



MINUTES OF THE APRIL 4 - 5, 2022
MEETING OF THE STATE OF OHIO BOARD OF PHARMACY

Monday, April 4, 2022

10:02 a.m.

The State of Ohio Board of Pharmacy convened in the Hearing Room, 17th Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, for a public meeting, which was also broadcast via Microsoft Teams audio/visual conference call, with the following members present:

Rich Miller, RPh, *Presiding*; Shawn Wilt, RPh, *Vice President*; Trina Buettner, RPh; Jason George, RPh; Victor Goodman, *Public Member*; TJ Grimm, RPh; Jeff Huston, RPh; and Jennifer Rudell, RPh.

Sharon Maerten-Moore, *Chief Legal Counsel*; Joseph Koltak, *Senior Legal Counsel*; Ashley Gilbert, *Senior Legal Counsel*; Michelle Bohan, *Associate Legal Counsel*; Kathryn Lewis, *Legal Administrator*.

10:02 a.m.

The Board was joined by Assistant Attorney General Henry Appel to conduct an adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. In the Matter of **Natalee Pearson, Toledo Ohio.**

R-2022-0488

Mr. Wilt moved that the Board recess in order to consider the quasi-judicial matters in accordance with Chapter 119. of the Revised Code and the case precedent of *Angerman v. State Medical Bd.* (1990) 70 Ohio App.3d 346 and *TBC Westlake Inc. v. Hamilton Cty Bd of Revision*, et al. (1998) 81 Ohio St.3d 58. The motion was seconded by Ms. Rudell and a roll-call vote was conducted by *President* Miller as follows: Wilt-yes; Buettner-yes; George-yes; Goodman-yes; Grimm-yes; Huston-yes; and Rudell-yes.

1:03 p.m.

The deliberation ended and the hearing was opened to the public.

R-2022-0489

After votes were taken in public session, the Board adopted the following order in the Matter of **Natalee Pearson, Toledo Ohio.**

ORDER OF THE STATE BOARD OF PHARMACY
(Case Number A-2019-0176)

In The Matter Of:

Natalee Pearson
510 Brown Avenue
Toledo, OH 43607
(License No. 03-125391)

INTRODUCTION

The Matter of Natalee Pearson came for hearing on April 4, 2022, before the following members of the State of Ohio Board of Pharmacy (Board): Rich Miller, RPh, *Presiding*; Shawn Wilt, RPh, *Vice President*; Trina Buettner, RPh; Jason George, RPh; Victor Goodman, *Public Member*; T.J. Grimm, RPh; Jeff Huston, RPh; and Jennifer Rudell, RPh.

Natalee Pearson was represented by Levi J. Tkach. The State of Ohio was represented by Henry Appel, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witnesses:

1. Natalee Pearson
2. Erika Albert

Respondent's Witnesses:

1. Natalee Pearson

State's Exhibits:

1. Notice Letter
2. Request for Hearing
3. Scheduling Order
4. Notice of Summary Suspension for Medical Center West
5. Statement of Birkhiemer
6. Temporary Agreement
7. Prescription Log (Under Seal)
8. Notice of Sealed Drugs
9. Adjudication Order with Birkhiemer
10. Second Adjudication Order with Birkhiemer
11. Permanent Surrender of Birkhiemer

12. Permanent Surrender of Medical Center West
13. Responsible Person Application Form

Respondent's Exhibits:

- A. Resume of Ms. Pearson
- B. Letter of Support for Natalee Pearson

FINDINGS OF FACT

After having heard the testimony, observed the demeanor of the witnesses, considered the evidence, and weighed the credibility of each, the Board finds the following to be fact:

1. On or about December 12, 2018, Natalee Pearson was notified as the Responsible Person, that pursuant to its authority under Sections 4729.57 and 4729.571 of the ORC, the Board issued a Notice of Opportunity for Hearing summarily suspending the Terminal Distributor of Dangerous Drugs License of Medical Center West Pharmacy (MCWP), 5212 W. Broad Street, Columbus, Ohio 43228, License Number 02-2661450. When Natalee Pearson was informed of MCWP's summary suspension, the Board Agent explained that the practice of pharmacy could no longer occur at MCWP until further notice, and that all prescriptions should be transferred. Natalee Pearson acknowledged this information as well as clarified that no pharmacy practice could occur at MCWP.
2. From on or about December 18, 2018 to January 25, 2019, Douglas Birkhiemer, R.Ph., the owner of MCWP, filled, dispensed and sold prescriptions for dangerous drugs from MCWP knowing that it did not have a valid Terminal Distributor of Dangerous Drugs License from the Board. The dates of sale and/or dispensing of dangerous drugs are as follows:
 - a. December 19, 2018- (2) prescriptions;
 - b. December 24, 2018- (1) prescription;
 - c. December 26, 2018- (4) prescriptions;
 - d. December 28, 2018- (1) prescription;
 - e. December 31, 2018- (16) prescriptions;
 - f. January 2, 2019- (13) prescriptions;
 - g. January 3, 2019- (8) prescriptions;
 - h. January 4, 2019- (8) prescriptions;

- i. January 5, 2019- (3) prescriptions;
 - j. January 7, 2019- (16) prescriptions;
 - k. January 8, 2019- (5) prescriptions;
 - l. January 9, 2019- (18) prescriptions;
 - m. January 10, 2019- (9) prescriptions;
 - n. January 11, 2019- (7) prescriptions;
 - o. January 14, 2019- (17) prescriptions;
 - p. January 15, 2019- (26) prescriptions;
 - q. January 16, 2019- (6) prescriptions;
 - r. January 17, 2019- (12) prescriptions;
 - s. January 18, 2019- (3) prescriptions;
 - t. January 21, 2019- (11) prescriptions;
 - u. January 22, 2019- (3) prescriptions;
 - v. January 23, 2019- (8) prescriptions;
 - w. January 24, 2019- (7) prescriptions.
3. On or about January 29, 2019, Natalee Pearson spoke with agents from the Board regarding her employment at MCWP since the suspension became effective. Natalee Pearson made the following statements:
- a. She had been in the pharmacy conducting inventory and counting and pulling drugs.
 - b. She did not recall if Birkhiemer dispensed drugs when she was present at the pharmacy.
 - c. She was unclear what the TDDD suspension meant.
 - d. She was transferring prescriptions if patients called.
 - e. She was unclear if any drug purchases has been made while the suspension was in place.

CONCLUSIONS OF LAW

1. Such conduct as set forth in paragraph (2)(a) through (w), inclusive, of the Findings of Fact, constitutes a violation of the following division (E)(1)(a) of section 4729.51 of the ORC, as effective September 29, 2017, no person shall sell or distribute, at retail, dangerous drugs.
2. Such conduct as set forth in the Findings of Fact, constitutes a violation of the following divisions of (A) of section 4729.16 of the ORC effective as of April 6, 2017:
 - a. Engaged in unprofessional conduct in the practice of pharmacy, ORC 4729.16 (A)(2)(b); and
 - b. Violated, conspired to violate, attempted to violate, or aided and abetted the violation of any of the provisions of this chapter 3715.75 to 3715.72 of the Revised Code, Chapter 2925. or 3719. of the Revised Code, or any rule adopted by the board under those provisions, ORC 4729.16(A)(2)(e); and
 - c. Failed to comply with an order of the board or a settlement agreement, ORC 4729.16(A)(2)(k); and
 - d. Engaged in any conduct for which the board may imposed discipline as set forth in rules adopted under section 4729.26 of the Revised Code, ORC Section 4729.16(A)(2)(l).
3. Such conduct as set forth in the Findings of Fact, constitutes a violation of each of the following divisions of Rule 4729:1-4-01 of the OAC as effective May 1, 2018:
 - a. Engaged in unprofessional conduct in the practice of pharmacy, OAC Rule 4729:1-4-04(B)(2)(b); and
 - b. Violated, conspired to violate, attempted to violate, or aided and abetted the violation of any of the provisions of Chapter 4729. of the Revised Code, sections 3715.52 to 3715.72 of the Revised Code, Chapter 2925., 3796., 3719. or 4752. of the Revised Code, or any rule adopted by the board under those provisions, OAC Rule 4729:1-4-04(B)(2)(e); and/or
 - c. Failed to comply with an order of the board or a settlement agreement, OAC Rule 4729:1-4-04(B)(2)(k); and
 - d. Violated any state or federal law, regulation or rule regardless of the jurisdiction in which the acts were committed, except for minor traffic violations such as parking violations, speeding tickets and violations such as failure to obey a red light, failure to use a turn signal or expired vehicle registration, OAC Rule 4729:1-4-04(B)(2)(m); and

- e. Failed to conform to prevailing standards of care of similar pharmacists under the same or similar circumstances, whether or not actual injury to a patient is established, OAC Rule 4729:1-4-04(B)(2)(p).
4. Such conduct as set forth in the Findings of Fact, constitutes a violation of Rule 4729-9-11 of the OAC as effective August 15, 2016, Security and Control of Dangerous Drugs, a pharmacist, prescriber, and responsible person pursuant to rule 4729-5-11 of the Administrative Code shall provide supervision and control of dangerous drugs as required in division (B) of section 4729.55 of the Revised Code, and adequate safeguards to ensure that dangerous drugs are being distributed in accordance with a state and federal laws as required in section 4729.55 of the Revised Code.
5. Such conduct as set forth in the Findings of Fact, constitutes a violation of each of the following divisions of Rule 4729-5-11(A) of the OAC as effective February 7, 2017:
 - a. The responsible person shall be responsible for the practice of the profession of pharmacy, including, but not limited to, the supervision and control of dangerous drugs as required in division (B) of section 4729.55 of the Revised Code, adequate safeguards as required in division (C) of section 4729.55 of the Revised Code, security and control of dangerous drugs as required in rule 4729-9-11 of the Administrative Code and maintaining all drug records otherwise required, OAC Rule 4729-5-11(A)(2); and
 - b. The person to whom the terminal distributor of dangerous drugs license has been issued and all pharmacists on duty are responsible for compliance with all state and federal laws, regulations, and rules governing the distribution of drugs and the practice of pharmacy, OAC Rule 4729-5-11(A)(3).

DECISION OF THE BOARD

Pursuant to Section 4729.16 of the Ohio Revised Code, and after consideration of the record as a whole, the State Board of Pharmacy hereby imposes a restriction on Respondent's license that Respondent may not serve as a responsible pharmacist or a designated representative in a dispensary or for home medical equipment, at any facility over which the Board has jurisdiction for a period of at least five years, effective the date of issuance of this Order. Should Respondent wish to serve as a Responsible Person or designated representative at any time in the future, Respondent must petition the Board. Further, the Board imposes the following terms and conditions on Respondent's pharmacist license, License No. 03-125391:

1. Natalee Pearson must obtain twenty hours of approved continuing pharmacy education (2.0 CEUs), including ten hours (1.0 CEUs) in law and/or controlled substances and ten hours (1.0 CEUs) in pharmacy practice, which may not also be used for license renewal. The 2.0 CEUs must be completed within six months from the date of the Order.
2. Natalee Pearson must attend a Responsible Person Roundtable. The Responsible Person Roundtable must be completed within 6 months from the date of the Order.
3. Natalee Pearson must pay to the Board a monetary penalty in the amount of \$2,000.00. This fine will be attached to Natalee Pearson's license record and must be paid no later than six months from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.

