



MINUTES OF THE MARCH 2-3, 2020
MEETING OF THE STATE OF OHIO BOARD OF PHARMACY

Monday, March 2, 2020

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, with the following members present:

Shawn C. Wilt, RPh, *Presiding*; Joshua M. Cox, RPh; Megan E. Marchal, RPh; Donald R. Miller, RPh; Richard J. Newlon, *Public Member*; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; and Kilee S. Yarosh, RPh.

Also present were Steven Schierholt, *Executive Director*; Nicole Dehner, *Chief Legal Counsel*; Joe Koltak, *Senior Legal Counsel*; Ashley Gilbert, *Senior Legal Counsel*; and Kathryn Lewis, *Administrative Assistant*.

R-2020-0395 Ms. Rudell 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 Code. The motion was seconded by Ms. Marchal and a roll-call vote was conducted by President Wilt as follows: Cox-yes; Marchal-yes; Miller-yes; Newlon-yes; Rudell-yes; Weaver-yes, and Yarosh-yes.

11:16 p.m. The Board returned from Executive Session and the scheduled hearings were continued for drafting of settlement documents. Ms. Southard provided the Licensing Report.

11:22 a.m. Ms. Southard led a discussion on the previously approved NAPLEX Test Extension of Alexandra Manno (APP-000220731).

11:25 a.m. Ms. Southard presented the OBOT Non-Physician Ownership Waiver Request of Narcotic Addiction Recovery Program, LLC—Cincinnati, Ohio (APP-000320818) to the Board for consideration.

- R-2020-0396** Ms. Marchal moved to approve the request of Narcotic Addiction Recovery Program, LLC. The Motion was seconded by Ms. Yarosh and approved by the Board: Aye-7, Nay-0.
- 11:29 a.m.** Ms. Southard presented the OBOT Non-Physician Ownership Waiver Request of Smith Family Healthcare, LLC—Gallipolis, Ohio (APP-000297636) to the Board for consideration.
- R-2020-0397** Ms. Marchal moved to approve the request of Smith Family Healthcare, LLC. The Motion was seconded by Mr. Newlon and approved by the Board: Aye-7, Nay-0.
- 11:33 a.m.** Ms. Ghitman, Mr. McNamee and Ms. Southard led a discussion on the Technician Training Program Audit Letter.
- 11:39 a.m.** Mr. McNamee and Ms. Wai presented amendments to the following rules: 4729:5-8-03—Compliance, 4729:5-20-03—Security and Control of Dangerous Drugs, 4729: 9-1-01-Schedule I Controlled Substances, and 4729:5-9-02.3 Records Keeping at an Institutional Pharmacy.
- R-2020-0398** Mr. Cox moved that the Board approve revisions to the following rules for filing with CSI and JCARR: 4729:5-8-03—Compliance, 4729:5-20-03—Security and Control of Dangerous Drugs, 4729: 9-1-01-Schedule I Controlled Substances, and 4729:5-9-02.3 Records Keeping at an Institutional Pharmacy. The motion was seconded by Mr. Weaver and approved by the Board: Aye-7, Nay-0.
- 12:05 p.m.** Mr. Mcnamee and Ms. Wai led a discussion on feedback from members of the pharmaceutical community in regard to USP (1178) Good Repackaging Practices.
- R-2020-0399** Mr. Cox moved that the Board approve amendments to USP (1178) Good Repackaging Practices. The motion was seconded by Mr. Weaver and approved by the Board: Aye-7, Nay-0.
- 12:11 p.m.** Mr. McNamee and Ms. Wai presented a resolution titled *Administration of Controlled Substances by Registered Veterinary Technicians* to the Board for approval.
- R-2020-0400** Mr. Newlon moved that the Board approve the resolution. The motion was seconded by Ms. Yarosh and approved by the Board: Aye-7, Nay-0. The following resolution was adopted by the Board:

Administration of Controlled Substances by Registered Veterinary Technicians

Pursuant to section 4729.25 of the Revised Code, the State of Ohio Board of Pharmacy hereby authorizes veterinary technicians to administer the controlled substances in a facility licensed in accordance with Chapter 4729:5-20 of the Administrative Code in accordance with the following:

- (1) The drugs have been personally furnished by a veterinarian and are intended for administration to patients undergoing treatment and/or boarding within the veterinary clinic.
- (2) The drugs must be stored in a securely locked, substantially constructed cabinet or safe with access that is limited to veterinarians and veterinary technicians. The cabinet or safe must be separate from those required in paragraphs (B) and (F) of this rule.
- (a) The cabinet or safe shall be placed in an area that is not readily accessible to the public.
- (b) The cabinet or safe shall remain locked and secured when not in use.
- (c) In the case of a combination lock or access code, the combination or access code shall be changed upon termination of employment of an employee having knowledge of the combination or access code.
- (d) In the case of a key lock, all keys shall be maintained in a secure place that is inaccessible to anyone other than a veterinarian and veterinary technician.
- (e) During non-business hours, the cabinet or safe shall be maintained in an area secured by a physical barrier with suitable locks, which may include a locked room or secure facility.
- (3) A record of drug administration shall be maintained in accordance with paragraph (E) of rule 4729:5-20-04 of the Administrative Code and shall also include the date and time the drugs are accessed from the cabinet or safe.
- (4) The responsible person shall report the theft or significant loss of drugs maintained pursuant to this paragraph in accordance with rule 4729:5-3-02 of the Administrative Code.

This resolution shall remain in effect until such time as the Board makes corresponding updates to rule 4729:5-20-03 of the Administrative Code or as otherwise determined by the Board.

12:12 p.m.

Mr. McNamee and Ms. Wai presented a resolution titled *Indigent Status for Medical Marijuana Patients* to the Board for approval.

R-2020-0401

Mr. Weaver moved that the Board approve the resolution. The motion was seconded by Mr. Cox and approved by the Board: Aye-7, Nay-0. The following resolution was adopted by the Board:

Indigent Status for Medical Marijuana Patients

In addition to the criteria listed in paragraph (B)(1) of rule 3796:7-3-01 of the Administrative Code, the State of Ohio Board of Pharmacy hereby recognizes the following as qualifying for indigent status for the purpose of reduced registration fees:

The patient must be enrolled in a state retirement system and receiving monthly disability income from the retirement system. Examples include: a state public employees retirement system, a state teacher retirement system, and a police or fire retirement system. To qualify for a reduced registration fee due to enrollment in a state retirement disability program, the patient shall submit to the State Board of Pharmacy a copy of a letter or other documentation from the retirement program demonstrating the following:

(a) Identity of the patient; and

(b) Amount of monthly disability benefits to be received by the prospective patient during the current year of the registration submission.

This resolution shall remain in effect until such time as the Board makes corresponding updates to rule 4729:7-3-01 of the Administrative Code.

12:17 p.m. Mr. McNamee and Ms. Wai presented a resolution titled *COVID-19 Prevention and Response* to the Board for approval.

R-2020-0402 Mr. Weaver moved that the Board approve the resolution. The motion was seconded by Ms. Rudell and approved by the Board: Aye-7, Nay-0. The following resolution was adopted by the Board:

COVID-19 Prevention and Response

To address operation concerns and safeguard public health during COVID-19, the Board hereby grants the Executive Director, upon consultation with the Board's President, the ability to temporarily grant waivers regarding the practice of pharmacy and the distribution of dangerous drugs in accordance with section 4729.25 of the Revised Code.

If granted by the Executive Director, the Board shall be required to review and approve a waiver issued at a subsequent meeting.

12:20 p.m. Mr. McNamee and Ms. Wai presented a resolution titled *Appointment of the 2020 Rules Review Committee* to the Board for approval.

R-2020-0403 Ms. Yarosh moved that the Board approve the resolution. The motion was seconded by Mr. Weaver and approved by the Board: Aye-7, Nay-0. The following resolution was adopted by the Board:

The Board hereby appoints the following individuals to the 2020 Rules Review Committee:

First Name	Last Name	Job Title	Employer
Mohamad	Barazi	Pharmacist	Rite Aid Pharmacy
Christina	Bell	Lead Operations Pharmacist	Toledo Hospital - Promedica
Elizabeth	Dallman	Pharmacy Compliance Coordinator	OhioHealth
Ross	Ellerbrock	Clinical Ambulatory Care Pharmacist	Memorial Medication Therapies Center
Jessica	Fischer	Director Ambulatory Pharmacy Services	Nationwide Children's Hospital
Allison	Hanlin	Staff Outpatient Pharmacist	Dayton Children's
Andrew	Harmon	Clinical Consultant Pharmacist	PCA Pharmacy
April	Kirby	Assistant Pharmacy Manager	Walmart
Sarah	Kudley	Senior Director of Pharmacy	Select Specialty Hospital - Cleveland Fairhill
Robert	Milnes	Sr. Director of Pharmacy Practice	Cigna Express Scripts
Joanne	Morgan	System VP Pharmacy	Premier Health
Lynette	Payne	Pharmacist - Outpatient Pharmacy	Holzer Health System
Paulette	Rhoden	Staff Pharmacist	Walgreens

12:22 p.m. Ms. Dehner presented the Amended Order of The State Board of Pharmacy for Brian K. Alfredo to the Board for approval.

R-2020-0404 Mr. Weaver moved that the Board approve the Amended Order. The motion was seconded by Ms. Yarosh and approved by the Board: Aye-7, Nay-0. The following Amended was adopted by the Board:

AMENDED ORDER OF THE STATE BOARD OF PHARMACY

(Case Number A-2019-0234)

In The Matter Of:

Brian K. Alfredo

2006 Hidden Lake Dr., Apt. D

Stow, OH 44224

(License no. 06-014585)

After reviewing the February 24, 2020 letter of explanation submitted by Brian Alfredo detailing the requirements of Aultman Hospital's Post Graduate Year-1 (PGY-1) residency program, and upon recommendation of the Probation Committee, the Board hereby modifies Brian Alfredo's December 19, 2019 Board Order as follows:

6(e): The State of Ohio Board of Pharmacy authorizes Brian Alfredo, solely for purposes of Aultman Hospital's (PGY-1) residency program, to work up to 55 hours each week or up to 110 hours every two weeks. Brian Alfredo must provide confirmation no later than 10 business days from mailing of this amended Order that the primary preceptor is aware of Brian Alfredo's Board action, terms of probation, and terms of this amended order. Brian Alfredo may not engage in any additional employment or volunteer work pertaining to the practice of pharmacy beyond the hours set forth in this Amended Order.

SO ORDERED.

