

*TEMPORARY SUSPENSION ORDER #J-18-022-ASI*

RE: IN THE MATTER OF  
SAMUEL AMBROSIO GURROLA  
(PHARMACIST LICENSE #20097)

BEFORE THE TEXAS STATE  
BOARD OF PHARMACY

On this day came on to be considered by the Disciplinary Panel of the Texas State Board of Pharmacy (Board) the matter of the Petition for Temporary Suspension of pharmacist license number 20097 issued to Samuel Ambrosio Gurrola (Respondent), pursuant to § 565.059 of the Texas Pharmacy Act (Pharmacy Act), TEX. OCC. CODE ANN., Title 3, Subtitle J. The Disciplinary Panel considered the case during a hearing without notice, and a second hearing with notice of hearing is scheduled within fourteen (14) days of the date of this Order.

Respondent did not appear and was not represented by counsel. John Griffith, Litigation Counsel, represented Board staff. Kerstin Arnold served as General Counsel to the Disciplinary Panel. The following Board members served as the Disciplinary Panel: Dennis F. Wiesner, R.Ph.; Jenny Downing Yoakum, R.Ph.; and Chip Thornsburg.

The Disciplinary Panel determines that Respondent, by continuation in practice, would constitute a continuing threat to the public welfare, and that pharmacist license number 20097 issued to Respondent shall be temporarily suspended in accordance with § 565.059 of the Pharmacy Act. The Disciplinary Panel makes this finding based on the following evidence and/or information presented at the June 18, 2018, Hearing on Temporary Suspension of License of Respondent:

1. On or about January 25, 1973, Respondent was issued Texas pharmacist license number 20097.
2. Respondent's Texas pharmacist license was in full force and effect at all times and dates material and relevant to this Order, and is current through October 31, 2019.
3. All jurisdictional requirements have been satisfied.

4. On or about June 18, 2018, Respondent, while employed as the pharmacist-in-charge and owner of Palafox Pharmacy, 929 South Main Street, Anthony, Texas 79821, engaged in unprofessional conduct by failing to operate a pharmacy in a sanitary manner and by dispensing prescriptions in a manner inconsistent with the public health and welfare. Specifically, the pharmacy was grossly unclean in that rat droppings were present, there was a persistent odor of urine, drug stock was disorganized, pills were loose on counters and tables, trash was present throughout, and the floors were visibly dirty. Despite these unsanitary conditions, Mr. Gurrola admitted to dispensing approximately ten prescriptions per day.
5. On or about June 18, 2018, Respondent, while employed as the pharmacist-in-charge and owner of Palafox Pharmacy, 929 South Main Street, Anthony, Texas 79821, engaged in unprofessional conduct by failing to keep and/or maintain records as required. Mr. Gurrola failed to properly maintain invoices, hard-copy prescriptions, and other patient records. Any records Mr. Gurrola did maintain were disorganized and not filed. Further, Mr. Gurrola failed to properly maintain electronic patient records, including any inventories or patient records. Consequently, Mr. Gurrola failed to provide adequate security and/or recordkeeping procedures to prevent potential diversion of prescription drugs.

Subsequent to any proceedings involving the conduct described above, the Board may take additional disciplinary action on any criminal action taken by the criminal justice system based on the same conduct described in the allegations above. However, Respondent shall be provided all rights of due process should the Board initiate such disciplinary action subsequent to the conclusion of the criminal proceedings.

#### **ORDER OF THE BOARD**

THEREFORE, PREMISES CONSIDERED, the Board does hereby ORDER that:

- (1) Effective upon the entry of this Order, Agreed Board Order #B-13-002-A, entered on August 4, 2015, shall be set aside and be of no further force and effect, and this Order shall supersede Agreed Board Order #B-13-002-A.
- (2) Pharmacist license number 20097 held by Respondent shall be, and such license is hereby temporarily suspended. Said suspension shall be effective immediately and shall continue in effect for a period of fourteen (14) days unless a further Order of the Board is entered. During the period of suspension, Respondent shall:
  - (a) not practice pharmacy in this state or be employed in any manner requiring a license with the Board or allowing access to prescription drugs in a pharmacy; and

- (b) remove the wall certificate for said license and any renewal certificate pertaining to said license from public display in a pharmacy and may not further display in public view said certificates.
  
- (3) Failure to comply with any of the requirements in this Order constitutes a violation and shall be grounds for further disciplinary action. The requirements of this Order are subject to the Texas Pharmacy Act, TEX. OCC. CODE ANN., Title 3, Subtitle J (2017), and Texas Pharmacy Board Rules, 22 TEX. ADMIN. CODE (2018).


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*Samuel Ambrosio Gurrola*  
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Passed and approved at the Temporary Suspension Hearing of the Disciplinary Panel of the Texas State Board of Pharmacy on the 18th day of June, 2018.

And it is so ORDERED.

THIS ORDER IS A PUBLIC RECORD.

Signed and entered by the Executive Director under the direction and on behalf of the Texas State Board of Pharmacy on the 18th day of June, 2018.

  
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Allison Vordenbaumen Benz, R.Ph., M.S.  
Executive Director/Secretary  
Texas State Board of Pharmacy