The Board hereby grants the State's Motion to Seal the Record in this matter including, but not limited to, all confidential patient health information contained in the record, specifically State's exhibit 7.

Further, the Board hereby grants the State's Motion to Redact the Record in this matter including, but not limited to, all personal identifying information contained in the record, specifically personal identifying information contained in State's exhibit 13.

Jennifer Rudell moved for Findings of Fact; Shawn Wilt seconded the motion. Motion passed (Yes-7/No-0).

Jason George moved for Conclusions of Law; Trina Buettner seconded the motion. Motion passed (Yes-7/No-0).

T.J. Grimm moved for Action of the Board; Jason George seconded the motion. Motion passed (Yes- 7/No-0).

SO ORDERED.

- 1:06 p.m.** The Board recessed for lunch.
- 1:38 p.m.** The Board returned to Public Session. Mr. Garner provided the OARRS Report.
- 1:41 p.m.** Mr. Griffin provided the Compliance and Enforcement Report.
- 1:44 p.m.** Ms. Maerten-Moore provided the Legal Report.
- 1:46 p.m.** Mr. Miller provided the Licensing Report.

- 1:48 p.m.** Mr. Schierholt presented the Executive Director Report.
- 1:52 p.m.** Mr. Sheridan presented the Medical Marijuana Program Update Report.
- 1:54 p.m.** Mr. Sheridan proposed amendments of rule *OAC 3796:6-3-22 – Prohibitions* to the Board for consideration.
- R-2022-0490** Mr. Goodman moved that the Board amend rule *OAC 3796:6-3-22 – Prohibitions* for filing with JCARR. The motion was seconded by Ms. Rudell and approved by the Board: Yes-7, No-0.
- R-2022-0491** Mr. Wilt moved that the Board go into Executive Session to consider the investigation of charges or complaints against a licensee, confer with Board counsel regarding a pending or imminent court action and to discuss matters required to be confidential by law pursuant to Section 121.22(G)(1), (3) & (5) of the Ohio Revised. The motion was seconded by Mr. Grimm and a roll-call vote was conducted by President Miller as follows: Wilt-yes; Buettner-yes; George-yes; Goodman-yes; Grimm-yes; Huston-yes; and Rudell-yes.
- R-2022-0492** The Board returned to public session, and Mr. Miller announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE NO. A-2021-0392**

**Prakash Naik, R.Ph.
License No. 03-228223**
10 Tremore Way
Holland, OH 43528

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Prakash Naik, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation questionable dispensing. Together, the Board and Prakash Naik are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.16 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to Sections 4729.07 and 4729.08 of the Ohio Revised Code to practice pharmacy in the state of Ohio.
2. Prakash Naik is a licensed pharmacist in the state of Ohio under license number 03-228223.

3. Prakash Naik is the Responsible Person and owner of Drugstore of Perrysburg, located at 580 Craig Drive, Suite #12, Perrysburg, Ohio.

FACTS

1. The Board initiated an investigation of Prakash Naik, pharmacist license number 03-228223, and Drug Store of Perrysburg, related to questionable dispensing.
2. On or about September 15, 2021, the Board sent a Notice of Opportunity for Hearing to Prakash Naik, which outlined the allegations and provided notice of his right to a hearing, his rights in such hearing, and his right to submit contentions in writing.
3. On or about October 6, 2021 and November 16, 2021, Prakash Naik, through counsel Joseph R. Durham, timely requested an administrative hearing, which was subsequently scheduled for April 5, 2022.

WHEREFORE, the parties desire to resolve the issues relating to the above-referenced findings without resorting to further administrative or judicial proceedings.

TERMS

NOW THEREFORE, in consideration of the mutual promises herein expressed, the parties knowingly and voluntarily agree as follows:

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Prakash Naik neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated September 15, 2021; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. Prakash Naik agrees to pay to the Board a monetary penalty in the amount of \$250.00. This fine will be attached to Prakash Naik's license record and must be paid no later than 180 days from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. Prakash Naik must obtain six hours of approved continuing pharmacy education (0.6 CEUs) which may not also be used for license renewal. One hour (0.1 CEU) must be the Responsible Person Roundtable seminar conducted by the Board. The 0.6 CEUs must be completed within six months from the effective date of this agreement. Copies of completed CEUs must be e-mailed to legal@pharmacy.ohio.gov.

5. The Board hereby imposes a written reprimand on Prakash Naik's pharmacist license, number 03-228223.
6. Prakash Naik agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
7. Prakash Naik understands that he has the right to be represented by counsel for review and execution of this agreement.
8. Prakash Naik agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which he currently holds a professional license, including to the Board on renewal applications or applications for a new license.
9. Prakash Naik explicitly withdraws his request for a hearing, waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.
10. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
11. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
12. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
13. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.
14. This Agreement shall become effective upon the date of the Board President's signature below.

R-2022-0493

Mr. Miller announced the following Settlement Agreement has been signed by all parties and is now effective:

IN THE MATTER OF: CASE NO. A-2019-0252

Drug Store of Perrysburg
License No. 02-1951850
c/o Prakash Naik, R.Ph.
580 Craig Drive, Suite #12

Perrysburg, OH 43551

SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Drug Store of Perrysburg for the purpose of resolving all issues between the parties relating to the Board investigation of questionable dispensing. Together, the Board and Drug Store of Perrysburg are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.
2. Drug Store of Perrysburg is a licensed Terminal Distributor of Dangerous Drugs under license number 02-1951850.

FACTS

1. The Board initiated an investigation of Drug Store of Perrysburg, Terminal Distributor of Dangerous Drugs license number 02-1951850, related to Drug Store of Perrysburg's questionable dispensing.
2. On or about September 15, 2021 the Board sent a Notice of Opportunity for Hearing to Drug Store of Perrysburg, which outlined the allegations and provided notice of its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.
3. On or about October 6, 2021, Drug Store of Perrysburg, through counsel Joseph R. Durham, timely requested an administrative hearing, which was subsequently scheduled for April 5, 2022.

WHEREFORE, the parties desire to resolve the issues relating to the above-referenced findings without resorting to further administrative or judicial proceedings.

TERMS

NOW THEREFORE, in consideration of the mutual promises herein expressed, the parties knowingly and voluntarily agree as follows:

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Drug Store of Perrysburg neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated

September 15, 2021; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.

3. Drug Store of Perrysburg agrees to pay to the Board a monetary penalty the amount of \$3,000.00. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.
4. The Board hereby imposes a written reprimand on Drug Store of Perrysburg's TDDD license, number 02-1951850
5. Drug Store of Perrysburg agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which it currently holds a professional license, including the Board on renewal applications or applications for a new license.
6. Drug Store of Perrysburg agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729, and the Rules adopted thereunder, Chapter 3719, and the Rules adopted thereunder, Chapter 3715, and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Drug Store of Perrysburg of the terms of one or more federal or state requirements may constitute sufficient grounds for further enforcement action related to any licenses granted to Drug Store of Perrysburg by the Board and will NOT discharge Drug Store of Perrysburg from any obligation under the terms of this Agreement.
7. Drug Store of Perrysburg agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
8. Drug Store of Perrysburg understands that it has the right to be represented by counsel for review and execution of this agreement.
9. This Agreement is binding upon any and all successors, assigns, affiliates, and subsidiaries of the parties or any other corporation through whom or with whom Drug Store of Perrysburg will operate.
10. Drug Store of Perrysburg explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119, of the Ohio Revised Code, and waives any right to an appeal.

11. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
12. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
13. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
14. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.
15. This Agreement shall become effective upon the date of the Board President's signature below.

R-2022-0494

Mr. Miller announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE No. A-2021-0387
501-4974**

Danridge Nursing Home, Inc.
License No. 02-0886850
c/o Vincent Thomas
31 Maranatha Drive
Youngstown, OH 44512

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Danridge Nursing Home, Inc. for the purpose of resolving all issues between the parties relating to the Board investigation of illegal purchases of medical oxygen while operating without a Board-issued license. Together, the Board and Danridge Nursing Home, Inc. are referred to hereinafter as "the parties."

JURISDICTION

3. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend,

revoke, or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.

4. Danridge Nursing Home, Inc. is a licensed Terminal Distributor of Dangerous Drugs under license number 02-0886850.

FACTS

4. The Board initiated an investigation of Danridge Nursing Home, Inc., Terminal Distributor of Dangerous Drugs license number 02-0886850, related to Danridge Nursing Home's illegal purchases of medical oxygen while operating without a Board-issued license.
5. On or about March 3, 2022 the Board sent a Notice of Opportunity for Hearing to Danridge Nursing Home, Inc., which outlined the allegations and provided notice of its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.

WHEREFORE, the parties desire to resolve the issues relating to the above-referenced findings without resorting to further administrative proceedings.

TERMS

NOW THEREFORE, in consideration of the mutual promises herein expressed, the parties knowingly and voluntarily agree as follows:

16. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
17. Danridge Nursing Home, Inc. neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated March 3, 2022]; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
18. Danridge Nursing Home, Inc. agrees to pay to the Board a monetary penalty the amount of \$750 This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Order. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.
19. The Board hereby imposes a written reprimand on Danridge Nursing Home, Inc.'s TDDD license, number 02-0886850.
20. Danridge Nursing Home, Inc. agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which it currently holds a professional license, including the Board on renewal applications or applications for a new license.

21. Danridge Nursing Home, Inc. agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Danridge Nursing Home, Inc. of the terms of one or more federal or state requirements may constitute sufficient grounds for further enforcement action related to any licenses granted to Danridge Nursing Home, Inc. by the Board and will NOT discharge Danridge Nursing Home, Inc. from any obligation under the terms of this Agreement.
 22. Danridge Nursing Home, Inc. agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
 23. Danridge Nursing Home, Inc. understands that it has the right to be represented by counsel for review and execution of this agreement.
 24. This Agreement is binding upon any and all successors, assigns, affiliates, and subsidiaries of the parties or any other corporation through whom or with whom Danridge Nursing Home, Inc. will operate.
 25. Danridge Nursing Home, Inc. waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.
 26. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
 27. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
 28. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
 29. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.
 30. This Agreement shall become effective upon the date of the Board President's signature below.
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R-2022-0495

Mr. Miller announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
Case No. A-2020-0761
501-3923**

**Sherif Mankaryous, RPh
License No. 03-129995
20774 Evergreen Trail
North Royalton, Ohio 44133**

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Sherif Mankaryous, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of an employee performing duties of a pharmacy technician without obtaining appropriate registration with the Board. Together, the Board and Sherif Mankaryous are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.16 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to Section 4729.16 of the Ohio Revised Code to practice pharmacy as in the state of Ohio.
2. Sherif Mankaryous is a licensed pharmacist in the state of Ohio under license number 03-129995.
3. Sherif Mankaryous is the Responsible Person of Akron Pharmacy, D.B.A. MAC Pharmacy (MAC Pharmacy), located at 879 E. Exchange Street, Akron, Ohio.

