

BEFORE THE ARKANSAS STATE BOARD OF PHARMACY

**IN THE MATTER OF
G & G MEDICAL
No. G-00537**

No. 2003-013

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

On October 14, 2003 the Arkansas State Board of Pharmacy (hereafter "the Board") conducted a hearing in the above styled matter. After being duly served with notice thereof, G & G Medical (hereafter "Respondent") failed to appear. From the testimony of witnesses and exhibits, the Board makes the following findings of fact, conclusions of law, and order.

FINDINGS OF FACT

1. Respondent holds a permit as a supplier of home medical equipment, legend devices and medical gases (hereafter "home medical equipment supplier"); Respondent is subject to the jurisdiction of the Board.

2. Prior to January 1, 2003 Respondent held an Arkansas license, (License #G-00472), as a home medical equipment supplier and conducted its business at 31 Fairway Woods Circle, Maumelle, Arkansas, 72113. After the Board mailed the renewal notice to Respondent, Respondent failed to renew said license for the calendar year beginning January 1, 2003; said license expired on December 31, 2002 and effective April 1, 2003 became void. Pursuant to A.C.A. §17-92-108 (c), said license was not subject to reinstatement.

3 On or about May 1, 2003, Respondent applied for a new license and the Board issued license number G-00537 to Respondent.

4. From January 1 until May 1, 2003, during which time Respondent did not hold a valid Arkansas home medical equipment supplier's license, Respondent continued to sell or rent or offer to sell or rent directly to patients in Arkansas said home medical equipment, legend devices and/or medical gases from its place of business described above.

CONCLUSIONS OF LAW

1. Respondent's conduct as set forth above in A-4 constitutes a violation of A.C.A. §17-92-902(a)(1) (Repl. 2002).

2. Respondent's conduct as set forth above in violation of A.C.A. §17-92-902(a)(1)(Repl. 2002) constitutes grounds for the suspension, revocation or denial of a license as a home medical equipment supplier pursuant to A.C.A. §17-92-908(2) (Repl. 2002) or impose other sanctions pursuant to A.C.A. § 17-92-315 (Repl. 2002).

ORDER

IT IS THEREFORE ORDERED that Respondent's permit as a supplier of home medical equipment, legend devices and medical gases is hereby revoked effective October 14, 2003.

ARKANSAS STATE BOARD
OF PHARMACY

CHARLES CAMPBELL, Pharm. D.
Executive Director

