

STATE OF VERMONT  
SECRETARY OF STATE  
OFFICE OF PROFESSIONAL REGULATION  
BOARD OF PHARMACY

IN RE: )  
THEA YATES ) Docket No. RX12-0807  
License No. 033-0003732 )

**STIPULATION AND CONSENT ORDER**

NOW COMES the State of Vermont through State Prosecuting Attorney Robert H. Backus and the Respondent, Thea Yates, in person.

**Board Authority**

1. The Vermont Board of Pharmacy (the Board) has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by pharmacies pursuant to 3 V.S.A. §§129, 129a; 26 V.S.A. Chapter 36; the Rules of the Vermont Board of Pharmacy ("RVBP"); and the Rules of the Office of Professional Regulation.

**Statement of Facts**

2. The Respondent, Thea Yates, was first licensed in Vermont on August 22, 2005 under license No. 033-0003732. Her license will expire on July 31, 2009.
3. Prior to being licensed in Vermont Respondent was licensed in Florida as a pharmacist.
4. On June 22, 2006 Respondent was disciplined by the Florida Board of Pharmacy for a prescription error. She was reprimanded and required to take a prescription mis-fill course and to pay a fine of five hundred dollars and was placed on probation. Respondent completed all her requirements and was discharged from probation.

**Charges**

5. The above conduct constitutes unprofessional conduct in violation of Board of Pharmacy Rule Part I Section 1.1.6 (Any disciplinary action in any jurisdiction by a licensing authority regulating the practice of a health-related profession.)

**Understandings**

6. Respondent understands that the Board must review and accept the terms of the Consent Order. If the Board rejects any portion the entire Stipulation and Consent Order shall be void.

STATE OF VERMONT



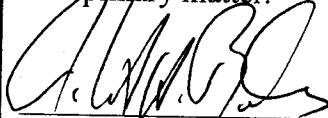
Prosecuting Attorney  
Office of  
Professional Regulation  
9 Baldwin Street  
Montpelier, VT  
05609-1107

7. Respondent has reviewed the entire document and agrees that it sets out the entire agreement of the parties, freely and voluntarily entered into.
8. Respondent waives any notification period and agrees to have this document reviewed by the Board during its next meeting. Respondent specifically waives any claim that presentation of this stipulation to the Board has prejudiced any right to a fair and impartial hearing, should the Board reject this stipulation.
9. Respondent voluntarily waives any right to a contested hearing before the Board.
10. Respondent voluntarily waives any right to appeal the decision and order of the Board entered under this stipulation.

### ORDER

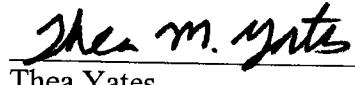
11. The Board adopts the facts as set out above and based on them it finds that Respondent committed unprofessional conduct in violation of the rules governing the practice of pharmacy, as alleged.
12. The Respondent is **warned**.
13. Pursuant to 26 V.S.A. §2061(e), the Board finds that the Respondent may be a pharmacist manager.
14. The final disposition of the complaint against Respondent is public and the Board may notify other states of its disposition as provided in 3 V.S.A. §129(a)(8).

15. Respondent understands that this Stipulation and Consent Order will remain part of her licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.



Robert H. Backus  
Prosecuting Attorney  
State of Vermont  
Secretary of State

Date: 11-19-07

  
Thea M. Yates  
Thea Yates  
Respondent

Date: 11/15/07

APPROVED AND SO ORDERED:

Board of Pharmacy

STATE OF VERMONT



Prosecuting Attorney  
Office of  
Professional Regulation  
9 Baldwin Street  
Montpelier, VT  
05609-1107

Dated: \_\_\_\_\_

by: Earl W. Pease  
Chairperson

Date of entry: 12/10/07

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