FACTS

4. The Board initiated an investigation of Sherif Mankaryous, pharmacist license number 03-129995, and MAC Pharmacy, related to an employee of MAC Pharmacy's performing duties of a pharmacy technician without obtaining appropriate registration with the Board.
5. On or about February 23, 2022, the Board sent a Notice of Opportunity for Hearing to Sherif Mankaryous, which outlined the allegations and provided notice of his right to a hearing, his rights in such hearing, and his right to submit contentions in writing.

WHEREFORE, the parties desire to resolve the issues relating to the above-referenced findings without resorting to further administrative or judicial proceedings.

TERMS

NOW THEREFORE, in consideration of the mutual promises herein expressed, the parties knowingly and voluntarily agree as follows:

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Sherif Mankaryous neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated February 23, 2022; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. Sherif Mankaryous agrees to pay to the Board a monetary penalty in the amount of \$250.00. This fine will be attached to Sherif Mankaryous' license record and must be paid no later than 180 days from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. The Board hereby imposes a written reprimand on Sherif Mankaryous' pharmacist license, number 03-129995.
5. Sherif Mankaryous agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
6. Sherif Mankaryous understands that he has the right to be represented by counsel for review and execution of this agreement.
7. Sherif Mankaryous agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which he currently holds a professional license, including to the Board on renewal applications or applications for a new license.
8. Sherif Mankaryous explicitly waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.
9. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
10. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.

11. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
12. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.
13. This Agreement shall become effective upon the date of the Board President's signature below.

R-2022-0496

Mr. Miller announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE NO. A-2020-0071**

**Cleveland Clinic Critical Care Transport
License No. 02-1946501**

c/o Dr. Damon Kralovic
2301 N. Marginal Road (Hangar 7)
Cleveland, OH 44114

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Cleveland Clinic Critical Care Transport for the purpose of resolving all issues between the parties relating to the Board investigation of operating without a Terminal Distributor of Dangerous Drugs license. Together, the Board and Cleveland Clinic Critical Care Transport are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.
2. Cleveland Clinic Critical Care Transport is a licensed Terminal Distributor of Dangerous Drugs under license number 02-1946501.

FACTS

1. The Board initiated an investigation of Cleveland Clinic Critical Care Transport, Terminal Distributor of Dangerous Drugs license number 02-1946501, related to Cleveland Clinic Critical Care Transport's operating without a Terminal Distributor of Dangerous Drugs license.
2. On or about October 28, 2021, the Board sent a Notice of Opportunity for Hearing to Cleveland Clinic Critical Care Transport, which outlined the allegations and provided notice of its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.
3. On or about November 23, 2021, Cleveland Clinic Critical Care Transport, through counsel Eric J. Plinke, timely requested an administrative hearing, which was subsequently scheduled for April 6, 2022.

WHEREFORE, the parties desire to resolve the issues relating to the above-referenced findings without resorting to further administrative or judicial proceedings.

TERMS

NOW THEREFORE, in consideration of the mutual promises herein expressed, the parties knowingly and voluntarily agree as follows:

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Cleveland Clinic Critical Care Transport neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated October 28, 2021; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. Cleveland Clinic Critical Care Transport agrees to pay to the Board a monetary penalty the amount of \$1,500.00. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.
4. The Board hereby imposes a written reprimand on Cleveland Clinic Critical Care Transport's TDDD license, number 02-1946501.
5. Cleveland Clinic Critical Care Transport agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which it currently holds a professional license, including the Board on renewal applications or applications for a new license.

6. Cleveland Clinic Critical Care Transport agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Cleveland Clinic Critical Care Transport of the terms of one or more federal or state requirements may constitute sufficient grounds for further enforcement action related to any licenses granted to Cleveland Clinic Critical Care Transport by the Board and will NOT discharge Cleveland Clinic Critical Care Transport from any obligation under the terms of this Agreement.
7. Cleveland Clinic Critical Care Transport agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
8. Cleveland Clinic Critical Care Transport understands that it has the right to be represented by counsel for review and execution of this agreement.
9. This Agreement is binding upon any and all successors, assigns, affiliates, and subsidiaries of the parties or any other corporation through whom or with whom Cleveland Clinic Critical Care Transport will operate.
10. Cleveland Clinic Critical Care Transport explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.
11. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
12. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
13. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
14. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.

15. This Agreement shall become effective upon the date of the Board President's signature below.

R-2022-0497

Mr. Miller announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE NO. A-2019-0133
500-9765**

CSL Behring, LLC
License No. 012649360
c/o Thomas Peters
1020 First Avenue
King of Prussia, PA 19406

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and CSL Behring, LLC for the purpose of resolving all issues between the parties relating to the Board investigation of sales of dangerous drugs while operating without a Board-issued license. Together, the Board and MD Buying Group, LLC are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.56 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to Section 4729.52 of the Ohio Revised Code.
2. CSL Behring, LLC, is a licensed Wholesaler Distributor of Dangerous Drug, License No. 012649360, which lists Thomas Peters, as the Responsible Person.

FACTS

1. The Board initiated an investigation of CSL Behring, LLC, Wholesaler Distributor of Dangerous Drugs License No. 012649350, related to CSL Behring, LLC's illegal sales of dangerous drugs without obtaining a Board-issued license.
2. On or about October 14, 2021, the Board sent a Notice of Opportunity for Hearing to CSL Behring, LLC, which outlined the allegations and provided notice of its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.

WHEREFORE, the parties desire to resolve the issues relating to the above-referenced findings without resorting to further administrative or judicial proceedings.

TERMS

NOW THEREFORE, in consideration of the mutual promises herein expressed, the parties knowingly and voluntarily agree as follows:

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. CSL Behring, LLC neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated October 14, 2021; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. CSL Behring, LLC agrees to pay to the Board a monetary penalty in the amount of \$35,000.00. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Order. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.
4. CSL Behring, LLC's Wholesale Distributor of Dangerous Drugs license will be issued subject to satisfactory completion of all application and inspection requirements and payment of the fine.
5. CSL Behring, LLC agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which it currently holds a professional license, including the Board on renewal applications or applications for a new license.
6. CSL Behring, LLC agrees to comply with all federal and state requirements related to Wholesale Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by CSL Behring, LLC of the terms of one or more federal or state requirements may constitute sufficient grounds for further enforcement action related to any licenses granted to CSL Behring, LLC by the Board and will NOT discharge CSL Behring, LLC from any obligation under the terms of this Agreement.

7. CSL Behring, LLC agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
8. CSL Behring, LLC understands that it has the right to be represented by counsel for review and execution of this agreement.
9. This Agreement is binding upon any and all successors, assigns, affiliates, and subsidiaries of the parties or any other corporation through whom or with whom CSL Behring, LLC will operate.
10. CSL Behring, LLC waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.
11. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
12. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
13. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
14. This Agreement shall become effective upon the date of the Board President's signature below.

R-2022-0498

Mr. Miller announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
Case No. A-2021-0404
M 501-5420**

**Peter Hopwood
License No. 06-0002989
1583 Old Drum Rd NE
Bolivar, Ohio 44612**

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Peter Hopwood for the purpose of

resolving all issues between the parties relating to the Board investigation of Peter Hopwood engaging in pharmacy technician duties during the time Peter Hopwood was not appropriately registered/licensed with the Board. Together, the Board and Peter Hopwood are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.16 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, or refuse to grant or renew any license issued pursuant to Section 4729.11 of the Ohio Revised Code to practice pharmacy as an intern in the State of Ohio.
2. Peter Hopwood is a licensed pharmacy intern in the State of Ohio under license number 06-0002989.

FACTS

1. The Board initiated an investigation of Peter Hopwood's pharmacy intern license, number 06-0002989, related to Peter Hopwood engaging in pharmacy technician duties during the time Peter Hopwood was not appropriately registered/licensed with the Board.
2. On or about February 25, 2022 the Board sent a Notice of Opportunity for Hearing to Peter Hopwood which outlined the allegations and provided notice of her right to a hearing, her rights in such hearing, and her right to submit contentions in writing.

WHEREFORE, the parties desire to resolve the issues relating to the above-referenced findings without resorting to further administrative proceedings.

TERMS

NOW THEREFORE, in consideration of the mutual promises herein expressed, the parties knowingly and voluntarily agree as follows:

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Peter Hopwood neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated February 25, 2022; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. Peter Hopwood agrees to pay to the OSBP the amount of amount of \$25.00. This fine will be attached to the registration record and must be paid no later than 180 days from the effective date of this Order.

To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.

4. The Board hereby imposes a written reprimand on Peter Hopwood's pharmacy intern license, number 06-0002989.
5. Peter Hopwood agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
6. Peter Hopwood understands that he has the right to be represented by counsel for review and execution of this agreement.
7. Peter Hopwood agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which he currently holds a professional license, including to the Board on renewal applications or applications for a new license.
8. Peter Hopwood waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.
9. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
10. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
11. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
12. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.
13. This Agreement shall become effective upon the date of the Board President's signature below.

R-2022-0499

Mr. Miller announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
Case No. A-2021-0413
I-2021-1079**

Rite Aid #7928
License No. 02-1913100

c/o Kevin Bruin, RPh
P.O. Box 3165
ATTN: Licensing
Harrisburg, PA 17105

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Rite Aid #7928 for the purpose of resolving all issues between the parties relating to the Board investigation of an employee performing duties of a pharmacy technician without obtaining and/or maintaining appropriate registration with the Board. Together, the Board and Rite Aid #7928 are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.
2. Rite Aid #7928 is a licensed Terminal Distributor of Dangerous Drugs under license number 02-1913100, which lists Kevin Bruin as the pharmacy's responsible person.

FACTS

1. The Board initiated an investigation of Rite Aid #7928, Terminal Distributor of Dangerous Drugs license number 02-1913100, related to an employee performing duties of a pharmacy technician without obtaining and/or maintaining appropriate registration with the Board.
2. On or about March 15, 2022 the Board sent a Notice of Opportunity for Hearing to Rite Aid #7928, which outlined the allegations and provided notice of its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.

WHEREFORE, the parties desire to resolve the issues relating to the above-referenced findings without resorting to further administrative or judicial proceedings.