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- 12:26 p.m.** The Board recessed for lunch.
- 1:21 p.m.** Mr. Griffin provide the Compliance and Enforcement Report.
- 1:24 p.m.** Ms. Dehner presented information to the Board, consistent with Goldman v. State Med. Bd., 10th Dist. Franklin (Oct. 20, 1998), pertaining to Medical Marijuana Dispensary Applicants who were not viable for approval and had not requested a hearing in the timeframe set forth in chapter 119 of the Ohio Revised Code (ORC).
- R-2020-0405** Ms. Marchal moved to adopt the following Orders pertaining to the above referenced Goldman Medical Marijuana Applicants. The Motion was seconded by Ms. Yarosh and approved by the Board: Aye-7, Nay-0.
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**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M704

In the Matter of Applicant:
GREEN HEALTH DISPENSARIES LLC
C/O MARK GUTENTAG
22 EAST GAY STREET, SUITE 400
COLUMBUS OH 43215
Account No./Application No.: 408-704
Application District: SOUTHEAST-6
Application Dispensary Address: 6 & 8 POMEROY RD. ATHENS, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 21, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member. As no hearing has been requested, the Board proceeds under the authority of Goldman v. State Med. Bd. of Ohio, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M705

In the Matter of Applicant:
GREEN HEALTH DISPENSARIES LLC
C/O MARK GUTENTAG
22 EAST GAY STREET, SUITE 400
COLUMBUS OH 43215
Account No./Application No.: 408-705
Application District: SOUTHEAST-4
Application Dispensary Address: 451 VAN TASSELL AVE NEWARK, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 21, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**
Case No. 2018-M707

In the Matter of Applicant:
GREEN HEALTH DISPENSARIES LLC
C/O MARK GUTENTAG
22 EAST GAY STREET, SUITE 400
COLUMBUS OH 43215
Account No./Application No.: 408-707
Application District: SOUTHEAST-6
Application Dispensary Address: 6 & 8 POMEROY RD. ATHENS, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 21, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member. As no hearing has been requested, the Board proceeds under the authority of Goldman v. State Med. Bd. of Ohio, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M806

In the Matter of Applicant:
GREEN INVESTMENT PARTNERS, LLC
CURE OHIO
C/O KBHR STATUTORY AGENT CORP.
P.O. BOX 361715
COLUMBUS OH 43236
Account No./Application No.: 185-806
Application District: SOUTHEAST-3
Application Dispensary Address: 5225 N. HAMILTON RD COLUMBUS, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 28, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
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- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**
Case No. 2018-M807

In the Matter of Applicant:
GREEN INVESTMENT PARTNERS, LLC
CURE OHIO
C/O KBHR STATUTORY AGENT CORP.
P.O. BOX 361715
COLUMBUS OH 43236
Account No./Application No.: 185-807
Application District: SOUTHEAST-3
Application Dispensary Address: 1155 W MOUND STREET COLUMBUS, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 28, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

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FINDINGS OF FACT

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Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State’s Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State’s Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State’s Exhibit A because Respondent’s score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M1134

In the Matter of Applicant:

GREENMART OF OHIO LLC

C/O CBIZ MHM LLC

6050 OAK TREE BLVD, STE 500

CLEVELAND OH 44131

Account No./Application No.: 402-1134

Application District: NORTHEAST-3

Application Dispensary Address: 1620 EAST AVENUE AKRON, OH

INTRODUCTION

*A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 15, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).*

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service

- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M1135

In the Matter of Applicant:

GREENMART OF OHIO LLC

C/O CBIZ MHM LLC

6050 OAK TREE BLVD, STE 500

CLEVELAND OH 44131

Account No./Application No.: 402-1135

Application District: NORTHEAST-4

Application Dispensary Address: 927 WERTZ AVENUE NW, PARCEL #202351 CANTON, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 15, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service

- State’s Exhibit C—Respondent Score Sheet
- State’s Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State’s Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State’s Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State’s Exhibit A because Respondent’s score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M1165

In the Matter of Applicant:

GREENMART OF OHIO LLC

C/O CBIZ MHM LLC

6050 OAK TREE BLVD, STE 500

CLEVELAND OH 44131

Account No./Application No.: 402-1165

Application District: SOUTHEAST-3

Application Dispensary Address: 1022 WEST BROAD ST COLUMBUS, OH

INTRODUCTION

*A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 21, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).*

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service

- State’s Exhibit C—Respondent Score Sheet
- State’s Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State’s Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State’s Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State’s Exhibit A because Respondent’s score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent’s application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M633

In the Matter of Applicant:

GROWING VENTURES-OHIO, LLC

GREENHOUSE WELLNESS

C/O GINA DUBBE'

4801 DORSEY HALL DR. SUITE 110

ELLCOTT CITY, MD 21042

Account No./Application No.: 163-633

Application District: SOUTHWEST-8

Application Dispensary Address: NO.S: M60 03207 0020, M60 03207 0052, M60 03207 0034
CLAYTON, OH

INTRODUCTION

*A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 28, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).*

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice

- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M664

In the Matter of Applicant:
GROWING VENTURES-OHIO, LLC
GREENHOUSE WELLNESS
C/O GINA DUBBE'
4801 DORSEY HALL DR. SUITE 110
ELLCOTT CITY, MD 21042
Account No./Application No.: 163-664
Application District: SOUTHWEST-4
Application Dispensary Address: 1220 NORTH BECHTLE AVE SPRINGFIELD, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 28, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member. As no hearing has been requested, the Board proceeds under the authority of Goldman v. State Med. Bd. of Ohio, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice

- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M261

In the Matter of Applicant:
HARVEST OF OHIO, LLC
HARVEST OF OHIO
C/O REGISTERED AGENT SOLUTIONS, INC.
4568 MAYFIELD RD. SUITE 204
CLEVELAND OH 44121
Account No./Application No.: 350-261
Application District: NORTHEAST-2
Application Dispensary Address: 3644 STEELYARD DR. CLEVELAND, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 15, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice

- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M815

In the Matter of Applicant:

HEALING III

C/O JOHN W. MATHEWS

2463 NAVARRE ROAD

COLUMBUS OH 43207

Account No./Application No.: 249-815

Application District: SOUTHEAST-3

Application Dispensary Address: 374 E. LONG ST., COLUMBUS, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 8, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet

- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M885

In the Matter of Applicant:
HEMMA DISTRIBUTION LLC
C/O ELIZABETH VAN DULMAN
2432 OBSERVATORY AVE
CINCINNATI OH 45208

Account No./Application No.: 472-885

Application District: SOUTHWEST-2

Application Dispensary Address: CLARENCE F. WARNER DR PARCEL ID: C1800009220013
MONROE, OH

INTRODUCTION

*A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 21, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).*

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice

- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M920

In the Matter of Applicant:

HEMP CLINIC, LLC

C/O RICHARD A BOWLING

1247 EASTWOOD AVE.

TALLMADGE OH 44278

Account No./Application No.: 479-920

Application District: NORTHEAST-3

Application Dispensary Address: CANTON ROAD PARCEL #5402798 AKRON, OH

INTRODUCTION

*A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 15, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).*

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M453

In the Matter of Applicant:

HOLISTIC HEALTH PARTNERS LLC

C/O SEAN R SCULLIN

940 WINDHAM COURT STE 4

BOARDMAN OH 44512

Account No./Application No.: 3-453

Application District: NORTHEAST-6

Application Dispensary Address: 3321 MAHONING AVENUE YOUNGSTOWN, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 15, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because

Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M812

In the Matter of Applicant:

HPWL LLC

HOPEWELL APOTHECARY
C/O NICHOLAS J. CARDINAL

156 N. MAIN ST. SUITE 4
HUDSON OH 44236

Account No./Application No.: 440-812

Application District: NORTHEAST-4

Application Dispensary Address: 2719 CLEVELAND AVE NW CANTON, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 15, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical

marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M981

In the Matter of Applicant:
HVV OHIO, LLC
C/O BRUCE H. BURKHOLDER, ESQ.
2 MIRANOVA PLACE, 7TH FLOOR
COLUMBUS OH 43215
Account No./Application No.: 506-981
Application District: SOUTHEAST-3
Application Dispensary Address: 6101 BUSCH BLVD., COLUMBUS, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 8, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member.. As no hearing has been requested, the Board proceeds under the authority of Goldman v. State Med. Bd. of Ohio, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical

marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M170

In the Matter of Applicant:

INDIE GROW LLC

ÜRTH'S APOTHECARY

C/O UNITED STATES CORPORATION AGENTS, INC

411 WOLF LEDGES PKWY, STE 201

AKRON OH 44311

Account No./Application No.: 101-170

Application District: SOUTHWEST-1

Application Dispensary Address: 2789 ROBERTSON AVE CINCINNATI, OH

INTRODUCTION

*A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 29, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been*

requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M896

In the Matter of Applicant:

INFLEURSION, LLC

C/O B. & MCD., INC.

388 S MAIN STREET SUITE 500

AKRON OH 44311

Account No./Application No.: 60-896

Application District: NORTHEAST-2

Application Dispensary Address: 11906-11912 MADISON AVENUE, LAKEWOOD, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 8, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been

requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M1076

In the Matter of Applicant:
JG OHIO LLC
JUSTICE GROWN LLC
C/O INCORP SERVICES, INC.
9435 WATERSTONE BOULEVARD, SUITE 140
CINCINNATI OH 45249
Account No./Application No.: 300-1076
Application District: SOUTHEAST-3
Application Dispensary Address: 5805 CHANTRY DRIVE COLUMBUS, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 29, 2018. Respondent did not request a hearing on the matter. The matter

subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**
Case No. 2018-M871

In the Matter of Applicant:
KDJOH, LLC
C/O CORPORATION SERVICE COMPANY
50 WEST BROAD STREET, SUITE 1330
COLUMBUS OH 43215
Account No./Application No.: 83-871
Application District: NORTHWEST-3
Application Dispensary Address: 5820 WEST CENTRAL AVENUE TOLEDO, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy

(Board) on June 15, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M953

In the Matter of Applicant:
KDJOH, LLC
C/O CORPORATION SERVICE COMPANY
50 WEST BROAD STREET, SUITE 1330
COLUMBUS OH 43215
Account No./Application No.: 83-953
Application District: SOUTHEAST-3

Application Dispensary Address: 6492 EAST MAIN STREET REYNOLDSBURG, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 29, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR

MEDICAL MARIJUANA DISPENSARY LICENSE

Case No. 2018-M973

In the Matter of Applicant:

KDJOH, LLC

C/O CORPORATION SERVICE COMPANY

50 WEST BROAD STREET, SUITE 1330

COLUMBUS OH 43215

Account No./Application No.: 83-973

Application District: NORTHEAST-4
Application Dispensary Address: 1932 LINCOLN WAY EAST MASSILLON, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 15, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M975

