

**BEFORE THE ARKANSAS STATE BOARD OF PHARMACY**

**IN THE MATTER OF  
SCOTT POLLOCK  
P.D., No. 7506**

**No. 2003-043**

**FINDINGS OF FACT,  
CONCLUSIONS OF LAW, AND ORDER**

On February 11, 2004, the Arkansas State Board of Pharmacy (hereafter “the Board”) conducted a hearing in the above styled matter. After being served with notice thereof, Scott Pollock (hereafter “Respondent”) appeared in person. From the facts and matters presented, the Board makes the following findings of fact, conclusions of law, and order.

FINDINGS OF FACT

1. Respondent is licensed as a pharmacist and is subject to the jurisdiction of the Board.
2. On or about October 15, 2003, the Oklahoma State Board of Pharmacy (hereafter “OSBP”) conducted a hearing at which the OSBP suspended Respondent’s Oklahoma pharmacist license for five years after which time Respondent must petition for the reinstatement of his license, imposed a fine of \$200.00 each for five counts for a total of \$1,000.00 and ordered that Respondent’s license could be revoked if he fails to abide by any term of the OSBP’s order. This proceeding was based upon Respondent’s theft of drugs from an Air Force pharmacy to deliver to certain relatives in Arkansas for their personal use for which he did not have the authorization of a practitioner.
3. On or about August 8, 2002, Respondent, then a captain in the United States Air Force, pled guilty in an Air Force General Court Martial criminal proceeding to stealing certain prescription, non-controlled drugs from the Air Force pharmacy.

Respondent admitted that he had stolen the drugs, for which he did not have the authorization of a practitioner, to deliver to certain relatives in Arkansas for their personal use. Respondent was ordered dismissed from the Air Force, confined for 45 days, and fined \$960.00. Said conduct involves moral turpitude and is related to the duties of a pharmacist.

#### CONCLUSIONS OF LAW

1. The suspension of Respondent's pharmacist license by the Oklahoma State Board of Pharmacy as set forth above constitutes grounds for the suspension or revocation of Respondent's Arkansas pharmacist license pursuant to Ark. Code Ann. § 17-92-311(a)(11) (Repl. 2002).

2. Respondent's plea of guilty to theft of drugs from an Air Force pharmacy in a military court martial as set forth above constitutes grounds for the suspension or revocation of Respondent's Arkansas pharmacist license pursuant to Ark. Code Ann. § 17-92-311(a)(3) (Repl. 2002).

#### ORDER

IT IS THEREFORE ORDERED that Respondent's Arkansas pharmacist license shall be on probation for a period of five (5) years from the date of this order; during the first two (2) years of said probationary period, Respondent shall not be pharmacist-in-charge of any pharmacy. The terms and conditions of probation are that Respondent shall fully comply with Arkansas Pharmacy Law, Ark. Code Ann. § 17-92-101, *et seq.*, Board Regulations, the Controlled Substances Act, the Food, Drug, and Cosmetic Act, and all other local, state and federal laws and regulations regarding pharmacy, controlled substances and drugs. A violation of said probation shall subject Respondent to

disciplinary action including without limitation, suspension or revocation of said pharmacist license.

IT IS FURTHER ORDERED that Respondent shall successfully complete the Board's Jurisprudence Examination prior to June 1, 2004.

IT IS FURTHER ORDERED that the Board shall retain jurisdiction of this matter for purposes of implementing and enforcing this Order and that Respondent's failure to comply with any provision herein shall constitute gross unprofessional or dishonorable conduct, A.C.A. § 17-92-311(a)(7), for which the Board may impose disciplinary action.

IT IS SO ORDERED this 13th day of February 2004.

ARKANSAS STATE BOARD  
OF PHARMACY

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CHARLES CAMPBELL, PHARM. D  
EXECUTIVE DIRECTOR