TERMS

NOW THEREFORE, in consideration of the mutual promises herein expressed, the parties knowingly and voluntarily agree as follows:

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Rite Aid #7928 neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated March 15, 2022; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. Rite Aid #7928 agrees to pay to the Board a monetary penalty the amount of \$250.00. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Order. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.
4. The Board hereby imposes a written reprimand on Rite Aid #7928's TDDD license, number 02-1913100.
5. Rite Aid #7928 agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which it currently holds a professional license, including the Board on renewal applications or applications for a new license.
6. Rite Aid #7928 agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729, and the Rules adopted thereunder, Chapter 3719, and the Rules adopted thereunder, Chapter 3715, and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Rite Aid #7928 of the terms of one or more federal or state requirements may constitute sufficient grounds for further enforcement action related to any licenses granted to Rite Aid #7928 by the Board and will NOT discharge Rite Aid #7928 from any obligation under the terms of this Agreement.
7. Rite Aid #7928 agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
8. Rite Aid #7928 understands that it has the right to be represented by counsel for review and execution of this agreement.
9. This Agreement is binding upon any and all successors, assigns, affiliates, and subsidiaries of the parties or any other corporation through whom or with whom Rite Aid #7928 will operate.
10. Rite Aid #7928 waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119, of the Ohio Revised Code and waives any right to an appeal.

11. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
12. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
13. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
14. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.
15. This Agreement shall become effective upon the date of the Board President's signature below.

R-2022-0500

Mr. Miller announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
Case No. A-2021-0476
I-2021-0668**

**CVS/Pharmacy #1223
License No. 02-1627350**
c/o Kyle Gildow, RPh
3575 Broadway
Grove City, OH 43123

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and CVS Pharmacy #1223 for the purpose of resolving all issues between the parties relating to the Board investigation of an employee performing duties of a pharmacy technician without obtaining and/or maintaining appropriate registration with the Board. Together, the Board and CVS Pharmacy #1223 are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend,

revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.

2. CVS Pharmacy #1223 has an active TDDD license with the Board under license number 02-1627350, which lists Kyle Gildow, RPh, as the Responsible Person.

FACTS

1. The Board initiated an investigation of CVS Pharmacy #1223, TDDD license number 02-1627350, related to an employee performing duties of a pharmacy technician without obtaining and/or maintaining appropriate registration with the Board.
2. On or about February 25, 2022, the Board sent a Notice of Opportunity for Hearing to CVS Pharmacy #1223, which outlined the allegations and provided notice of its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.

WHEREFORE, the parties desire to resolve the issues relating to the above-referenced findings without resorting to further administrative or judicial proceedings.

TERMS

NOW THEREFORE, in consideration of the mutual promises herein expressed, the parties knowingly and voluntarily agree as follows:

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. CVS Pharmacy #1223 neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated February 25, 2022, however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. CVS Pharmacy #1223 agrees to pay to the Board a monetary penalty the amount of \$250.00. This fine will be attached to CVS Pharmacy #1223's license record and must be paid no later than 180 days from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. The Board hereby imposes a written reprimand on CVS Pharmacy #1223's TDDD license, number 02-1627350.
5. CVS Pharmacy #1223 agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which it currently holds a professional license,

including the Board on renewal applications or applications for a new license.

6. CVS Pharmacy #1223 agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by CVS/Pharmacy #1223 of the terms of one or more federal or state requirements may constitute sufficient grounds for further enforcement action related to any licenses granted to CVS/Pharmacy #1223 by the Board and will NOT discharge CVS/Pharmacy #1223 from any obligation under the terms of this Agreement.
7. CVS Pharmacy #1223 agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
8. CVS Pharmacy #1223 understands that it has the right to be represented by counsel for review and execution of this agreement.
9. This Agreement is binding upon any and all successors, assigns, affiliates, and subsidiaries of the parties or any other corporation through whom or with whom CVS/Pharmacy #1223 will operate.
10. CVS Pharmacy #1223 waives its opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to appeal.
11. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
12. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
13. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
14. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.
15. This Agreement shall become effective upon the date of the Board President's signature below.

R-2022-0501

Mr. Miller announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
Case No. A-2021-0310**

Debra Paola-Hohman, RPh
License No. 03-216787
7993 Cold Water Drive
Powell, OH 43065

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Debra Paola-Hohman, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of improper storage of COVID-19 vaccines. Together, the Board and Debra Paola-Hohman are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.16 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to Sections 4729.07 and 4729.08 of the Ohio Revised Code to practice pharmacy in the state of Ohio.
2. Debra Paola-Hohman is a licensed pharmacist in the state of Ohio under license number 03-216787.

FACTS

1. The Board initiated an investigation of Debra Paola-Hohman, pharmacist license number 03-216787, and Citywide RX, LLC, DBA Specialty RX, related to Specialty RX's improper storage of COVID-19 vaccines.
2. On or about December 10, 2021, the Board sent a Notice of Opportunity for Hearing to Debra Paola-Hohman, which outlined the allegations and provided notice of her right to a hearing, her rights in such hearing, and her right to submit contentions in writing.
3. On or about January 4, 2022, Debra Paola-Hohman, through counsel Gregory A. Tapocsi, timely requested an administrative hearing, which was subsequently scheduled for June 7, 2022.

WHEREFORE, the parties desire to resolve the issues relating to the above-referenced findings without resorting to further administrative or judicial proceedings.

TERMS

NOW THEREFORE, in consideration of the mutual promises herein expressed, the parties knowingly and voluntarily agree as follows:

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Debra Paola-Hohman neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated December 10, 2021; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. Debra Paola-Hohman agrees to pay to the Board a monetary penalty in the amount of \$750.00. This fine will be attached to Debra Paola-Hohman's license record and must be paid no later than 180 days from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. Debra Paola-Hohman must obtain six hours of approved continuing pharmacy education (0.6 CEUs) which may not also be used for license renewal. The 0.6 CEUs must be completed within six months from the effective date of this agreement. Copies of completed CEUs must be e-mailed to legal@pharmacy.ohio.gov.
5. The Board hereby imposes a written reprimand on Debra Paola-Hohman's pharmacist license, number 03-216787.
6. Debra Paola-Hohman may not serve as the Responsible Person for any entity holding a license issued by the Board for one year from the effective date of this agreement, unless otherwise approved by the Board.
7. Debra Paola-Hohman agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
8. Debra Paola-Hohman understands that she has the right to be represented by counsel for review and execution of this agreement.
9. Debra Paola-Hohman agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which she currently holds a professional license, including to the Board on renewal applications or applications for a new license.

10. Debra Paola-Hohman explicitly withdraws her request for a hearing, waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.
11. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
12. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
13. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
14. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.
15. This Agreement shall become effective upon the date of the Board President's signature below.

R-2022-0502

Mr. Miller announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE No. A-2019-0313
500-9753**

**Hyde Park Health Center
License No. 02-1780400**
c/o Michael Hanson
4001 Rosslyn Drive
Cincinnati, Ohio 45209

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Hyde Park Health Center for the purpose of resolving all issues between the parties relating to the Board investigation of illegal purchases of medical oxygen while operating without a Board-issued license. Together, the Board and Hyde Park Health Center are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.
2. Hyde Park Health Center has an inactive Terminal Distributor of Dangerous Drugs license under license number 02-1780400.

FACTS

1. The Board initiated an investigation of Hyde Park Health Center, Terminal Distributor of Dangerous Drugs license number 02-1780400, related to Hyde Park Health Center's illegal purchases of medical oxygen while operating without a Board-issued license.
2. On or about August 4, 2021 the Board sent a Notice of Opportunity for Hearing to Hyde Park Health Center, which outlined the allegations and provided notice of its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.

WHEREFORE, the parties desire to resolve the issues relating to the above-referenced findings without resorting to further administrative or judicial proceedings.

TERMS

NOW THEREFORE, in consideration of the mutual promises herein expressed, the parties knowingly and voluntarily agree as follows:

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Hyde Park Health Center neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated August 4, 2021; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. Hyde Park Health Center agrees to pay to the Board a monetary penalty the amount of \$1,800.00. This fine will be attached to your license record and must be paid no later than 30 days from the effective date of this Order. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.
4. Hyde Park Health Center agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which it currently holds a professional license, including the Board on renewal applications or applications for a new license.

5. Hyde Park Health Center agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Hyde Park Health Center of the terms of one or more federal or state requirements may constitute sufficient grounds for further enforcement action related to any licenses granted to Hyde Park Health Center by the Board and will NOT discharge Hyde Park Health Center from any obligation under the terms of this Agreement.
 6. Hyde Park Health Center agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
 7. Hyde Park Health Center understands that it has the right to be represented by counsel for review and execution of this agreement.
 8. This Agreement is binding upon any and all successors, assigns, affiliates, and subsidiaries of the parties or any other corporation through whom or with whom Hyde Park Health Center will operate.
 9. Hyde Park Health Center waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.
 10. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
 11. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
 12. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
 13. This Agreement shall become effective upon the date of the Board President's signature below.
-

R-2022-0503

Mr. Miller announced the following Settlement Agreement has been signed by all parties and is now effective:

IN THE MATTER OF:

**Case No. A-2021-0414
I-2021-1079**

Kevin Bruin, RPh
License No. 03-328613
1922 Jared Pl.
Lima, Ohio 45805

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Kevin Bruin, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of an employee performing duties of a pharmacy technician without obtaining and/or maintaining appropriate registration with the Board. Together, the Board and Kevin Bruin, RPh, are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.16 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to Section 4729.16 of the Ohio Revised Code to practice pharmacy as in the state of Ohio.
2. Kevin Bruin, RPh, is a licensed pharmacist in the state of Ohio under license number 03-328613.
3. Kevin Bruin, RPh, is the Responsible Person of Rite Aid Pharmacy #7928, located at 3230 West Elm Street, Lima Ohio 45805.

FACTS

1. The Board initiated an investigation of Kevin Bruin, RPh, pharmacist license number 03-328613, and Rite Aid Pharmacy #7928, related to an employee of Rite Aid Pharmacy #7928, performing duties of a pharmacy technician trainee without obtaining and/or maintaining appropriate registration with the Board.
2. On or about March 15, 2022, the Board sent a Notice of Opportunity for Hearing to Kevin Bruin, RPh, which outlined the allegations and provided notice of his right to a hearing, his rights in such hearing, and his right to submit contentions in writing.

WHEREFORE, the parties desire to resolve the issues relating to the above-referenced findings without resorting to further administrative or judicial proceedings.

TERMS

NOW THEREFORE, in consideration of the mutual promises herein expressed, the parties knowingly and voluntarily agree as follows:

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Kevin Bruin, RPh, neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated March 15, 2022; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. Kevin Bruin, RPh, agrees to pay to the Board a monetary penalty in the amount of \$250.00. This fine will be attached to Kevin Bruin, RPh, license record and must be paid no later than 180 days from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. The Board hereby imposes a written reprimand on Kevin Bruin's pharmacist license, number 03-328613.
5. Kevin Bruin agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
6. Kevin Bruin understands that she has the right to be represented by counsel for review and execution of this agreement.
7. Kevin Bruin agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which she currently holds a professional license, including to the Board on renewal applications or applications for a new license.
8. Kevin Bruin explicitly waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.
9. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
10. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
11. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
12. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be

deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.