In the Matter of Applicant:
MARIBIS OHIO LLC
MARIBIS OHIO
C/O LEGALINC CORPORATE SERVICES INC.
1991 CROCKER ROAD SUITE 600A
WESTLAKE OH 44145
Account No./Application No.: 86-975
Application District: NORTHEAST-1
Application Dispensary Address: 4150 E LAKE ROAD SHEFFIELD LAKE, OH

INTRODUCTION

*A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 15, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).*

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**
Case No. 2018-M1009

In the Matter of Applicant:
MARIBIS OHIO LLC
MARIBIS OHIO
C/O LEGALINC CORPORATE SERVICES INC.
1991 CROCKER ROAD SUITE 600A
WESTLAKE OH 44145
Account No./Application No.: 86-1009
Application District: NORTHEAST-2
Application Dispensary Address: 10500 ANTENUCCI BLVD, GARFIELD HEIGHTS, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 8, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner

- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**
Case No. 2018-M1053

In the Matter of Applicant:
MARIBIS OHIO LLC
MARIBIS OHIO
C/O LEGALINC CORPORATE SERVICES INC.
1991 CROCKER ROAD SUITE 600A
WESTLAKE OH 44145
Account No./Application No.: 86-1053
Application District: NORTHEAST-6
Application Dispensary Address: 650 SUMMIT STREET NW WARREN, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 15, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet

- State’s Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State’s Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State’s Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State’s Exhibit A because Respondent’s score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M316

In the Matter of Applicant:
MC2D LLC
MEDICAL CANNABIS CULTIVATORS DISPENSARIES
C/O SEBASTIAN CANGEMI
903 SOUTH GREEN ROAD, STE. 206B
SOUTH EUCLID OH 44121
Account No./Application No.: 146-316
Application District: NORTHEAST-2
Application Dispensary Address: 4298 MAYFIELD ROAD, SOUTH EUCLID, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on 7/5/2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member.. As no hearing has been requested, the Board proceeds under the authority of Goldman v. State Med. Bd. of Ohio, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice

- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M1083

In the Matter of Applicant:

MC2D LLC

MEDICAL CANNABIS CULTIVATORS DISPENSARIES

C/O SEBASTIAN CANGEMI

903 SOUTH GREEN ROAD, STE. 206B

SOUTH EUCLID OH 44121

Account No./Application No.: 146-1083

Application District: NORTHEAST-5

Application Dispensary Address: 1536 MENTOR AVENUE PAINESVILLE TOWNSHIP, OH

INTRODUCTION

*A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on 8/7/2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).*

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because

Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M94

In the Matter of Applicant:

MEDICAL MARIJUANA 513, LLC

C/O NAT BRODZIAK

4661 KUGLER MILL RD.

CINCINNATI OH 45236

Account No./Application No.: 102-94

Application District: SOUTHWEST-1

Application Dispensary Address: 3927 BROTHERTON RD. CINCINNATI, OH

INTRODUCTION

*A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 29, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).*

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical

marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M640

In the Matter of Applicant:
MEDMAR DISTRICT COOPERATIVE INC.
MEDMAR ONE
C/O ROBERT C TOWNSEND II
3715 WARRENSVILLE CENTER ROAD, SUITE 606
SHAKER HTS. OH 44122
Account No./Application No.: 356-640
Application District: NORTHEAST-2
Application Dispensary Address: 20676 SOUTHGATE PARK BLVD., MAPLE HEIGHTS, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 8, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M842

In the Matter of Applicant:

MER-IT RELEAF, LTD.

C/O EDWARD AARON ITAYIM

729 SOUTH THIRD STREET

COLUMBUS OH 43206

Account No./Application No.: 248-842

Application District: SOUTHEAST-7

Application Dispensary Address: 23399 COUNTY ROAD 621 COSHOCTON, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on 6/29/2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been

requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M1133

In the Matter of Applicant:
MER-IT RELEAF, LTD.
C/O EDWARD AARON ITAYIM
729 SOUTH THIRD STREET
COLUMBUS OH 43206

Account No./Application No.: 248-1133

Application District: SOUTHEAST-6

Application Dispensary Address: 84 COLUMBUS CIRCLE ATHENS, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on 6/29/2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E.

Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State’s Exhibit A—Respondent’s Hearing Notice
- State’s Exhibit B—Proof of service
- State’s Exhibit C—Respondent Score Sheet
- State’s Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State’s Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State’s Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M846

In the Matter of Applicant:
MIDDLE OF THE ROAD INC.
C/O SSE, INC.

26600 DETROIT ROAD, SUITE 300
WESTLAKE OH 44145

Account No./Application No.: 425-846

Application District: NORTHEAST-2

Application Dispensary Address: 3637 S. GREEN RD., BEACHWOOD, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on 6/8/2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following

members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M1004

In the Matter of Applicant:
MIDWEST HERBAL REMEDIES LLC
C/O REVAN SHAHARA
3623 E KRISTAL WAY
PHOENIX, AZ 85050

Account No./Application No.: 91-1004

Application District: NORTHEAST-3

Application Dispensary Address: 474 LOCUST AVE AKRON, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy

(Board) on 6/15/2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M654

In the Matter of Applicant:
MIDWEST INTEGRATED NATURAL THERAPIES LLC
C/O EIVAN SHAHARA
3623 E KRISTAL WAY
PHOENIX, AZ 85050

Account No./Application No.: 327-654
Application District: SOUTHWEST-7

Application Dispensary Address: 3400 SEAJAY DR BEAVERCREEK, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on 6/29/2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M331

In the Matter of Applicant:

MMJ CINCINNATI LLC

APOTHICARE

C/O DAVID FREY

104 WEST 9TH ST. APT. 5C

CINCINNATI OH 45202

Account No./Application No.: 142-331

Application District: SOUTHWEST-2

Application Dispensary Address: 5000 COLLEGE CORNER PIKE OXFORD, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on 6/29/2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member.. As no hearing has been requested, the Board proceeds under the authority of Goldman v. State Med. Bd. of Ohio, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**
Case No. 2018-M442

In the Matter of Applicant:
MOTHER EARTH'S MEDS LLC
C/O ROGER L. KEPFORD
2160 MARSEILLES GALION ROAD EAST
MARION OH 43302
Account No./Application No.: 312-442
Application District: NORTHWEST-6
Application Dispensary Address: 170 BARKS RD EAST MARION, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on 6/15/2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M1114

In the Matter of Applicant:
MOTHER KNOW'S BEST, LLC
C/O MARLA DORF
7252 KEILER COURT
DUBLIN OH 43017

Account No./Application No.: 182-1114

Application District: SOUTHEAST-3

Application Dispensary Address: 3103-3105 W. BROAD STREET COLUMBUS, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on 6/29/2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member.. As no hearing has been requested, the Board proceeds under the authority of Goldman v. State Med. Bd. of Ohio, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M1115

In the Matter of Applicant:
MOTHER KNOW'S BEST, LLC
C/O MARLA DORF
7252 KEILER COURT
DUBLIN OH 43017

Account No./Application No.: 182-1115

Application District: SOUTHWEST-8

Application Dispensary Address: 40 W HIGH STREET SPRINGFIELD, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on 6/29/2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member.. As no hearing has been requested, the Board proceeds under the authority of Goldman v. State Med. Bd. of Ohio, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M1116

In the Matter of Applicant:
MOTHER KNOW'S BEST, LLC
C/O MARLA DORF
7252 KEILER COURT
DUBLIN OH 43017

Account No./Application No.: 182-1116

Application District: NORTHWEST-3

Application Dispensary Address: 1546 W. SYLVANIA AVENUE TOLEDO, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on 6/15/2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member.. As no hearing has been requested, the Board proceeds under the authority of Goldman v. State Med. Bd. of Ohio, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M1117

In the Matter of Applicant:
MOTHER KNOW'S BEST, LLC
C/O MARLA DORF
7252 KEILER COURT
DUBLIN OH 43017

Account No./Application No.: 182-1117

Application District: SOUTHWEST-7

Application Dispensary Address: 115 BROOKSIDE DRIVE YELLOW SPRINGS, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 29, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member.. As no hearing has been requested, the Board proceeds under the authority of Goldman v. State Med. Bd. of Ohio, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M175

In the Matter of Applicant:

NATURE'S GREEN, LLC

C/O Michelle Johnson

P.O. BOX 713

New Albany, OH 43054

Account No./Application No.: 35-175

Application District: SOUTHEAST-3

Application Dispensary Address: 1032 MCKINLEY AVE, COLUMBUS, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 8, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member.. As no hearing has been requested, the Board proceeds under the authority of Goldman v. State Med. Bd. of Ohio, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M1137

In the Matter of Applicant:

NMG OHIO, LLC

BAM BODY & MIND

C/O ROBERT HASMAN

4785 S. DURANGO DRIVE, SUITE 204

LAS VEGAS OH 89147

Account No./Application No.: 478-1137

Application District: SOUTHEAST-3

Application Dispensary Address: 1090 FRANK RD., COLUMBUS, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 8, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner

- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M1152

In the Matter of Applicant:

OH-GRO, LLC

C/O ELIZABETH ESHENBAUGH

7716 DEPOT RD UNIT 1

LISBON OH 44432

Account No./Application No.: 529-1152

Application District: NORTHEAST-6

Application Dispensary Address: 819 MCCARTNEY ROAD CAMPBELL, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 15, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district

- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M970

In the Matter of Applicant:

OHIO ALTERNATIVE THERAPIES LLC

C/O EIVAN SHAHARA

3623 E KRISTAL WAY

PHOENIX, AZ 85050

Account No./Application No.: 171-970

Application District: SOUTHWEST-4

Application Dispensary Address: 3919 LINDEN AVE DAYTON, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 29, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet

- State’s Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State’s Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State’s Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State’s Exhibit A because Respondent’s score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent’s application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M90

In the Matter of Applicant:

OHIO CANNABIS CLINIC LLC

C/O BRIAN L WINGFIELD

3089 BEMBRIDGE RD

COLUMBUS OH 43221

Account No./Application No.: 139-90

Application District: NORTHWEST-6

Application Dispensary Address: 716 W. LIMA ST. KENTON, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 15, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet

- State’s Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State’s Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State’s Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State’s Exhibit A because Respondent’s score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent’s application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M723

In the Matter of Applicant:
OHIO CRAFT CULTIVATORS, LLC
C/O STEVE TITUS
549 US HIGHWAY 1 BYPASS
PORTSMOUTH, NH 03801
Account No./Application No.: 411-723
Application District: SOUTHWEST-8
Application Dispensary Address: 1420 PARKER COURT SPRINGFIELD, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 21, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet

- State’s Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State’s Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State’s Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State’s Exhibit A because Respondent’s score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent’s application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M728

