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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)
JANEICE DILLARD SKEEN) STIPULATION AND ORDER
TO PRACTICE AS A)
PHARMACY TECHNICIAN) CASE NO. DOPL 2012- L2
IN THE STATE OF UTAH)

JANEICE DILLARD SKEEN (“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 State of Utah's Board of Pharmacy ("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 understands that by signing this document Respondent hereby waives the right to a hearing, the right to present evidence on Respondent's own behalf, the right to call witnesses, the right to confront adverse witnesses, and any other rights to which Respondent may be entitled in connection with said hearing. Respondent understands that by signing this document Respondent hereby knowingly and intelligently waives the right to all administrative and judicial review as set forth in Utah Code Ann §§ 63G-4-301 through 63G-4-405, and Utah Administrative Code R151-46b-12 through R151-46b-15. Respondent and the Division hereby express their intent that this matter be resolved expeditiously through stipulation as contemplated in Utah Code Ann § 63G-4-102(4).

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

6. Respondent acknowledges that this Stipulation and Order, if adopted by the Director of the Division, will be classified as a public document. The Division may release this Stipulation and Order, and will release other information about this disciplinary action against Respondent's licenses, to other persons and entities.

7. Respondent admits the following facts are true

- a. On or about March 11, 1997 Respondent was first licensed to practice as a pharmacy technician in the State of Utah
- b. On or about August 18, 2012, Respondent was questioned by staff of her employer, a Utah pharmacy, regarding unpaid prescriptions for Respondent and for Respondent's family members Respondent acknowledged that she had failed to pay the copayment for some of the prescriptions filled for herself and for her family members
- c. Respondent's employer, a class A retail pharmacy, conducted an internal audit and found that between January 2012 and August 2012, there were approximately 52 prescriptions filled for either Respondent or Respondent's family members where no proof of payment could be substantiated Respondent subsequently acknowledged failing to pay her employer the insurance copayment for these prescription medications
- d. On or about September 5, 2012, Respondent signed an agreement to repay \$621.60 for the copayments not paid to her employer

8. Respondent admits that Respondent's conduct described above is unprofessional conduct as defined in Utah Code Ann. § 58-1-501(2)(a) and (h), § 58-17b-502(6), and unlawful conduct as defined in Utah Code Ann. § 58-17b-501(6)(a); and that said conduct justifies disciplinary action against Respondent's license pursuant to Utah Code Ann. § 58-1-401(2)(a). Respondent agrees that an Order, which constitutes disciplinary action against Respondent's licenses by the Division pursuant to Utah Administrative Code R156-1-102(6) and Utah Code Ann. § 58-1-401(2), shall be entered in this matter as follows

- (a) Respondent's license shall be publicly reprimanded for the conduct described in paragraph 7 above
- (b) Respondent shall immediately cease and desist from the conduct described in paragraph 7 above
- (c) Respondent shall successfully complete one Thinking Errors course and one pharmacy ethics course within six months of the effective date of this

Stipulation and Order Each course shall be pre-approved by the Division. Each course shall last at least two hours Respondent shall provide documentation to the Division showing successful completion of each course immediately upon completion

9 This Stipulation and Order, upon approval by the Director of the Division, shall be the final compromise and settlement of this non-criminal administrative matter 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 prejudice Respondent might have with regard to the Director by virtue of her having reviewed this Stipulation, and this waiver shall survive such nullification

10 Respondent agrees to abide by and comply with all applicable federal and state laws, regulations, rules and orders related to the Respondent's licensed practice.

11 This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior 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

12 The terms and conditions of this Stipulation and Order become effective immediately upon the approval of this Stipulation and signing of the Order by the Division Director. Respondent must comply with all the terms and conditions of this Stipulation immediately following the Division Director's signing of the Order page of this Stipulation and Order Respondent shall complete all the terms and conditions contained in the Stipulation and Order in a timely manner. If a time period for completion of a term or condition is not

specifically set forth in the Stipulation and Order, Respondent agrees that the time period for completion of that term or condition shall be set by the Board. Failure to complete a term or condition in a timely manner shall constitute a violation of the Stipulation and Order and may subject Respondent to revocation or other sanctions.

13. 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. Such sanction may include revocation or suspension of Respondent's license, or other appropriate sanction.

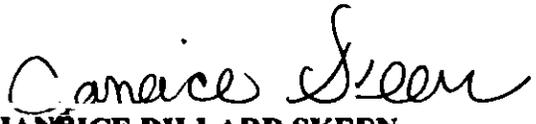
14. Respondent understands that the disciplinary action taken by the Division in this Stipulation and Order may adversely affect any license that Respondent may possess in another state or any application for licensure Respondent may submit in another state

15 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

RESPONDENT

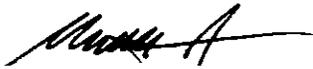
BY 
DEBRA A. HOBBS, DNP, APRN, LSAC
Bureau Manager

BY 
JANICE DILLARD SKEEN

DATE 10/4/12

DATE 10/3/12

MARK L SHURTLEFF
ATTORNEY GENERAL.

BY 
L. MITCHELL JONES
Counsel for the Division

DATE 4 Oct 2012

ORDER

THE ABOVE STIPULATION, in the matter of **JANEICE DILLARD SKEEN**, 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 issuance of this Order is disciplinary action pursuant to Utah Administrative Code R156-1-102(6) and Utah Code Ann. § 58-1-401(2) The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case.

DATED this 9th day of October . 2012

DIVISION OF OCCUPATIONAL AND
PROFESSIONAL LICENSING


MARK B. STEINAGEL
Director

Investigator Jared Memmott