13. This Agreement shall become effective upon the date of the Board President's signature below.

3:24 p.m.

The Board recessed for the day.

Tuesday, April 5, 2022

9:04 a.m.

The State of Ohio Board of Pharmacy convened in the Hearing Room, 17th Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, for a public meeting, which was also broadcast via Microsoft Teams audio/visual conference call, with the following members present:

Rich Miller, RPh, *Presiding*; Shawn Wilt, RPh, *Vice President*; Trina Buettner, RPh; Jason George, RPh; Victor Goodman, *Public Member*; TJ Grimm, RPh; Jeff Huston, RPh; and Jennifer Rudell, RPh.

Sharon Maerten-Moore, *Chief Legal Counsel*; Joseph Koltak, *Senior Legal Counsel*; Ashley Gilbert, *Senior Legal Counsel*; Michelle Bohan, *Associate Legal Counsel*; Kathryn Lewis, *Legal Administrator*.

R-2022-0504

After votes were taken in public session, the Board adopted the following order in the Matter of **Leanne McCoy, Strongsville, Ohio.**

BEFORE THE STATE OF OHIO BOARD OF PHARMACY

| | | |
|-------------------------|---|--|
| In the Matter of | : | |
| | : | Case No. A-2019-0247 |
| Leanne McCoy | : | |
| 13142 Richards Drive | : | |
| Strongsville, OH 44017 | : | Pending Reg. No. APP- 000230894 |
| Respondent. | : | |

FINAL ORDER OF THE STATE OF OHIO BOARD OF PHARMACY

Leanne McCoy ("Respondent") submitted an application for registration as a pharmacy technician trainee ("Application") to the State of Ohio Board of Pharmacy on March 18, 2019. The Board issued a Notice of Opportunity for Hearing/Proposal to Deny Application for Technician Registration ("Notice") to Respondent on November 8, 2021. Respondent received the Notice, via certified mail return receipt requested, on November 10, 2021. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held, and the matter was brought before the Board on April 5, 2022, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

WHEREFORE, after review of the administrative record, the Board finds that Respondent was legally served with the Notice and informed of the allegations contained therein and the rights afforded pursuant to ORC Chapter 119.

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.96(A)(1) and Ohio Administrative Code (OAC) 4729:3-4-01(B), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.96(A)(2) and OAC 4729:3-4-01(C) and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. Respondent's Application is DENIED.
2. Respondent may not reapply for any license or registration over which the State of Ohio Board of Pharmacy has jurisdiction, including those set forth in Chapters 3719., 3796., 4729. or 4752. of the Revised Code, unless Respondent provides a Certificate of Qualification Employment (CQE) for Board consideration and review.
3. Respondent is prohibited from working or otherwise serving in any capacity that requires a license or registration under ORC Chapter 4729.

Service of this Order shall be perfected in accordance with the requirements of Chapter 119. of the Revised Code.

Shawn Wilt, RPh, moved for the findings of fact, conclusions of law, and decision of the Board. TJ Grimm, RPh, seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

R-2022-0505

After votes were taken in public session, the Board adopted the following order in the Matter of **Melinda Perkins, Warren, Ohio.**

BEFORE THE STATE OF OHIO BOARD OF PHARMACY

| | | |
|----------------------------------|---|------------------------------|
| In the Matter of | : | |
| | : | Case No. A-2021-0037 |
| Melinda Perkins | : | |
| 8256 E. Market Street, Suite 111 | : | |
| Warren, OH 44484 | : | Pending Reg. No. APP- |
| | : | 000376213 |
| | : | |
| Respondent. | : | |

FINAL ORDER OF THE STATE OF OHIO BOARD OF PHARMACY

Melinda Perkins ("Respondent") submitted an application for registration as a pharmacy technician trainee ("Application") to the State of Ohio Board of Pharmacy on September 27, 2020. The Board issued a Notice of Opportunity for Hearing/Proposal to Deny Application for Technician Registration ("Notice") to Respondent on April 9, 2021. The Board became aware that the Notice was returned and marked "Not Deliverable" on April 27, 2021. The Board re-issued the Notice, via certified mail return receipt requested, on July 6, 2021. Delivery was confirmed via USPS Form 3811 which was returned to the Board on July 13, 2021. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held

and the matter was brought before the Board on April 4, 2021, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

WHEREFORE, after review of the administrative record, the Board finds that Respondent was legally served with the Notice and informed of the allegations contained therein and the rights afforded pursuant to ORC Chapter 119.

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.96(A)(1) and Ohio Administrative Code (OAC) 4729:3-4-01(B), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.96(A)(2) and OAC 4729:3-4-01(C) and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. Respondent's Application is DENIED.
2. Respondent may not reapply for any license or registration over which the State of Ohio Board of Pharmacy has jurisdiction, including those set forth in Chapters 3719., 3796., 4729. or 4752. of the Revised Code.
3. Respondent is prohibited from working or otherwise serving in any capacity that requires a license or registration under ORC Chapter 4729.

Service of this Order shall be perfected in accordance with the requirements of Chapter 119. of the Revised Code.

Shawn Wilt RPh, moved for the findings of fact, conclusions of law, and decision of the Board. T.J. Grimm, RPh, seconded the motion. Motion passed (Yes-7/No-0).

SO ORDERED.

R-2022-0506

After votes were taken in public session, the Board adopted the following order in the Matter of **Latrice Gillison, Cincinnati, Ohio**.

BEFORE THE STATE OF OHIO BOARD OF PHARMACY

| | | |
|-------------------------|---|---------------------------------------|
| In the Matter of | : | |
| | : | Case No. A-2021-0102 |
| Latrice Gillison | : | |
| 3317 Drexel Place Apt 2 | : | Pending Reg. No. APP-000408715 |
| Cincinnati, Ohio 45229 | : | |
| | : | |
| Respondent. | : | |

FINAL ORDER OF THE STATE OF OHIO BOARD OF PHARMACY

Latrice Gillison ("Respondent") submitted an application for registration as a pharmacy technician trainee ("Application") to the State of Ohio Board of Pharmacy on November 6, 2020. The Board issued a Notice of Opportunity for Hearing/Proposal to Deny Application for Technician Registration ("Notice") to Respondent on April 12, 2021. The Board became aware that the Notice was marked "in transit" as of May 3, 2021. Because the Board could not confirm delivery, the Notice was remailed to Respondent on July 16, 2021. The Board became aware that the Notice was marked "insufficient address". The address above was located and Respondent received the Notice, via certified mail, return receipt requested, on July 22, 2021. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held and the matter was brought before the Board on April 5, 2022, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

WHEREFORE, after review of the administrative record, the Board finds that Respondent was legally served with the Notice and informed of the allegations contained therein and the rights afforded pursuant to ORC Chapter 119.

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.96(A)(1) and Ohio Administrative Code (OAC) 4729:3-4-01(B), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.96(A)(2) and OAC 4729:3-4-01(C) and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. Respondent's Application is DENIED.
2. Respondent may not apply for any license or registration over which the Board has jurisdiction, including those set forth in ORC Chapters 3719., 3796., 4729. or 4752., for a period of at least twenty-four months from the date of this Order, as set forth in OAC 4729:3-1-01(U).
3. Respondent is prohibited from working or otherwise serving in any capacity that requires a license or registration under ORC Chapter 4729.

Service of this Order shall be perfected in accordance with the requirements of ORC Chapter 119.

Shawn Wilt, RPh, moved for the findings and decision of the Board. T.J. Grimm, RPh, seconded the motion. Motion passed (Yes-7/No-0).

SO ORDERED.

R-2022-0507

After votes were taken in public session, the Board adopted the following order in the Matter of **Vijoy Prasad, Xenia, Ohio.**

BEFORE THE STATE OF OHIO BOARD OF PHARMACY

| | | |
|-------------------------|---|---------------------------------------|
| In the Matter of | : | |
| | : | Case No. A-2019-0530 |
| Vijoy Prasad | : | |
| 1861 Red Robin Drive S. | : | Pending Reg. No. APP-000299209 |
| Xenia, OH 45385 | : | |
| | : | |
| Respondent. | : | |

FINAL ORDER OF THE STATE OF OHIO BOARD OF PHARMACY

Vijoy Prasad ("Respondent") submitted an application for registration as a pharmacy technician trainee ("Application") to the State of Ohio Board of Pharmacy on September 23, 2019. The Board issued a Notice of Opportunity for Hearing/Proposal to Deny Application for Technician Registration ("Notice") to Respondent on October 8, 2021. Respondent received the Notice, via certified mail, return receipt requested, on October 12, 2021. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held and the matter was brought before the Board on April 5, 2022, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

WHEREFORE, after review of the administrative record, the Board finds that Respondent was legally served with the Notice and informed of the allegations contained therein and the rights afforded pursuant to ORC Chapter 119.

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.96(A)(1) and Ohio Administrative Code (OAC) 4729:3-4-01(B), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.96(A)(2) and OAC 4729:3-4-01(C) and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. Respondent's Application is DENIED.
2. Respondent may not apply for any license or registration over which the Board has jurisdiction, including those set forth in ORC Chapters 3719., 3796., 4729. or 4752., for a period of at least twenty-four months from the date of this Order, as set forth in OAC 4729:3-1-01(U).

3. Respondent is prohibited from working or otherwise serving in any capacity that requires a license or registration under ORC Chapter 4729.

Service of this Order shall be perfected in accordance with the requirements of ORC Chapter 119.

Shawn Wilt, RPh, moved for the findings and decision of the Board. T.J. Grimm, RPh, seconded the motion. Motion passed (Yes-7/No-0).
SO ORDERED.

R-2022-0508

After votes were taken in public session, the Board adopted the following order in the Matter of **April Ball, Bellefontaine, Ohio.**

BEFORE THE STATE OF OHIO BOARD OF PHARMACY

| | | |
|---------------------------|---|------------------------------|
| In the Matter of | : | |
| | : | Case No. A-2019-0132 |
| April Ball | : | |
| 4175 County Road 55 | : | License No. 09-208332 |
| Bellefontaine, Ohio 43311 | : | |
| | : | |
| Respondent. | : | |

FINAL ORDER OF THE STATE OF OHIO BOARD OF PHARMACY

April Ball ("Respondent") was issued a registration as a registered pharmacy technician by the State of Ohio Board of Pharmacy on March 16, 2020. The Board issued a Notice of Opportunity for Hearing ("Notice") to Respondent on July 13, 2021. Respondent received the Notice, via certified mail, return receipt requested, on July 23, 2021. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held and the matter was brought before the Board on April 5, 2022, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

WHEREFORE, after review of the administrative record, the Board finds that Respondent was legally served with the Notice and informed of the allegations contained therein and the rights afforded pursuant to ORC Chapter 119.

