurisdiction of the Division over Respondent and over the subject matter of this action

2 Respondent acknowledges that Respondent enters into this Stipulation knowingly and voluntarily

3 Respondent understands that Respondent has the right to be represented by counsel in this matter and Respondent's signature below signifies that Respondent has either consulted with an attorney or Respondent waives Respondent's right to counsel in this matter

4 Respondent understands that Respondent is entitled to a hearing before the Utah State Pharmacy Licensing Board ("the Board"), or other Division Presiding Officer, at which time Respondent may present evidence on Respondent's own behalf, call witnesses, and confront adverse witnesses Respondent acknowledges that by executing this document Respondent hereby waives the right to a hearing and any other rights to which Respondent may be entitled in connection with said hearing

5 Respondent waives the right to the issuance of a Petition and a Notice of Agency Action in the specific matter of this Stipulation and Order

6 Respondent acknowledges that this Stipulation and Order, if adopted by the Director of the Division, will be classified as a public document and may be released to other persons and entities

7 Respondent admits the following facts

- a Respondent entered into a Stipulation and Order with the Division in Case No 2005-17 on or about January 24, 2005 Respondent admitted to unprofessional and unlawful conduct regarding controlled substances Respondent's license to dispense controlled substances was revoked and was later reinstated Respondent's license to practice pharmacy was revoked, revocation was stayed, and the license placed on probation for five years
- b Respondent is currently under investigation by licensing authorities in Oregon for additional alleged unprofessional and/or unlawful conduct Respondent is currently under investigation by the Division for alleged unprofessional and/or unlawful conduct

- c Respondent desires that his licenses to practice as a pharmacist and to dispense controlled substances in the State of Utah shall be limited pending the completion of the Division's investigation. The period of limitation shall not exceed six months from the effective date of the Order in this matter.

8 Respondent agrees that an Order shall be entered by the Division temporarily limiting Respondent's licenses to practice pharmacy and to dispense controlled substances in the State of Utah. Respondent shall not practice pharmacy and shall not dispense controlled substances in the State of Utah. The licenses shall remain limited for a period of six months, or until the Division's investigation into allegations of unprofessional and/or unlawful conduct is completed, whichever occurs first. Respondent agrees not to practice pharmacy or to dispense controlled substances in the State of Utah until the limitation is lifted. This Stipulation and Order is not a finding of unprofessional or unlawful conduct, nor is it disciplinary action against Respondent. This limitation of Respondent's license is not in lieu of disciplinary action. The Division may take disciplinary action against Respondent's license at any time.

9 This Stipulation and Order, upon approval by the Director of the Division, shall be the final compromise and settlement of this preliminary matter of temporary suspension. Respondent acknowledges that the Director is not required to accept the terms of this Stipulation and Order and that if the Director does not do so, this Stipulation and the representations contained therein shall be null and void, except that the Division and the Respondent waive any claim of bias or prejudgment Respondent might have with regard to the Director by virtue of his having reviewed this Stipulation, and this waiver shall survive such nullification.

10 This document constitutes the entire agreement between the parties regarding the preliminary matter of the temporary suspension and supersedes and cancels any and all prior

1 negotiations, representations, understandings or agreements between the parties regarding the subject of this Stipulation and Order. There are no verbal agreements that modify, interpret, construe or affect this Stipulation.

11 If Respondent violates any term or condition of this Stipulation and Order, the Division may take action against Respondent, including imposing appropriate sanction, in the manner provided by law.

12 Respondent has read each and every paragraph contained in this Stipulation and Order. Respondent understands each and every paragraph contained in this Stipulation and Order. Respondent has no questions about any paragraph or provision contained in this Stipulation and Order.

DIVISION OF OCCUPATIONAL &  
PROFESSIONAL LICENSING

BY   
DIANA BAKER  
Bureau Manager

DATE 102,07

MARK L. SHURTLEFF  
ATTORNEY GENERAL

BY   
L. MITCHELL JONES  
Counsel for the Division

DATE 29 Dec 06

RESPONDENT

BY   
CODY R. BEAUMONT

DATE 12/24/06

**ORDER**

THE ABOVE STIPULATION, in the matter of **CODY R. BEAUMONT**, is hereby approved by the Division of Occupational and Professional Licensing, and constitutes my Findings of Fact and Conclusions of Law in this matter. The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case.

DATED this 2<sup>ND</sup> day of January, 2007<sup>new</sup>

DIVISION OF OCCUPATIONAL AND  
PROFESSIONAL LICENSING

W. Ray Walker, Acting Director  
Director  
*for*

Investigator Sandy Hess