In the Matter of Applicant:
OHIO CRAFT CULTIVATORS, LLC
C/O STEVE TITUS
549 US HIGHWAY 1 BYPASS
PORTSMOUTH, NH 03801

Account No./Application No.: 411-728

Application District: SOUTHWEST-7

Application Dispensary Address: 3435 DAYTON XENIA RD BEAVERCREEK, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 21, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service

- State’s Exhibit C—Respondent Score Sheet
- State’s Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State’s Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State’s Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State’s Exhibit A because Respondent’s score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M703

In the Matter of Applicant:
OHIO GROWN MEDICINE, LLC
C/O TERESA METCALF BEASLEY
1405 EAST SIXTH STREET
CLEVELAND OH 44114

Account No./Application No.: 189-703

Application District: NORTHEAST-3

Application Dispensary Address: 1540 SOUTH ARLINGTON STREET AKRON, OH

INTRODUCTION

A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 15, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, *Presiding*; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, *Public Member*.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice

- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

**ORDER OF THE STATE BOARD OF PHARMACY DENYING RESPONDENT'S APPLICATION FOR
MEDICAL MARIJUANA DISPENSARY LICENSE**

Case No. 2018-M921

In the Matter of Applicant:
OHIO GROWN MEDICINE, LLC
C/O TERESA METCALF BEASLEY
1405 EAST SIXTH STREET
CLEVELAND OH 44114

Account No./Application No.: 189-921

Application District: NORTHEAST-2

Application Dispensary Address: 15973 BROADWAY AVENUE, MAPLE HEIGHTS, OH

INTRODUCTION

*A Notice of Opportunity for Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License (Notice) was issued to (Respondent) by the State of Ohio Board of Pharmacy (Board) on June 8, 2018. Respondent did not request a hearing on the matter. The matter subsequently came for consideration by the Board on March 2, 2020, before the following members of the State of Ohio Board of Pharmacy: Shawn C. Wilt, RPh, Presiding; Megan E. Marchal, RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Joshua M. Cox, RPh; Kilee S. Yarosh, RPh; D. Rich Miller III, RPh; and Richard J. Newlon, Public Member.. As no hearing has been requested, the Board proceeds under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).*

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items:

- State's Exhibit A—Respondent's Hearing Notice
- State's Exhibit B—Proof of service
- State's Exhibit C—Respondent Score Sheet
- State's Exhibit D—Listing of scores for each district
- The Affidavit of Nicole Dehner
- The Affidavit of Erin Reed

FINDINGS OF FACT

After thorough review of the entire administrative record, the Board hereby confirms and approves the facts contained in the affidavits submitted by Nicole Dehner and Erin Reed.

Respondent was properly served and informed of its right to contest the denial of its application for a medical marijuana provisional dispensary license. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

Under R.C. 3796.05 and Ohio Adm. Code 3796:6-2-05, the Board determined that it would issue up to sixty (60) medical marijuana provisional dispensary licenses for applications submitted between November 3, 2017 and November 17, 2017.

The State was split into thirty-one (31) separate districts. The maximum number of dispensaries in each district varied from one (1) to (5). The entities eligible to receive a medical marijuana provisional dispensary license were determined through a competitive application process. In accordance with R.C. 3796.10 and Ohio Adm. Code 3796:6-2-04(A) and 3796:6-2-01, the Board awarded provisional dispensary licenses based on the ranking of scores in each district. These scores are contained in State's Exhibit D.

Respondent timely applied to receive a medical marijuana provisional dispensary license to operate at the address identified in State's Exhibit A. The address is located in the district number listed in the caption.

CONCLUSIONS OF LAW

The Board scored the applications consistent with the requirements of the Request for Applications, R.C. 3796.04 and Ohio Adm. Code 3796:6-2-04. Respondent is denied a medical marijuana provisional dispensary license at the address listed in State's Exhibit A because Respondent's score was not high enough as compared to other applicants in the same district to be awarded one of the medical marijuana provisional dispensary licenses for that district.

DECISION OF THE BOARD

Based on the above information, Respondent's application is hereby DENIED.

Ms. Marchal moved for the findings of fact, conclusions of law, and decision of the Board. Ms. Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

R-2020-0406 Ms. Rudell 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 Code and that the Board return to public session and promptly adjourn at the conclusion of executive session. The motion was seconded by Mr. Cox and a roll-call vote was conducted by President Wilt as follows: Cox-yes; Marchal-yes; Miller-yes; Newlon-yes; Rudell-yes; Weaver-yes; Yarosh-yes.

4:30 p.m. The Board concluded executive session, returned to public session and recessed for the day.

Tuesday, March 3, 2020

9:00 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, with the following members present:

Shawn C. Wilt, RPh, *Presiding*; Joshua M. Cox, RPh; Donald R. Miller, RPh; Richard J. Newlon, *Public Member*; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; and Kilee S. Yarosh, RPh.

Megan E. Marchal, RPh was absent.

Also present were Steven Schierholt, *Executive Director*; Nicole Dehner, *Chief Legal Counsel*; Joe Koltak, *Senior Legal Counsel*; Justin Sheridan, *Senior Legal Counsel*; Ashley Gilbert, *Senior Legal Counsel*; and Kathryn Lewis, *Administrative Assistant*.

9:01 a.m. Mr. Logsdon and Mr. Sheridan presented the Medical Marijuana Program Update.

9:06 a.m. Mr. Sheridan presented a resolution titled *Terpene Health Claims* to the Board for approval.

R-2020-0407 Ms. Rudell moved that the Board approve the resolution. The motion was seconded by Mr. Weaver and approved by the Board: Aye-6, Nay-0. The following resolution was adopted by the Board:

Due to the federal status of marijuana, the Board recognizes that review of health claims made by licensed dispensaries about cannabinoids is necessary as part of the Medical Marijuana Control Program.

However, health claims made about compounds that are not exclusive to cannabis are eligible for review by the U.S. Food and Drug Administration. Accordingly, any proposed health claim submitted by a licensed dispensary about a compound that is not exclusive to cannabis must provide evidence that the claim is authorized by the FDA before its use will be approved by the Board.

9:07 a.m. Mr. Logsdon presented the Health Claims Review Committee Comments to the Board for review and approval.

R-2020-0408 Mr. Miller moved that the Board approve the Health Claims Committee Comments. The motion was seconded by Ms. Yarosh and approved by the Board: Aye-6, Nay-0.

9:19 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 **David Damaso, East Liverpool, Ohio.**

R-2020-0409 Ms. Rudell 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. Yarosh and a roll-call vote was conducted by President Wilt as follows: Cox-yes; Miller-yes; Newlon-yes; Rudell-yes; Weaver-yes; Yarosh-yes.

11:42 a.m. The recess ended and the hearing was opened to the public.

R-2020-0410 After votes were taken in public session, the Board adopted the following order in the matter of **David Damaso, East Liverpool, Ohio.**

ORDER OF THE STATE BOARD OF PHARMACY

(Case Number A-2018-0064)

In The Matter Of:

David Damaso, RPh49276 N. Meadowbrook Circle
East Liverpool, OH 43920
(License no. 03-314206)**INTRODUCTION**

The Matter of David Damaso came for hearing on March 3, 2020, before the following members of the State of Ohio Board of Pharmacy (Board): Shawn C. Wilt, RPh, *Presiding*; Joshua M. Cox, RPh; Donald R. Miller, RPh; Richard J. Newlon, *Public Member*; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh and Kilee S. Yarosh, RPh.

Megan E. Marchal, RPh; Absent.

David Damaso was not represented by counsel. The State of Ohio was represented by Henry Appel, Assistant Attorney General.

SUMMARY OF EVIDENCE**State's Witnesses:**

1. David Damaso
2. William DiFrangia-State of Ohio Board of Pharmacy Agent

Respondent's Witnesses:

1. None

State's Exhibits:

- | | |
|----------------------------------|------------|
| 1. Notice Letter | 10.28.2019 |
| 2. Request for Hearing | 11.05.2019 |
| 3. Notice of Hearing | 11.12.2019 |
| 4. Inspection Report | 06.12.2018 |
| 5. Response to Inspection Report | No Date |
| 6. Annual Inventory | 06.12.2018 |
| 7. Handwritten Log | Various |

8. Form 106	06.02.2018
9. Statement of Respondent	06.12.2018
10. Tramadol HCL Tab 50 MG	04.05.2018
11. Emily Willis Report and Recommendation	12.28.2018
12. Emily Willis Board Order	03.13.2019

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. An investigation at K-Mart Pharmacy #7209 located at 15891 State Route 170 East Liverpool, Ohio, where David Damaso was the Responsible Person and pharmacy manager, discovered that there were discrepancies in tramadol 50mg counts as a result of theft by a pharmacy technician. Due to the discrepancies, David Damaso manually adjusted the tramadol 50mg tablet counts. On or about May 1, 2018, David Damaso documented a discrepancy of 26 tramadol 50mg tablets on the annual inventory. David Damaso did not report the manual adjustments he made to the annual inventory or throughout the year to management, law enforcement, or the Board.
2. Between on or about March 16, 2017 through April 2018, the following adjustments were made under David Damaso's user account to tramadol 50mg tablet counts:
 - a. March 27, 2017, negative adjustment of 8 tablets
 - b. June 9, 2017, positive adjustment of 6 tablets
 - c. July 10, 2017, negative adjustment of 30 tablets
 - d. August 2, 2017, negative adjustment of 3 tablets
 - e. September 29, 2017, negative adjustment of 27 tablets
 - f. November 10, 2017, negative adjustment of 4 tablets
 - g. January 6, 2018, negative adjustment of 74 tablets
 - h. February 16, 2018, negative adjustment of 141 tablets
 - i. March 14, 2018, negative adjustment of 120 tablets
 - j. March 26, 2018, negative adjustment of 79 tablets
3. On or about June 12, 2018, David Damaso was interviewed by agents of the Board. David Damaso stated the following:

- k. David Damaso did not recall adjusting tramadol counts for large amounts, but he described discrepancies of “five or so” tablets within 1,000 count bottles.
- l. Discrepancies were generally discovered during the transition of an old stock bottle to a new stock bottle and anything over a 10-tablet discrepancy would have caught David Damaso attention.
- m. David Damaso recalled adjusting tramadol counts in May 2018 for 25-30 tablets. David Damaso should have tracked the drug movements closer.
- n. David Damaso made several adjustments for tramadol using his login credentials.
- o. David Damaso probably adjusted the amount of tramadol; however, a DEA 106 was never filed. Looking back, David Damaso should have looked into the discrepancy further.

CONCLUSIONS OF LAW

1. Such conduct as set forth in the Findings of Fact section each constitutes a violation of the following sections of Rule 4729-5-11 of the OAC, as effective February 17, 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).