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.96(A)(1) and Ohio Administrative Code (OAC) 4729:3-4-01(B), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.96(A)(2) and OAC 4729:3-4-01(C) and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. The Board hereby imposes a written reprimand on Respondent's registered pharmacy technician registration, no. 09-208332.
2. April Ball must obtain two hours of approved continuing pharmacy education (0.2 CEUs) which may not also be used for registration renewal or for purposes of obtaining/maintaining registered or certified pharmacy technician certification. The 0.2 CEUs must be completed within six months from the effective date of this agreement. Copies of completed CEUs must be e-mailed to legal@pharmacy.ohio.gov.
3. This Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which Respondent currently holds a professional license, including to the Board on renewal applications or applications for a new license or registration.

Service of this Order shall be perfected in accordance with the requirements of ORC Chapter 119.

Shawn Wilt, RPh, moved for the findings and decision of the Board. T.J. Grimm, RPh, seconded the motion. Motion passed (Yes-7/No-0).

SO ORDERED.

R-2022-0509

After votes were taken in public session, the Board adopted the following order in the Matter of **Carol Bates, Elyria, Ohio**.

BEFORE THE STATE OF OHIO BOARD OF PHARMACY

| | | |
|-------------------------|---|------------------------------|
| In the Matter of | : | |
| | : | Case No. A-2020-0597 |
| Carol Bates | : | |
| 156 Courtland Street | : | License No. 09-212228 |
| Elyria, OH 44035 | : | |
| | : | |
| Respondent. | : | |

FINAL ORDER OF THE STATE OF OHIO BOARD OF PHARMACY

Carol Bates ("Respondent") was issued a registration as a registered pharmacy technician by the State of Ohio Board of Pharmacy on September 10, 2019. The Board issued a Notice of Opportunity for Hearing ("Notice") to Respondent on September 23, 2021. Respondent received the Notice, via certified mail return receipt requested, on September 27, 2021. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held and the matter was brought before the Board on April 5, 2022, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

WHEREFORE, after review of the administrative record, the Board finds that Respondent was legally served with the Notice and informed of the allegations contained therein and the rights afforded pursuant to ORC Chapter 119.

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.96(A)(1) and Ohio Administrative Code (OAC) 4729:3-4-01(B), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.96(A)(2) and OAC 4729:3-4-01(C) and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. The Board hereby imposes a written reprimand on Respondent's registered pharmacy technician registration, no. 09-212228.
2. The Board hereby imposes a fine in the amount of \$100.00. This fine will be attached to the registration record and must be paid no later than 6 months from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
3. This Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which Respondent currently holds a professional license, including to the Board on renewal applications or applications for a new license or registration.

Service of this Order shall be perfected in accordance with the requirements of ORC Chapter 119.

Shawn Wilt, RPh, moved for the findings of fact, conclusions of law, and decision of the Board. TJ Grimm, RPh, seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

R-2022-0510

After votes were taken in public session, the Board adopted the following order in the Matter of **Haleigh Gingras, Waterford, Ohio.**

BEFORE THE STATE OF OHIO BOARD OF PHARMACY

| | | |
|-------------------------|---|------------------------------|
| In the Matter of | : | |
| | : | Case No. A-2021-0149 |
| Haleigh Gingras | : | |
| 373 Stiers Rd | : | License No. 09-117250 |
| Waterford, OH 45786 | : | |
| | : | |
| Respondent. | : | |

FINAL ORDER OF THE STATE OF OHIO BOARD OF PHARMACY

Haleigh Gingras ("Respondent") was issued a registration as a pharmacy technician trainee by the State of Ohio Board of Pharmacy on February 25, 2021. The Board issued a Notice of Opportunity for Hearing ("Notice") to Respondent on June 16, 2021. Respondent received the Notice, via certified mail return receipt requested, on June 25, 2021. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held, and the matter was brought before the Board on April 4, 2022, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

WHEREFORE, after review of the administrative record, the Board finds that Respondent was legally served with the Notice and informed of the allegations contained therein and the rights afforded pursuant to ORC Chapter 119.

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.96(A)(1) and Ohio Administrative Code (OAC) 4729:3-4-01(B), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.96(A)(2) and OAC 4729:3-4-01(C) and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. The Board hereby imposes a written reprimand on Respondent's pharmacy technician trainee registration, no. 09-117250.
2. The Board hereby imposes a fine in the amount of \$25.00. This fine will be attached to the registration record and must be paid no later than 180 days from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
3. This Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which Respondent currently holds a professional license, including to the Board on renewal applications or applications for a new license or registration.

Service of this Order shall be perfected in accordance with the requirements of ORC Chapter 119.

Shawn Wilt, RPh, moved for the findings and decision of the Board. T.J. Grimm, RPh, seconded the motion. Motion passed (Yes-7/No-0).

SO ORDERED.

R-2022-0511

After votes were taken in public session, the Board adopted the following order in the Matter of **Cathy Wilson, Oregon, Ohio.**

BEFORE THE STATE OF OHIO BOARD OF PHARMACY

| | | |
|-----------------------------|---|------------------------------|
| In the Matter of | : | |
| | : | Case No. A-2021-0251 |
| Cathy Wilson | : | |
| 3525 Navarre Ave., Apt. F35 | : | License No. 09-316141 |
| Oregon, OH 43616 | : | |
| | : | |
| Respondent. | : | |

FINAL ORDER OF THE STATE OF OHIO BOARD OF PHARMACY

Cathy Wilson ("Respondent") was issued a registration as a certified pharmacy technician by the State of Ohio Board of Pharmacy on August 19, 2021. The Board issued a Notice of Opportunity for Hearing ("Notice") to Respondent on October 20, 2021. Respondent received the Notice, via certified mail return receipt requested, on November 4, 2021. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held, and the matter was brought before the Board on April 5, 2022, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

WHEREFORE, after review of the administrative record, the Board finds that Respondent was legally served with the Notice and informed of the allegations contained therein and the rights afforded pursuant to ORC Chapter 119.

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.96(A)(1) and Ohio Administrative Code (OAC) 4729:3-4-01(B), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.96(A)(2) and OAC 4729:3-4-01(C) and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. The Board hereby imposes a written reprimand on Respondent's certified pharmacy technician registration, no. 09-316141.
2. The Board hereby imposes a fine in the amount of \$50.00. This fine will be attached to the registration record and must be paid no later than 6 months from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
3. This Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which Respondent currently holds a professional license, including to the Board on renewal applications or applications for a new license or registration.

Service of this Order shall be perfected in accordance with the requirements of ORC Chapter 119.

Shawn Wilt, RPh, moved for the findings of fact, conclusions of law, and decision of the Board. TJ Grimm, RPh, seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

R-2022-0512

After votes were taken in public session, the Board adopted the following order in the Matter of **Elizabeth Walton, Ashland, Ohio.**

BEFORE THE STATE OF OHIO BOARD OF PHARMACY

| | | |
|-------------------------|---|------------------------------|
| In the Matter of | : | |
| | : | Case No. A-2019-0484 |
| Elizabeth Walton | : | |
| 1940 Twp. Road 1215 | : | License No. 09-304871 |
| Ashland, OH 44805 | : | |
| | : | |
| Respondent. | : | |

FINAL ORDER OF THE STATE OF OHIO BOARD OF PHARMACY

Elizabeth Walton ("Respondent") was issued a registration as a certified pharmacy technician by the State of Ohio Board of Pharmacy on March 29, 2018. The Board issued a Notice of Opportunity for Hearing ("Notice") to Respondent on August 30, 2021. Respondent received the Notice, via certified mail, return receipt requested, on September 14, 2021. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held and the matter was brought before the Board on April 5, 2022, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

WHEREFORE, after review of the administrative record, the Board finds that Respondent was legally served with the Notice and informed of the allegations contained therein and the rights afforded pursuant to ORC Chapter 119.

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.96(A)(1) and Ohio Administrative Code (OAC) 4729:3-4-01(B), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.96(A)(2) and OAC 4729:3-4-01(C) and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. The Board hereby imposes a written reprimand on Respondent's certified pharmacy technician registration, no. 09-304871.
2. The Board hereby imposes a fine in the amount of \$100.00. The fine is stayed and shall be imposed as a condition prior to licensure or registration, should Respondent apply for and be granted a license or registration over which the Board has jurisdiction, including those set forth in Chapters 3719., 3796., 4729. or 4752. of the Revised Code.
3. This Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which Respondent currently holds a professional license, including to the Board on renewal applications or applications for a new license or registration.

Service of this Order shall be perfected in accordance with the requirements of ORC Chapter 119.

Shawn Wilt, RPh, moved for the findings and decision of the Board. T.J. Grimm, RPh, seconded the motion. Motion passed (Yes-7/No-0).

SO ORDERED.

R-2022-0513

Mr. Miller announced the dismissal of the Notice of Opportunity for Hearing issued on September 23, 2021, in the matter of **Michael Henry, Newark, Ohio.**

R-2022-0514

After votes were taken in public session, the Board adopted the following order in the Matter of **Joseph Henderson, Toledo, Ohio.**

BEFORE THE STATE OF OHIO BOARD OF PHARMACY

| | | |
|-------------------------|---|------------------------------|
| In the Matter of | : | |
| | : | Case No. A-2021-0120 |
| Joseph Henderson | : | |
| 5911 Pickard Drive | : | License No. 09-213051 |
| Toledo, OH 43613 | : | |
| | : | |
| Respondent. | : | |

FINAL ORDER OF THE STATE OF OHIO BOARD OF PHARMACY

Joseph Henderson ("Respondent") was issued a registration as a Registered pharmacy technician by the State of Ohio Board of Pharmacy on March 10, 2020. The Board issued a Summary Suspension/Notice of Opportunity for Hearing ("Notice") to Respondent on April 12, 2021. The original Notice was sent to the Respondent via certified mail, return receipt requested. That mailing was returned to the Board unclaimed. The original Notice was served via ordinary mail in accordance with R.C.

119.07 on June 22, 2021. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held and the matter was brought before the Board on April 4, 2021, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

WHEREFORE, after review of the administrative record, the Board finds that Respondent was legally served with the Notice and informed of the allegations contained therein and the rights afforded pursuant to ORC Chapter 119.

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.96(A)(1) and Ohio Administrative Code (OAC) 4729:3-4-01(B), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.96(A)(2) and OAC 4729:3-4-01(C) and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. Respondent's Registration as a Registered pharmacy technician, No. 09-213051, is REVOKED.
2. Notwithstanding the definition of "Revoke" in OAC 4729:3-1-01, Respondent may not apply for any license or registration over which the Board has jurisdiction, including those set forth in ORC Chapters 3719., 3796., 4729. or 4752., for a period of at least twenty-four months from the date of this Order.
3. Respondent may only apply for a license or registration, as described above in Paragraph (2), if he provides satisfactory proof to the Board that he is no longer addicted to or abusing liquor or drugs or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy, to include at minimum, unless otherwise approved by the Board:
 - a. Successful completion of a Board-approved or court-ordered treatment program; and
 - b. Continuous participation in a Board-approved monitoring program for no less than 24 months, to include all components set forth in OAC 4729:4-1-04.
4. Respondent is prohibited from working or otherwise serving in any capacity that requires a license or registration under ORC Chapter 4729.

Service of this Order shall be perfected in accordance with the requirements of ORC Chapter 119.

Shawn Wilt, RPh, moved for the findings and decision of the Board. T.J. Grimm, RPh, seconded the motion. Motion passed (Yes-7/No-0).

SO ORDERED.

R-2022-0515

After votes were taken in public session, the Board adopted the following order in the Matter of **Stephanie Hamman, Maumee, Ohio.**

BEFORE THE STATE OF OHIO BOARD OF PHARMACY

| | | |
|------------------------------|---|------------------------------|
| In the Matter of | : | |
| | : | Case No. A-2021-0332 |
| Stephanie Hamman | : | |
| 6391 Glenhurst Drive, Apt. 3 | : | License No. 09-117603 |
| Maumee, OH 43537 | : | |
| | : | |
| Respondent. | : | |

FINAL ORDER OF THE STATE OF OHIO BOARD OF PHARMACY

Stephanie Hamman ("Respondent") was issued a registration as a pharmacy technician trainee by the State of Ohio Board of Pharmacy on March 18, 2021. The Board issued a Summary Suspension/Notice of Opportunity for Hearing ("Notice") to Respondent on August 6, 2021. Respondent received the Notice, via certified mail, return receipt requested, on August 16, 2021. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held and the matter was brought before the Board on April 5, 2022, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

WHEREFORE, after review of the administrative record, the Board finds that Respondent was legally served with the Notice and informed of the allegations contained therein and the rights afforded pursuant to ORC Chapter 119.

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.96(A)(1) and Ohio Administrative Code (OAC) 4729:3-4-01(B), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.96(A)(2) and OAC 4729:3-4-01(C) and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. Respondent's Registration as a certified pharmacy technician, No. 09-117603, is REVOKED.
2. Notwithstanding the definition of "Revoke" in OAC 4729:3-1-01, Respondent may not apply for any license or registration over which the Board has jurisdiction, including those set forth in ORC Chapters

3719., 3796., 4729. or 4752., for a period of at least twenty-four months from the date of this Order.

3. Respondent may only apply for a license or registration, as described above in Paragraph (2), if she provides satisfactory proof to the Board that she is no longer addicted to or abusing liquor or drugs or impaired physically or mentally to such a degree as to render her unfit to practice pharmacy, to include at minimum, unless otherwise approved by the Board:
 - a. Successful completion of a Board-approved or court-ordered treatment program; and
 - b. Continuous participation in a Board-approved monitoring program for no less than 24 months, to include all components set forth in OAC 4729:4-1-04.
4. Respondent is prohibited from working or otherwise serving in any capacity that requires a license or registration under ORC Chapter 4729.

Service of this Order shall be perfected in accordance with the requirements of ORC Chapter 119.

Shawn Wilt, RPh, moved for the findings and decision of the Board. T.J. Grimm, RPh, seconded the motion. Motion passed (Yes-7/No-0).

SO ORDERED.

R-2022-0516

After votes were taken in public session, the Board adopted the following order in the Matter of **Amber Elzey, Mentor, Ohio.**

BEFORE THE STATE OF OHIO BOARD OF PHARMACY

| | | |
|-------------------------|---|------------------------------|
| In the Matter of | : | |
| | : | Case No. A-2021-0319 |
| Amber Elzey | : | |
| 4798 Forest Road | : | License No. 09-312702 |
| Mentor, OH 44060 | : | |
| | : | |
| Respondent. | : | |

FINAL ORDER OF THE STATE OF OHIO BOARD OF PHARMACY

Amber Elzey ("Respondent") was issued a registration as a certified pharmacy technician by the State of Ohio Board of Pharmacy on November 20, 2018 and renewed on June 21, 2021. The Board issued a Summary Suspension/Notice of Opportunity for Hearing ("Notice") to Respondent on July 30, 2021. The Board became aware that the Notice was marked "Unclaimed" on August 31, 2021. The Board re-issued the

Notice, via ordinary mail on September 10, 2021. The Notice was not returned for failure of delivery. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held and the matter was brought before the Board on April 5, 2022, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

WHEREFORE, after review of the administrative record, the Board finds that Respondent was legally served with the Notice and informed of the allegations contained therein and the rights afforded pursuant to ORC Chapter 119.

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.96(A)(1) and Ohio Administrative Code (OAC) 4729:3-4-01(B), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.96(A)(2) and OAC 4729:3-4-01(C) and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. Respondent's Registration as a certified pharmacy technician, No. 09-312702, is REVOKED.
2. Notwithstanding the definition of "Revoke" in OAC 4729:3-1-01, Respondent may not apply for any license or registration over which the Board has jurisdiction, including those set forth in ORC Chapters 3719., 3796., 4729. or 4752., for a period of at least twenty-four months from the date of this Order.
3. Respondent may only apply for a license or registration, as described above in Paragraph (2), if she provides satisfactory proof to the Board that she is no longer addicted to or abusing liquor or drugs or impaired physically or mentally to such a degree as to render her unfit to practice pharmacy, to include at minimum, unless otherwise approved by the Board:
 - a. Successful completion of a Board-approved or court-ordered treatment program; and
 - b. Continuous participation in a Board-approved monitoring program for no less than 24 months, to include all components set forth in OAC 4729:4-1-04.
4. Respondent is prohibited from working or otherwise serving in any capacity that requires a license or registration under ORC Chapter 4729.

Service of this Order shall be perfected in accordance with the requirements of ORC Chapter 119.

Shawn Wilt, RPh, moved for the findings and decision of the Board. T.J. Grimm, RPh, seconded the motion. Motion passed (Yes-7/No-0).

SO ORDERED.

R-2022-0517

After votes were taken in public session, the Board adopted the following order in the Matter of **Rachael Morrison, Lakewood, Ohio.**

BEFORE THE STATE OF OHIO BOARD OF PHARMACY

| | | |
|-------------------------|---|---|
| In the Matter of | : | |
| | : | Case No. A-2021-0220 |
| Rachael Morrison | : | |
| 2238 Carabel Avenue | : | Revoked Registration No. 09-309957 |
| Lakewood, OH 44107 | : | |
| | : | |
| Respondent. | : | |

FINAL ORDER OF THE STATE OF OHIO BOARD OF PHARMACY

Rachael Morrison ("Respondent") was issued a registration as a certified pharmacy technician by the State of Ohio Board of Pharmacy on October 1, 2020. The Board issued a Summary Suspension/Notice of Opportunity for Hearing ("Notice"), on or about June 7, 2021, via certified mail, return receipt requested. The Board became aware that the Notice was marked "Unclaimed" on July 10, 2021. The Board re-issued the Notice, via ordinary mail on July 30, 2021. The Notice was not returned for failure of delivery. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held and the matter was brought before the Board on April 5, 2022, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

WHEREFORE, after review of the administrative record, the Board finds that Respondent was legally served with the Notice and informed of the allegations contained therein and the rights afforded pursuant to ORC Chapter 119.

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.96(A)(1) and Ohio Administrative Code (OAC) 4729:3-4-01(B), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.96(A)(2) and OAC 4729:3-4-01(C) and all violations of law as described in the Notice. The Board further finds the conduct to be of such an egregious nature that employment in a facility containing dangerous drugs, including controlled substances, and providing services that impact the public's health and safety warrant a permanent prohibition on applying for any license or registration over which the Board has jurisdiction as set forth below. Based on the findings contained herein, the Board ORDERS as follows:

1. Respondent's Registration as a pharmacy technician trainee, No. 09-309957, is PERMANENTLY REVOKED.
2. Respondent is prohibited from working or otherwise serving in any capacity that requires a license or registration under ORC Chapter 4729.

Service of this Order shall be perfected in accordance with the requirements of ORC Chapter 119.

Shawn Wilt, RPh, moved for the findings and decision of the Board. T.J. Grimm, RPh, seconded the motion. Motion passed (Yes-7/No-0).

SO ORDERED.

R-2022-0518

After votes were taken in public session, the Board adopted the following order in the Matter of **Michael Jones, Elyria, Ohio**.

BEFORE THE STATE OF OHIO BOARD OF PHARMACY

| | | |
|-------------------------------------|---|---------------------------------|
| In the Matter of | : | |
| | : | Case No. A-2021-0169 |
| Michael Jones | : | |
| 900 Hunters Crossing Drive, Apt 211 | : | Revoked Registration No. |
| 09-116432 | : | |
| Elyria, Ohio 44035 | : | |
| | : | |
| Respondent. | : | |

FINAL ORDER OF THE STATE OF OHIO BOARD OF PHARMACY

Michael Jones ("Respondent") was issued a registration as a pharmacy technician trainee by the State of Ohio Board of Pharmacy on January 6, 2021. The Board issued a Summary Suspension/Notice of Opportunity for Hearing ("Notice"), on or about May 11, 2021, via certified mail, return receipt requested. The Board became aware that the Notice was marked "Insufficient Address" on June 12, 2021. The Board re-issued the Notice, via certified mail and the Notice was served upon Respondent on July 19, 2021. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held and the matter was brought before the Board on April 5, 2022, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

WHEREFORE, after review of the administrative record, the Board finds that Respondent was legally served with the Notice and informed of the allegations contained therein and the rights afforded pursuant to ORC Chapter 119.

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.96(A)(1) and Ohio Administrative Code (OAC) 4729:3-4-01(B), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.96(A)(2) and OAC 4729:3-4-01(C) and all violations of law as described in the Notice. The Board further finds the conduct to be of such an egregious nature that employment in a facility containing dangerous drugs, including controlled substances, and providing services that impact the public's health and safety warrant a permanent prohibition on applying for any license or registration over which the Board has jurisdiction as set forth below. Based on the findings contained herein, the Board ORDERS as follows:

1. Respondent's Registration as a pharmacy technician trainee, No. 09-116432, is PERMANENTLY REVOKED.
2. Respondent is prohibited from working or otherwise serving in any capacity that requires a license or registration under ORC Chapter 4729.

Service of this Order shall be perfected in accordance with the requirements of ORC Chapter 119.

Shawn Wilt, RPh, moved for the findings and decision of the Board. T.J. Grimm, RPh, seconded the motion. Motion passed (Yes-7/No-0).

SO ORDERED.