DECISION OF THE BOARD

The Board hereby closes the Matter of David Damaso, case no. A-2019-0064.

Jennifer M. Rudell moved for Findings of Fact; Fred M. Weaver seconded the motion. Motion passed (Aye-6/Nay-0).

Donald R. Miller moved for Conclusions of Law; Kilee S. Yarosh seconded the motion. Motion passed (Aye-6/Nay-0).

Kilee S. Yarosh moved for Action of the Board; Donald R. Miller seconded the motion. Motion passed (Aye-6/Nay-0).

SO ORDERED.

- 11:51 a.m.** The Board heard an oral address by both parties in the Matter JG City, LLC – Michael Kanovitz on behalf of JG City, LLC, Henry Appel on behalf of the State.
- R-2020-0411** Ms. Rudell 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 Code. The motion was seconded by Ms. Yarosh and a roll-call vote was conducted by President Wilt as follows: Cox-yes; Miller-yes; Newlon-yes; Rudell-yes; Weaver-yes; Yarosh-yes.
- 1:30 p.m.** The Board participated in introductions for the Reciprocity session.
- 2:14 p.m.** The Board resumed with public business. Megan E. Marchal was present, Kilee S. Yarosh, RPh and Jennifer M. Rudell, RPh were absent.
- 2:15 p.m.** Mr. McNamee presented a resolution to grant the McKesson Corporation a two-week extension of training requirements to the Board for consideration.
- R-2020-0412** Mr. Cox moved that the Board approve the resolution. The motion was seconded by Mr. Newlon and approved by the Board: Aye-5, Nay-0. The following resolution was adopted by the Board:
-
- The Board hereby grants a two-week extension of the training requirements listed in paragraph (J)(3) of rule 4729:6-3-05 of the Administrative Code to the McKesson Corporation.”
-
- 2:16 p.m.** Mr. Cathcart provided the Ohio Automated Rx Reporting System (OARRS) Report.
- 2:23 p.m.** Ms. Southard presented a resolution titled *Responsible Person Requirements for Licensure* to the Board for approval.
- R-2020-0413** Ms. Marchal moved that the Board approve the resolution. The motion was seconded by Mr. Newlon and approved by the Board: Aye-5, Nay-0. The following resolution was adopted by the Board:
-

RESPONSIBLE PERSON REQUIREMENTS FOR LICENSURE

Updated 3/3/2020

Pursuant to rules [4729:5-2-01](#) and [4729:6-2-01](#) of the Ohio Administrative Code, the Board of Pharmacy is required to adopt a resolution providing the credential types or

qualifications required for the responsible person of each classification of terminal distributor of dangerous drugs and drug distributor license. Only individuals that meet the credentials specified may be the responsible person for that classification type.

Additionally, the resolution also provides additional guidance to licensees regarding compliance with the Board's rule chapters. For each licensee, there is a link (if applicable) to an inspection guide that applies to the specific license type.

The requirements for terminal distributors of dangerous drugs begin on [page 2](#) of this document [page 838 of the Record of the Proceedings].

The requirements for distributors of dangerous drugs* begin on [page 11](#) of this document [page 849 of the record of the Proceedings].

***NOTE:** A distributor of dangerous drugs includes the following license types: manufacturer of dangerous drugs, outsourcing facility, third-party logistics provider, repackager of dangerous drugs and wholesale distributor of dangerous drugs (includes broker and virtual wholesaler).

Effective, March 3, 2020, the Board hereby adopts the following responsible person requirements:

TERMINAL - CLINIC				
Business Type	Business Type Definition	Approved Credentials for Responsible Person	Special Requirements	Applicable Inspection Guide
AS	Ambulatory Surgery	DO, MD, RPH, DDS, DPM		Institutional (Coming Soon)
CI	Correctional Institution - clinic or med room that is located within a correctional facility or jail.	DO, MD, RPH, APRN		Institutional (Coming Soon)
CL	Clinic - Health Dept., Free Clinic, Specialty Clinic	DO, MD, RPH, APRN, DDS		Clinic and Prescriber Office (OAC 4729:5-19)
CT	Chemical Treatment	DO, MD, RPH, APRN		Clinic and Prescriber Office (OAC 4729:5-19) or

				Institutional (Coming Soon)
ED	Free Standing Emergency Department	DO, MD, RPH		Institutional (Coming Soon)
MC	Mobile Clinic - Drugs stored on a truck, aircraft, bus, etc.; includes non-emergent helicopters and aircraft.	DO, MD, RPH, DVM, APRN, DDS		Limited Facility (OAC 4729:5-23) or Non-Limited Facility (OAC 4729:5-22)
MH	Mental Health	DO, MD, RPH, APRN		Clinic and Prescriber Office (OAC 4729:5-19) or Institutional (Coming Soon)
ONC	Oncology Clinic	DO, MD, RPH		Clinic and Prescriber Office (OAC 4729:5-19)
PC	Prescriber Practice	DO, MD, APRN, DDS, OD, RPH	OD must provide therapeutic number	Clinic and Prescriber Office (OAC 4729:5-19)
POC	Point of Care - Pyxis located in another Hospital	RPH		Institutional (Coming Soon)
RT	Clinical Trials	DO, MD, RPH, DVM, OD, DDS	OD must provide therapeutic number	Clinic and Prescriber Office (OAC 4729:5-19)
SC	Sports Training Facility	DO, MD, RPH, APRN		Clinic and Prescriber Office (OAC 4729:5-19)
UR	Urgent Care + Convenience Care Clinic	DO, MD, APRN, RPH		Clinic and Prescriber Office (OAC 4729:5-19)

TERMINAL - CLINIC - SOLE PRACTITIONER/DENTIST				
Business Type	Business Type Definition	Approved Credentials for Responsible Person	Special Requirements	Applicable Inspection Guide
PC	Prescriber Practice - general medical provider	DO, MD, APRN, DDS, OD, RPH	OD must provide therapeutic #	Clinic and Prescriber Office (OAC 4729:5-19)

TERMINAL - OPIOID TREATMENT PROGRAM				
Business Type	Business Type Definition	Approved Credentials for Responsible Person	Special Requirements	Applicable Inspection Guide
OTP	Opioid Treatment Program - personally furnish buprenorphine and/or administer methadone.	DO, MD	*Category III only. Obtain SAMHSA or CARF accreditation after licensure.	Opioid Treatment Program (OAC 4729:5-21)

TERMINAL - OFFICE-BASED OPIOID TREATMENT				
Business Type	Business Type Definition	Approved Credentials for Responsible Person	Special Requirements	Applicable Inspection Guide
OBOT	Office-Based Opioid Treatment Clinic	DO, MD, APRN – must have DATA 2000 Wavier	*Category III only. Required background check on Owners, RP and employees.	Office-Based Opioid Treatment Clinic (OAC 4729:5-18)

TERMINAL - PAIN MANAGEMENT CLINIC				
Business Type	Business Type Definition	Approved Credentials for Responsible Person	Special Requirements	Applicable Inspection Guide
PMC	Pain Management Clinic	DO, MD	*Category III only. Required background check on Owners, RP and employees.	Pain Management Clinic (OAC 4729:5-11)
GPMC	Grandfathered Pain Management Clinic **Approved by the Medical and Pharmacy Boards in 2011	DO, MD	*Category III only. Required background check on Owners, RP and employees.	Pain Management Clinic (OAC 4729:5-11)

TERMINAL - EMS - LIMITED				
Business Type	Business Type Definition	Approved Credentials for Responsible Person	Special Requirements	Applicable Inspection Guide
EM	EMS Headquarters	DO, MD, RPH		EMS (Coming Soon) (OAC 4729:5-14)
EMSS	EMS Satellite	DO, MD, RPH		EMS (Coming Soon) (OAC 4729:5-14)

TERMINAL - FACILITY - VETERINARY MEDICINE				
Business Type	Business Type Definition	Approved Credentials for Responsible Person	Special Requirements	Applicable Inspection Guide

VT	Veterinary Practice, Zoo, Veterinary Hospital	DVM		Veterinary Clinic (OAC 4729:5-20)
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TERMINAL - FACILITY - NON-LIMITED				
Business Type	Business Type Definition	Approved Credentials for Responsible Person	Special Requirements	Applicable Inspection Guide
AS	Animal Shelter - Humane Society or Dog Pound	DVM		Animal Shelter (OAC 4729:5-15)
BB	Blood Bank	DO, MD		Non-Limited Facility (OAC 4729:5-22)
CC	Custodial Care, Pediatric Respite, Group Home	DO, MD, APRN, RN	RN - only if medication is delivered patient specific	Non-Limited Facility (OAC 4729:5-22)
DU	Dialysis Unit	DO, MD, APRN, RPH		Non-Limited Facility (OAC 4729:5-22)
HC	Hospice	DO, MD		Non-Limited Facility (OAC 4729:5-22)
IC	Infusion Center	DO, MD, RPH		Non-Limited Facility (OAC 4729:5-22)
IM	Imaging	DO, MD		Non-Limited Facility (OAC 4729:5-22)
LA	Laboratory/Research	DO, MD, PHD, Chemist, Management, RPH, DVM, DDS	PHD, Chemist or Management must provide a proof of a degree in one of the following: chemistry,	Laboratory (OAC 4729:5-16)

			biochemistry, forensic science, biology, microbiology, or related pure applied science or proof of certified training in the field of expertise.	
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TERMINAL - FACILITY - LIMITED				
Business Type	Business Type Definition	Approved Credentials for Responsible Person	Special Requirements	Applicable Inspection Guide
AS	Animal Shelter – Humane Society or Dog Pound	CET, DVM, DOG WARDEN		Animal Shelter (OAC 4729:5-15)
DG	Dog Trainer	Management + LENA	Law Enforcement Affiliation or contract required.	Limited Facility (OAC 4729:5-23)
FA	First Aid Room/Department	DO, MD, APRN, RN	RN only if medication is delivered patient specific or for the purposes of personal furnishing naloxone.	First Aid Department (OAC 4729:5-13)
HH	Home Health Care - providing services to the patient's homes or vaccinations off-site	DO, MD		Limited Facility (OAC 4729:5-23)
ND	Nursing Home Drug Stock	DO, MD, APRN		Limited Facility (OAC 4729:5-23)

PD	Peritoneal Dialysis Center - ships directly to the patient's home, RPh does not perform final verification	Management		Limited Facility (OAC 4729:5-23)
PT	Physical Therapy	DO, MD		Limited Facility (OAC 4729:5-23)
TE	Teaching Institution	DDS, DO, MD, HEAD OF PROGRAM (RN), RPH, APRN, PA, OD, DVM	If injecting into humans, must be - DDS, DO, MD, DDS, OD, RPH or APRN.	Limited Facility (OAC 4729:5-23)

TERMINAL - MEDICAL GAS - LIMITED				
Business Type	Business Type Definition	Approved Credentials for Responsible Person	Special Requirements	Applicable Inspection Guide
CX	Contingency Stock	RN, LNHA, Management, RRT		Medical Gases (Coming Soon) (OAC 4729:5-17)
GM	Manufacturer Process Use + Food Processor	Management		Medical Gases (Coming Soon) (OAC 4729:5-17)
OX	Retail Seller or Biller of Oxygen	MD, DO, RN, APRN, LNHA, RRT, OD, DDS, DVM, RPH, Management	*Saline and Sterile Water can be included on drug list.	Medical Gases (Coming Soon) (OAC 4729:5-17)

TERMINAL - NON-RESIDENT PHARMACY - NON-LIMITED				
Business Type	Business Type Definition	Approved Credentials for Responsible Person	Special Requirements	Applicable Inspection Guide

CF	Central Fill Pharmacy	RPH		Non-Resident (Coming Soon) (OAC 4729:5-8)
IP	Pharmacy Servicing Institutions	RPH	May included Mental Health Pharmacies & Nursing Home Inpatient Pharmacies	Non-Resident (Coming Soon) (OAC 4729:5-8)
MO	Mail Order Pharmacy	RPH		Non-Resident (Coming Soon) (OAC 4729:5-8)
NU	Nuclear Pharmacy	RPH		Non-Resident (Coming Soon) (OAC 4729:5-8)
SP	Specialty Pharmacy - High \$ Drugs	RPH	May include compounding	Non-Resident (Coming Soon) (OAC 4729:5-8)

TERMINAL - PHARMACY - NON-LIMITED

Business Type	Business Type Definition	Approved Credentials for Responsible Person	Special Requirements	Applicable Inspection Guide
CF	Central Fill Pharmacy	RPH		Outpatient (Coming Soon)
CH	Charitable Pharmacy	RPH	Must provide tax exempt paperwork.	Outpatient (Coming Soon)
CP	Clinic Pharmacy	RPH		Outpatient (Coming Soon)
DM	Durable Medical Equipment	RPH		Outpatient (Coming Soon)
DR	Drug Repository	RPH		Outpatient (Coming Soon)

FL	Fluid Therapy	RPH		Outpatient (Coming Soon)
HS	Hospital	RPH		Institutional (Coming Soon)
II	Independent Community Retail (1 Outlet)	RPH		Outpatient (Coming Soon)
IL	Large Chain Retail (12+ Outlets)	RPH		Outpatient (Coming Soon)
IP	Pharmacy Servicing Institutions	RPH	May include mental health pharmacies & nursing home inpatient pharmacies.	Institutional (Coming Soon)
IS	Small Chain Retail (2-11 Outlets)	RPH		Outpatient (Coming Soon)
KI	Kiosk	RPH		Institutional (Coming Soon)
MD	Multi-Disciplinary	RPH	May include compounding	Outpatient (Coming Soon)
MO	Mail Order Pharmacy	RPH		Outpatient (Coming Soon)
NU	Nuclear Pharmacy	RPH		Nuclear (Coming Soon)
ONC	Oncology Pharmacy	RPH		Outpatient (Coming Soon)
SP	Specialty Pharmacy - High \$ Drugs	RPH	May include compounding	Outpatient (Coming Soon)

TERMINAL - PHARMACY - LIMITED				
Business Type	Business Type Definition	Approved Credentials for Responsible Person	Special Requirements	Applicable Inspection Guide
CR	Consulting Pharmacy	RPH	*Category II only	Outpatient (Coming Soon) or Institutional (Coming Soon)
CRP	Contract Remote Order Entry	RPH	*Category II only	Outpatient/Institutional (Coming Soon) - Specifically Remote Order Entry Requirements
MTM	Medication Therapy Management	RPH	*Category II only	Medication Therapy Management (Coming Soon) (OAC 4729:5-12)

TERMINAL – NON-RESIDENT PHARMACY - LIMITED				
Business Type	Business Type Definition	Approved Credentials for Responsible Person	Special Requirements	Applicable Inspection Guide
CR	Consulting Pharmacy	RPH	*Category II only	Non-Resident (Coming Soon) (OAC 4729:5-8)
CRP	Contract Remote Order Entry	RPH	*Category II only	Outpatient/Institutional (Coming Soon) - Specifically Remote Order Entry Requirements

MTM	Medication Therapy Management	RPH	*Category II only	Medication Therapy Management (Coming Soon) (OAC 4729:5-12)
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TERMINAL - PHARMACY SUPPLIED CONTINGENCY STOCK - UNLIMITED				
Business Type	Business Type Definition	Approved Credentials for Responsible Person	Special Requirements	Applicable Inspection Guide
CI	Correctional Institution	RPH		Institutional (Coming Soon)
CS	Community Pharmacy	RPH		Outpatient (Coming Soon)
HC	Hospice Facility	RPH		Institutional (Coming Soon)
HS	Hospital	RPH		Institutional (Coming Soon)
MH	Mental Health Institution	RPH		Institutional (Coming Soon)
NH	Nursing Home	RPH		Institutional (Coming Soon)

DISTRIBUTOR OF DANGEROUS DRUGS – MANUFACTURER, OUTSOURCING FACILITY, REPACKAGER, AND THIRD-PARTY LOGISTICS PROVIDER				
Business Type	Business Type Definition	Approved Credentials for Responsible Person	Special Requirements	Applicable Inspection Guide
MF	Manufacturer	Management		Manufacturer (Coming Soon) (OAC 4729:6-8)
OSC	Outsourcing Facility – 503B sterile and/or non-sterile compounding at wholesale, not patient specific	Ohio Licensed RPH	Must provide FDA registration and inspection report	Outsourcing Facility (Coming Soon) (OAC 4729:6-10)
RE	Repackager	Management	Must provide FDA registration	Repackager (Coming Soon) (OAC 4729:6-9)
3PL	Third-Party Logistics - stores and distributes drug but does not have ownership	Management	If out of state, must have licensure from home state or VAWD Accreditation.	Third-Party Logistics Providers (Coming Soon) (OAC 4729:6-11)

WHOLESALE				
BC	Bulk Pharmaceutical Chemical Seller	Management		Wholesale Distributor (Coming Soon) (OAC 4729:6-5)
BG	Buying Group - A group of wholesalers/stores that leverage for better pricing	Management		Wholesale Distributor (Coming Soon) (OAC 4729:6-5)

BR	Broker	Management	If out of state, must have licensure from home state.	Wholesale Distributor (Coming Soon) (OAC 4729:6-7)
CM	Compressed Medical Gases	Management		
CN	Clinic Wholesaler: Blood Banks, Health Departments	Management		Wholesale Distributor (Coming Soon) (OAC 4729:6-5)
FS	Full Service	Management		Wholesale Distributor (Coming Soon) (OAC 4729:6-5)
IE	Import/Export - importing drugs from in/out of the country	Management		Wholesale Distributor (Coming Soon) (OAC 4729:6-5)
PU	Public Health Preparedness* NOTE: A board of health, as defined in section 3701.048 of the Revised Code, that is licensed as a terminal distributor of dangerous drugs (TDDD) for the purpose of distributing dangerous drugs to another TDDD during a declared public health emergency or emergency preparedness incident is not required to obtain licensure as a wholesale distributor.	Management		Wholesale Distributor (Coming Soon) (OAC 4729:6-5)
SD	Samples Distributor	Management		Wholesale Distributor (Coming Soon) (OAC 4729:6-5)

VW	Virtual Wholesaler- NO DRUGS ONSITE	Management	If out of state, must have licensure from home state or VAWD Accreditation.	Virtual Wholesalers (Coming Soon) (OAC 4729:6-6)
WD	Waste Disposal/Reverse Distributor	Management	Must provide DEA & EPA registration	Wholesale Distributor (Coming Soon) (OAC 4729:6-5)

2:28 p.m. Pursuant to Section 4729.571 of the Ohio Revised Code, the State of Ohio Board of Pharmacy was joined by Tom Pyles, Chief of Investigations, for the purpose of whether to consider a summary suspension related to a Medical Marijuana Caregiver, Medical Marijuana Employee, Registered Pharmacy Technician, and Pharmacist.

R-2020-0414 After hearing Mr. Pyles discuss the significant facts regarding the activities of Jared Somerlot, Medical Marijuana Caregiver, Mr. Weaver moved that the Board summarily suspend the Medical Marijuana Caregiver Registration license belonging to Jared Somerlot (MMJ Caregiver Registration No. 0050-2070-5066-5419-1356) Delaware, Ohio. The motion was seconded by Mr. Miller and approved by the Board: Aye-5, Nay-0.

R-2020-0415 After hearing Mr. Pyles discuss the significant facts regarding the activities of Jared Somerlot, Medical Marijuana Employee, Mr. Weaver moved that the Board summarily suspend the Medical Marijuana Employee License belonging to Jared Somerlot (MME.05300743) Lancaster, Ohio. The motion was seconded by Mr. Miller and approved by the Board: Aye-5, Nay-0.

R-2020-0416 After hearing Mr. Pyles discuss the significant facts regarding the activities of Debora G. Levanduski, Registered Pharmacy Technician, Mr. Weaver moved that the Board summarily suspend the Registered Pharmacy Technician registration belonging to Debora G. Levanduski (registration no. 09-208787) Elyria, Ohio. The motion was seconded by Mr. Cox and approved by the Board: Aye-5, Nay-0.

R-2020-0417 After hearing Mr. Pyles discuss the significant facts regarding the activities of Derek Smoody, Pharmacist, Mr. Cox moved that the Board summarily suspend the Pharmacist License belonging to Derek Smoody (license no. 03-233995) Columbus, Ohio. The motion was seconded by Mr. Miller and approved by the Board: Aye-5, Nay-0.

R-2020-0418 Mr. Newlon moved that the February 3, 2020 Probation Committee Meeting Minutes be approved as written. The motion was seconded by Ms. Marchal and approved by the Board: Aye-5, Nay-0.