R-2022-0519

After hearing Mr. Flaharty discuss the significant facts regarding the activities of Pharmacy Technician Trainee, **Autumn Rutherford, Vermillion, Ohio**, Ms. Rudell moved that the Board summarily suspend the Pharmacy Technician Trainee Registration belonging to Autumn Rutherford, Vermillion, Ohio. The motion was seconded by Ms. Buettner and approved by the Board: Yes-7, No-0.

9:17 a.m.

Mr. McNamee proposed amendments of rule OAC 4729:9-1-01.2 - Temporary Scheduling.

R-2022-0520

Mr. Huston moved that the Board amend rule OAC 4729:9-1-01.2 - Temporary Scheduling for filing with JCARR. The motion was seconded by Ms. Buettner and approved by the Board: Yes-7, No-0.

9:21 a.m.

Mr. McNamee proposed amendments of rule OAC 4729:5-11-XX - Ownership and Operation.

R-2022-0521

Ms. Rudell moved that the Board amend rule OAC 4729:5-11-XX - Ownership and Operation for filing with CSI and JCARR. The motion was seconded by Mr. Huston and approved by the Board: Yes-7, No-0.

9:23 a.m. Mr. McNamee provided the Legislative Report.

R-2022-0522 Mr. Wilt moved that the Board go into Executive Session to consider the investigation of charges or complaints against a licensee, confer with Board counsel regarding a pending or imminent court action and to discuss matters required to be confidential by law pursuant to Section 121.22(G)(1), (3) & (5) of the Ohio Revised. The motion was seconded by Ms. Rudell and a roll-call vote was conducted by President Miller as follows: Wilt-yes; Buettner-yes; George-yes; Goodman-yes; Grimm-yes; Huston-yes; and Rudell-yes.

10:05 a.m. The Board was joined by Assistant Attorney General Henry Appel to conduct an adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. In the Matter of **Brian Wilson, Grafton, Ohio.**

R-2022-0523 Mr. Wilt moved that the Board recess in order to consider the quasi-judicial matters in accordance with Chapter 119. of the Revised Code and the case precedent of *Angerman v. State Medical Bd.* (1990) 70 Ohio App.3d 346 and *TBC Westlake Inc. v. Hamilton Cty Bd of Revision*, et al. (1998) 81 Ohio St.3d 58. The motion was seconded by Ms. Rudell and a roll-call vote was conducted by *President* Miller as follows: Wilt-yes; Buettner-yes; George-yes; Goodman-yes; Grimm-yes; Huston-yes; and Rudell-yes.

11:54 a.m. The deliberation ended and the hearing was opened to the public.

R-2022-0534 After votes were taken in public session, the Board adopted the following order in the Matter of **Brian Wilson, Grafton, Ohio.**

ORDER OF THE STATE BOARD OF PHARMACY

(Case Number A-2020-0735)

In The Matter Of:

Brian Wilson

Inmate No. A775606
Grafton Correctional Institution
2500 South Avon Beldon Road
Grafton, OH 44044
(License no. 03-223136)

INTRODUCTION

The Matter of Brian Wilson, RPh, came for hearing on April 5, 2022, before the following members of the State of Ohio Board of Pharmacy (Board): Rich Miller, RPh, *Presiding*; Shawn Wilt, Trina Buettner, Victor Goodman, Jason George, TJ Grimm, Jeff Huston, and Jennifer Rudell. The Board previously considered this matter on April 19, 2021, under

the precedent of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996). Mr. Wilson appealed the Board's April 22, 2021, order to the Madison County Court of Common Pleas. The April 5, 2022, hearing was conducted pursuant to the court's November 15, 2021, order remanding the matter back to the Board to allow Mr. Wilson the opportunity to be heard before the Board renders a final decision regarding his pharmacist license.

Brian Wilson was not present and but was represented by attorney Levi Tkach. The State of Ohio was represented by Henry Appel, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witnesses:

1. Detective Philip Greenbaum, Plain City Police Department

Respondent's Witnesses:

1. David Wilson

State's Exhibits:

1. Notice Letter
2. Untimely Request for Hearing
3. Scheduling Order
4. Indictment
5. Guilty Plea
6. Sentencing Entry (under seal)
7. Plain City Police Report (under seal)
8. Results of Hair Test
9. Letter from Brook Musselman, Madison County Prosecutor's Office

Respondent's Exhibits:

- A. None

FINDINGS OF FACT

After having heard the testimony, observed the demeanor of the witnesses, considered the evidence, and weighed the credibility of each, the Board finds the following to be fact:

1. On or about February 5, 2020, Brian Wilson was convicted of, or plead guilty or no contest to, three counts of Illegal Use of a Minor in Nudity-Oriented Material or Performance, a second-degree felony, and three counts of Gross Sexual Imposition, a fourth-degree felony, in the Madison County Court of Common Pleas, Case No. CRI-20190149.

2. On or about March 24, 2020, Brian Wilson was sentenced, in part, to a minimum of five years in a correctional institute, classification as a Tier II Sex Offender for a period of twenty-five years, and five years post-release control, in the Madison County Court of Common Pleas, CRI-20190149.

CONCLUSIONS OF LAW

1. Such conduct, as set forth in the Findings of Fact, constitutes a violation of ORC 4729.08(B) (as effective September 29, 2017), not of good moral character.
2. Such conduct, as set forth in the Findings of Fact, constitutes a violation of the following divisions of ORC 4729.16(A) (as effective April 8, 2019):
 - a. Has been convicted of a felony, or a crime of moral turpitude, as defined in ORC 4776.10, ORC 4729.16(A)(2)(a);
 - b. Violated, conspired to violate, attempted to violate, or aided and abetted the violation of any of the provisions of this chapter, ORC 3715.52 to 3715.72, ORC Chapters 2925. or 3719., or any rule adopted by the Board under those provisions, ORC 4729.16(A)(2)(e); and
 - c. Engaged in any conduct for which the Board may impose discipline as set forth in rules adopted under ORC 4729.26, ORC 4729.16(A)(2)(l).
3. Such conduct, as set forth in the Findings of Fact, each constitutes a violation of each of the following divisions of OAC 4729:1-4-01(B)(2) (as effective March 20, 2020), each violation punishable by a maximum penalty of \$500:
 - a. Has been convicted of a felony, OAC 4729:1-4-01(B)(2)(a);
 - b. Violated, conspired to violate, attempted to violate, or aided and abetted the violation of any of the provisions of ORC Chapter 4729., ORC 3715.52 to 3715.72, ORC Chapters 2925., 3796., 3719. or 4752., or any rule adopted by the Board under those provisions, OAC 4729:1-4-01(B)(2)(e);
 - c. Committed an act involving moral turpitude that constitutes a misdemeanor or felony in this state, regardless of the jurisdiction in which the act was committed, OAC 4729:1-4-01(B)(2)(l); and
 - d. Violated any state or federal law, regulation, or rule regardless of the jurisdiction in which the acts were committed, except for minor traffic violations..., OAC 4729:1-4-01(B)(2)(m).

DECISION OF THE BOARD

Pursuant to Section 4729.16 of the Ohio Revised Code, and pursuant to Section 4729-9-01(E) of the Ohio Administrative Code, and after consideration of the record as a whole, the State of Ohio Board of Pharmacy adjudicates the matter of Brian Wilson as follows:

On the basis of the Findings of Fact and section (1) of the Conclusions of Law, the State of Ohio Board of Pharmacy hereby permanently revokes the Pharmacist license, No. 03-223136, held by Brian Wilson effective as of the date of the mailing of this Order.

On the basis of the Findings of Fact and section (2) of the Conclusions of Law, the State of Ohio Board of Pharmacy hereby permanently revokes the Pharmacist license, No. 03-223136, held by Brian Wilson effective as of the date of the mailing of this Order.

On the basis of the Findings of Fact and section (3) of the Conclusions of Law, the State of Ohio Board of Pharmacy hereby permanently revokes the Pharmacist license, No. 03-223136, held by Brian Wilson effective as of the date of the mailing of this Order.

Pursuant to Rule 4729:5-1-01(V) of the Ohio Administrative Code, Brian Wilson may never apply for any license or registration over which the State of Ohio Board of Pharmacy has jurisdiction, including those set forth in Chapters 3719., 3796., 4729. or 4752. of the Revised Code.

Notwithstanding their admission, the Board did not rely upon State's Exhibits 7-9, or the testimony related to them, in rendering its decision. Rather, the Board's decision to permanently revoke Brian Wilson's pharmacist license, No. 03-223136, is based solely on the findings of fact and conclusions of law described above and as were set forth in the Notice letter dated December 22, 2020.

Further, the Board hereby grants the State's Motion to Seal the Record in this matter including, but not limited to, any information that may identify a minor victim, and specifically State's Exhibits 6 and 7.

Mr. Wilt moved for Findings of Fact; Ms. Rudell seconded the motion. Motion passed (Yes-7/No-0).

Mr. George moved for Conclusions of Law; Mr. Grimm seconded the motion. Motion passed (Yes-7/No-0).

Mr. Wilt moved for Action of the Board; Mr. Grimm seconded the motion. Motion passed (Yes-7/No-0).

SO ORDERED.

R-2022-535

Mr. Wilt moved that the March 7, 2022, Board Meeting Minutes be approved as amended. The motion was seconded by Ms. Buettner and approved by the Board: Yes-7, No-0.

R-2022-0536

Mr. Wilt moved that the March 7, 2022, Probation Meeting Minutes be approved as written. The motion was seconded by Ms. Buettner and approved by the Board: Yes-7, No-0.

R-2022-0537

Mr. Wilt moved that the March 9, 2022, Conference Call Minutes be approved as written. The motion was seconded by Ms. Buettner and approved by the Board: Yes-7, No-0.

R-2022-0538

Mr. Wilt moved that the March 16, 2022, Conference Call Minutes be approved as written. The motion was seconded by Ms. Buettner and approved by the Board: Yes-7, No-0.

R-2022-0539

Mr. Wilt nominated Ms. Buettner to be the Vice President of the Board for Fiscal Year 2023. A roll call vote was conducted by *President* Miller as follows: Wilt-yes; George-yes; Goodman-yes; Grimm-yes; Huston-yes; and Rudell-yes.

R-2022-0540

Mr. Huston nominated Mr. Wilt to be the President of the Board for Fiscal Year 2023. A roll call vote was conducted by *President* Miller as follows: Buettner-yes; Wilt-yes; George-yes; Goodman-yes; Grimm-yes; Huston-yes; and Rudell-yes.

R-2022-0541

Mr. Grimm moved to Adjourn the April 2022 State of Ohio Board of Pharmacy Meeting. The motion was seconded by Mr. Goodman and approved by the Board: Yes-7, No-0.

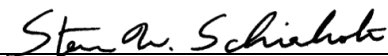
11:59 a.m.

The Board Meeting Adjourned.



Rich Miller, RPh, President

Date: 06.07.2022



Steven W. Schierholt, Executive Director

Date: 06.07.2022