- R-2020-0419** Mr. Newlon moved that the February 3-4, 2020 Board Meeting Minutes be approved as written. The motion was seconded by Ms. Marchal and approved by the Board: Aye-5, Nay-0.
- R-2020-0420** Mr. Newlon moved that the February 11, 2020 Conference Call Minutes be approved as written. The motion was seconded by Ms. Marchal and approved by the Board: Aye-5, Nay-0.
- R-2020-0421** Mr. Newlon moved that the February 25, 2020 Conference Call Minutes be approved as written. The motion was seconded by Ms. Marchal and approved by the Board: Aye-5, Nay-0.
- R-2020-0422** Mr. Wilt announced the following Settlement Agreement has been signed by all parties and is now effective:
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**IN THE MATTER OF:
CASE NO. A-2019-0153**

**Queen City Medical Weight Loss
PENDING License No. APP-000215669
c/o Dr. Joseph Reising
6355 E. Kemper Road, Suite LL1
Cincinnati, OH 45241**

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 Queen City Medical Weight Loss (Queen City), for the purpose of resolving all issues between the parties relating to the Board investigation of issues involving the application for a Terminal Distributor of Dangerous Drugs (TDDD) license. Together, the Board and AIS 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. Queen City Medical Weight Loss (Queen City) applied for a Terminal Distributor of Dangerous Drugs license on December 20, 2018 with Dr. Joseph Reising as the Responsible Person.

FACTS

1. On or about November 9, 2018, agents from the Board initiated an investigation of Queen City as a result of an investigation of another entity. It was determined that Queen City did possess dangerous drugs without a valid TDDD.

2. On or about January 24, 2020, the Board sent a Notice of Opportunity for Hearing to Queen City, 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. Queen City neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated January 24, 2020; 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. Queen City agrees to pay to the Board a monetary penalty the amount of \$2,000. 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. Upon payment of the fine, Queen City's TDDD license will be issued.
4. Queen City 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. Queen City 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 Queen City 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 Queen City by the Board and will NOT discharge AIS from any obligation under the terms of this Agreement.
6. Queen City agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

7. Queen City 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 AIS will operate.
9. Queen City waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, specifically withdraws its request for a hearing in this matter, 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-2020-0423

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

**IN THE MATTER OF:
CASE No. A-2019-0331
I-2018-0393-B**

**Penn Veterinary Supply, Inc.
License No. 01-2317600
c/o Diane Evanosky
53 Industrial Circle
Lancaster, PA 17601**

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 Penn Veterinary Supply, Inc. for the purpose of resolving all issues between the parties relating to the Board investigation of illegal sales of dangerous drugs to an unlicensed

terminal distributor of dangerous drugs, Ashtabula A.P.L. Together, the Board and Penn Veterinary Supply 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, or refuse to grant or renew any license issued pursuant to Section 4729.52 of the Ohio Revised Code.
2. Penn Veterinary Supply is a licensed Wholesale Distributor of Dangerous Drugs under license number 01-2317600.

FACTS

1. On or about May 6, 2019, the Board initiated an investigation of Penn Veterinary Supply, Wholesale Distributor of Dangerous Drugs license number 01-2317600, related to Penn Veterinary Supply’s illegal sales of dangerous drugs to an unlicensed terminal distributor of dangerous drugs, Ashtabula A.P.L.
2. On or about January 16, 2020 the Board sent a Notice of Opportunity for Hearing to Penn Veterinary Supply, 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. Penn Veterinary Supply neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated January 16, 2020; 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. Penn Veterinary Supply agrees to pay to the Board a monetary penalty the amount of \$2,000.00. 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. Penn Veterinary Supply 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. Penn Veterinary Supply 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 Penn Veterinary Supply 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 Penn Veterinary Supply by the Board and will NOT discharge Penn Veterinary Supply from any obligation under the terms of this Agreement.
 6. Penn Veterinary Supply agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
 7. Penn Veterinary Supply 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 Penn Veterinary Supply will operate.
 9. Penn Veterinary Supply 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.
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R-2020-0424 Mr. Wilt announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
Case No. A-2019-0461 501-0067-A**

Mount Carmel Health System
c/o Randal Miles, RPh, Responsible Person

793 West State Street
Columbus, OH 43222
License No. 02-0975550

And

5300 North Meadows Drive
Grove City, Ohio 43123
License No. 02-2359350

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 Mount Carmel Health System (“MCHS”), for the purpose of resolving all issues between the parties relating to the Board investigation of pharmacy policies, including policy deficiencies and policy implementation failures, and related patient deaths at Mount Carmel West (“MCW”). Together, the Board and MCHS are referred to hereinafter as “the parties.”

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code (ORC) 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 4729.55 of the ORC to practice as a Terminal Distributor of Dangerous Drugs (TDDD) in the state of Ohio. Additionally, Section 4729.57 of the Revised Code grants the Board the authority to impose a monetary penalty or forfeiture not to exceed in severity any fine designated under the Revised Code for a similar offense or \$1,000 if the acts committed have not been classified as an offense by the ORC.
2. On or about January 7, 1997, MCW received its TDDD license number 02-0975550. On or about February 7, 2019, Michael Mabrey signed as the Responsible Person on an application for a TDDD License on behalf of MCW.
3. On or about July 24, 2019, MCW, License number 02-0975550, changed the name and location of its TDDD to Mount Carmel Emergency Room, Franklinton at 120 S. Green Street,

Columbus, Ohio 43222, at which time the Board updated the license type from Terminal – Pharmacy – Category 3 with a Hospital classification to Terminal – Clinic – Category 3 with a Free Standing Emergency Dept. classification.

4. On or about April 28, 2019, MCW at 793 West State Street Columbus, Ohio, 43222, License number 02-0975550, transferred its inpatient operations to Mount Carmel Grove City (“MCGC”) at 5300 North Meadows Drive, Grove City, Ohio 43123, License Number 02-2359350. On or about December 18, 2019, Randal Miles submitted a change of Responsible Person form, which was approved by the Board on January 6, 2020 and made Miles the Responsible Person for MCGC’s License Number 02-2359350. Randal Miles, in his capacity as the Responsible Person for MCGC’s License Number 02-2359350, has the authority to sign this Agreement.

FACTS

1. The Board initiated an investigation of MCW, Terminal Distributor of Dangerous Drugs license 02-0975550, pertaining to pharmacy policies, including policy deficiencies and policy implementation failures, and related patient deaths at MCW.
2. On or about October 17, 2019, the Board sent a Notice of Opportunity for Hearing to MCHS, 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 12, 2019, MCHS timely submitted a request for a hearing.

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. MCHS neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated October 17, 2019; however, the Board has evidence sufficient to sustain the allegations, finds MCHS to have violated Ohio’s pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. MCHS agrees to pay to the Board a monetary penalty in the amount of \$400,000.00. This fine will be attached to licensee’s record; to pay this fine licensee must login to

www.license.ohio.gov and process the items in licensee's cart. Alternatively, MCHS may pay this fine by delivering a check to the Board in the amount of \$400,000.00 made payable to "Treasurer, State of Ohio." Any such check must be delivered to the Board (77 South High Street, 17th Floor, Columbus, Ohio 43215) no later than thirty (30) days from the effective date of this Agreement.

4. MCHS agrees to pay the investigative costs of the Board's investigation, \$77,492.73. These costs will be attached to licensee's record; to pay these costs the licensee must login to www.license.ohio.gov and process the items in licensee's cart. Alternatively, MCHS may pay the investigation costs by delivering a check to the Board in the amount of \$77,492.73 made payable to "Treasurer, State of Ohio." Any such check must be delivered to the Board (77 South High Street, 17th Floor, Columbus, Ohio 43215) no later than thirty (30) days from the effective date of this Agreement.
5. The Board hereby places MCW's transferred operational license of MCGC, License No. 02-2359350, on probation for a period of three years from the effective date of this Agreement. During the period of probation MCHS must retain a Board-approved consultant pharmacist or consulting pharmacy organization to review MCGC's compliance with Pharmacy Board rules and regulations. The consultant pharmacist/consulting pharmacy organization must submit to the Board an initial and then biannual reports, for the duration of probation, detailing MCGC's compliance with the Pharmacy Board's standards of practice as set forth in its rules and regulations, including any recommendations for improvement or changes necessary to become compliant. The correspondence or other documentation may be emailed to legal@pharmacy.ohio.gov.
 - a. The consultant pharmacist/consulting pharmacy organization's initial report must be submitted to the Board no later than 60 days from the effective date of this Agreement. The report must demonstrate that MCGC meets the Pharmacy Board's standards of practice as set forth in its rules and regulations. At a minimum, the consultant pharmacist/consulting pharmacy organization's report must include the following:
 - i. Confirmation additional training has been provided to all MCGC staff on reporting into its electronic incident reporting system;
 - ii. Confirmation that MCGC Senior Leadership is conducting a review of all reported level 5 and higher events. This includes any reported events, safety events, and/or pharmacy related events, from the preceding 24 hours which are to be provided via email to Senior Leadership at MCGC (as defined below), as well as the MCHS Regional Chief Clinical Officer and the Regional Chief Nursing Officer;
 1. Level 5 harm is harm, even temporary, to a patient;

2. Reported events may include, but are not limited to, quality assurance concerns, administration errors, order set concerns, formulary concerns, misuse of the electronic health record;
3. Safety events may include, but are not limited to, high dose of medications, dosages outside MCHS' established policies, medication errors, misuse of medication, pharmacy delays, tampering, unapproved or misuse of the over-rides of the automated drug storage system (i.e. pyxis, etc.), inadequate charting;
4. Pharmacy-related events may include, but are not limited to, patient harm or death as it relates to dangerous drugs;
5. Senior Leadership of MCGC includes the MCGC President, the MCGC Chief Nursing Officer, the MCGC Chief Medical Officer, the MCGC Patient Safety Risk Officer, and the MCGC Responsible Person (hereinafter, "MCGC Senior Leadership").
 - iii. Confirmation that MCGC Senior Leadership is participating in a daily (Monday through Friday) safety call regarding potential safety events, pharmacy-related events, or other patient safety issues; Monday safety calls will include a review of the preceding 72 hours;
 - iv. Confirmation that MCGC's Responsible Person is notified, at a minimum, of all safety and/or pharmacy-related events pertaining to the pharmacy or use of dangerous drugs;
 - v. Confirmation that the MCGC Responsible Person and/or MCGC pharmacy leadership team are performing a daily (Monday through Friday) safety huddle in person with employees, consisting of a review of, at a minimum, safety and/or pharmacy-related events pertaining to the pharmacy or use of dangerous drugs; Monday safety huddles will include a review of the preceding 72 hours;
 - vi. Confirmation that MCGC is following its pharmacy related policies and procedures;
 - vii. Confirmation that MCGC is conducting a review of all mortalities of at least the following categories of cases:
 1. Surgical Inpatient mortality for patient with serious treatable condition;
 2. Electrophysiology – mortality in hospital or 30-day readmission with mortality following EP procedure;
 3. Surgery – mortality during index admission or mortality during 30-day readmission;

4. Cardiothoracic Surgery operative mortality;
 5. Endovascular mortality – mortality during index admission or mortality during 30-day readmission;
 6. Orthopedic mortality during hip and/or knee procedure;
 7. Emergency Department mortalities;
 8. Structural Heart – in-hospital mortality during TAVR, MitraClip, or mitral valve related surgery, or mortality during 30-day readmission;
 9. Cardiovascular – in hospital mortality following a catheterization or catheterization percutaneous coronary intervention procedure;
 10. All trauma-related mortality;
 11. Obstetrics/Gynecology – All maternal, fetal, and infant mortality;
 12. Stroke – unanticipated mortality;
 13. Anesthesia – all mortalities within 48 hours;
 14. Any mortality referred for review by the Chief Clinical Officer and/or Chief Medical Officer; and
 15. Any patient whose cause of death is determined to be respiratory failure or respiratory depression, or adverse sequelae related to respiratory failure or respiratory depression, who concomitantly was administered a benzodiazepine or opioid.
- b. After submission of the initial report, MCGC must employ the consultant pharmacist/consulting pharmacy organization to submit a biannual report to the Board demonstrating compliance with Pharmacy Board rules and regulations during the entirety of the probationary period. The second report will be due to the Board six months from the date the initial report is submitted, and every six months thereafter.
 - c. MCGC agrees to comply with and implement all recommendations identified in the consultant pharmacist/consultant pharmacy organization's report.
 - d. Failure to comply with and/or implement the recommendations in the consultant pharmacist/consultant pharmacy organization's report will be reviewed by the Board and may result in unannounced inspections to ensure compliance with Pharmacy Board rules and regulations.
 - i. An inspection may result in immediate corrective action requiring a written response and/or potential additional administrative disciplinary action, up to and including additional discipline, suspension, or revocation of MCGC's license;
 - ii. A consultant pharmacist/consulting pharmacy organization report and/or Board inspection may result in a summary suspension of MCGC's License if the Board determines that there is clear and convincing evidence of danger of

immediate and serious harm to others due to the method used by MCGC to possess or distribute dangerous drugs or the method of prescribing dangerous drugs used by a licensed health professional authorized to prescribe who practices in the employ of or under contract with MCGC.

6. MCHS agrees that its MCGC Responsible Person will:
 - a. Be issued and comply with a position description consistent with Board of Pharmacy Institutional Rules as set forth in agency 4729 of the Ohio Administrative Code as they exist as of the effective date of this Agreement;
 - b. Be provided an updated position description and training on the expectations of that position within 30 days of the effective date of any changes in the Board of Pharmacy's Institutional Rules, including amendments or updates thereto;
 - c. Have immediate, direct access to and communication with MCHS' Chief Clinical Officer for reporting, at a minimum, safety events and/or pharmacy-related events.
 - d. Be informed immediately by MCGC's Pharmacy Clinical Coordinator upon discovery of incidents of medical error involving high risk central nervous system ("CNS") medications.
7. The Board agrees to reflect this disciplinary action only on the license number at which the violations occurred, 02-0975550, MCW located at 793 West State Street, Columbus, OH 43222 for the duration of probation, unless a violation of this agreement occurs.
 - a. The MCGC license, located at 5300 North Meadows Drive, Grove City, Ohio 43123, License No. 02-2359350, will remain active, in good standing, unless a violation of probation occurs, at which time a Notice of Opportunity for Hearing will be issued and further administrative disciplinary proceedings will be pending against MCGC.
8. Should MCHS apply for and obtain a TDDD license at 793 West State Street during the pendency of this Agreement, it agrees that both locations, 793 West State Street, Columbus and 5300 North Meadows Drive, Grove City are subject to the entire terms of this Agreement, including probation and discipline.
9. The Board agrees to issue MCHS Emergency Room Franklinton, located at 120 S. Green St., Columbus OH 43222 new license number 02-2889050. The new license number will be issued on the effective date of this agreement. After a period of 45 days from the effective date of this agreement, the Board will sever MCHS Emergency Room Franklinton's affiliation with License No. 02-0975550, which will revert to its original affiliation, MCW.
10. MCHS agrees and acknowledges that this Board disciplinary action must be disclosed to any accrediting bodies and 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.

11. MCHS agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
12. MCHS understands that it has the right to be represented by counsel for review and execution of this agreement.
13. 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 MCHS will operate.
14. MCHS withdraws its request for a hearing and an opportunity to be heard pursuant to Chapter 119 of the Ohio Revised Code and waives any right to an appeal.
15. 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.
16. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
17. 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.
18. This Agreement shall become effective upon the date of the Board President's signature below.

R-2020-0425

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

**IN THE MATTER OF:
CASE No. A-2019-0139
I-2018-2238-B**

**Patriot Emergency Medical Services
License No. 02-1458000
c/o David Apgar, DO
2914 South 4th Street
Ironton, OH 45638**

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 Patriot Emergency Medical Services (Patriot EMS) for the purpose of resolving all issues between the parties relating to the Board investigation of illegal purchases of dangerous drugs from an unlicensed entity. Together, the Board and Patriot EMS 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. Patriot EMS is a licensed Terminal Distributor of Dangerous Drugs under license number 02-1458000.

FACTS

1. On or about September 14, 2018, the Board initiated an investigation of Patriot EMS, Terminal Distributor of Dangerous Drugs license number 02-1458000, related to Patriot EMS’s illegal purchase of dangerous drugs from an unlicensed entity, Our Lady of Bellefonte Hospital.
2. On or about January 16, 2020 the Board sent a Notice of Opportunity for Hearing to Patriot EMS, 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. Patriot EMS neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated January 16, 2020; 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. Patriot EMS 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 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. Patriot EMS 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. Patriot EMS 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 Patriot EMS 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 Patriot EMS by the Board and will NOT discharge Patriot EMS from any obligation under the terms of this Agreement.
 6. Patriot EMS agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
 7. Patriot EMS 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 Patriot EMS will operate.
 9. Patriot EMS 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-2020-0426 Mr. Wilt announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE No. A-2019-0045**

Satya Bharmota, M.D.
8047 Craginhal Lane
Dublin, Ohio 43017

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 Dr. Satya Bharmota for the purpose of resolving all issues between the parties relating to the Board investigation of Dr. Satya Bharmota personally furnishing to patients prescriptions for controlled substances in excess of a 72-hour supply. Together, the Board and Dr. Satya Bharmota, are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.291 of the Ohio Revised Code, the Board has the authority to impose a fine of not more than five thousand dollars on a prescriber who fails to comply with the limits established under Section 4729.291(C)(1). A separate fine may be imposed for each instance of failing to comply with the limits.
2. Dr. Satya Bharmota is licensed as a Doctor of Medicine by the State Medical Board of Ohio under license number 35.039055.

FACTS

1. On or about January 30, 2019, the Board initiated an investigation of Dr. Satya Bharmota unlawfully personally furnishing to patients prescriptions for controlled substances in excess of a 72-hour supply.
2. On or about August 29, 2019, the Board sent a Notice of Opportunity for Hearing to Dr. Satya Bharmota, 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 September 20, 2019, Dr. Satya Bharmota, timely requested an administrative hearing, which was subsequently scheduled for February 4, 2020.

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. Dr. Satya Bharmota neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated August 29, 2019; 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. Dr. Satya Bharmota agrees to pay a fine of \$10,000 to the State of Ohio Board of Pharmacy. \$6,500 of this fine shall be stayed upon condition Dr. Satya Bharmota pays \$3,500 to the Board no later than twelve (12) months from the date of this agreement. The remaining balance of \$6,500 will be due immediately if Dr. Satya Bharmota does not meet the conditions of this agreement, including full payment of \$3,500 no later than twelve months from the date of this agreement. Payment must be made by means of a personal check made payable to "State of Ohio Board of Pharmacy," and mailed with a copy of this Agreement to, 77 South High Street, 17th Floor, Columbus, Ohio 43215-6126.
4. Dr. Satya Bharmota agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
5. Dr. Satya Bharmota understands that she has the right to be represented by counsel for review and execution of this agreement.
6. Dr. Satya Bharmota 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 applications for a new license.
7. Dr. Satya Bharmota waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and specifically withdraws his request for a hearing in this matter waives any right to an appeal.
8. 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.
9. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.

10. 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.
11. This Agreement shall become effective upon the date of the Board President's signature below.
-

R-2020-0426.01 Mr. Wilt announced the Citation issued to Ohio Recovery and Counseling Center (Case No. A-2019-0349) on January 14, 2020 is dismissed.

R-2020-0426.02 Mr. Wilt announced the Citation issued to Stratus Pharmaceuticals, Inc. (Case No. A-2018-0105) on May 3, 2019 is dismissed.

R-2020-0426.03 Mr. Wilt announced the Citation issued to John O'Connell (Case No. A-2019-0460) on October 17, 2019 is dismissed.

2:48 p.m. Pursuant to Section 4729.571 of the Ohio Revised Code, Ms. Dehner and Ms. Gilbert led a discussion, for the purpose of whether to consider a summary suspension related to a licensed Pharmacist.

R-2020-0427 After hearing Ms. Dehner and Ms. Gilbert discuss the significant facts regarding the activities of David Mullett, Pharmacist, Mr. Cox moved that the Board summarily suspend pharmacist license belonging to David Mullett (license no. 03-221169) Leavenworth, Kansas. The motion was seconded by Mr. Newlon and approved by the Board: Aye-5, Nay-0.

The Board heard the results of a previously ordered mental and physical exam and instructed Board staff to proceed with the recommendation, Ordering additional testing for the licensee.

3:00 p.m. Ms. Dehner discussed the possibility of issuing an Amended Order of The State Board of Pharmacy potentially allowing for Douglas Birkhimer to allow a six-month tolling of probationary terms.

R-2020-0428 After votes were taken in public session, the Board adopted the following order in the matter of JG City, LLC.

ORDER OF THE STATE OF OHIO BOARD OF PHARMACY
CONFIRMING AND APPROVING
REPORT & RECOMMENDATION OF HEARING EXAMINER

(Case Number 2018-M1145)
In the Matter of Applicant: JG City LLC
311 N. Aberdeen St., Suite #300
Chicago, IL 60607
Account No./Application No.: 548-1145

Application District: Northwest-3
Application Dispensary Address: 5109 Suder Avenue, Toledo, OH 43611

INTRODUCTION

In the Matter of Applicant: JG City LLC came for hearing before Hearing Examiner Anna L. Bates on October 7, 2019, and for consideration by the State of Ohio Board of Pharmacy (Board) on March 3, 2020 before the following members of Board: Shawn C. Wilt, RPh, *Presiding*; Donald R. Miller, RPh; Megan E. Marchal, RPh; Fred M. Weaver, RPh; Richard J. Newlon, *public member*; and Joshua M. Cox, RPh.

Respondent was represented by attorneys Michael Kanovitz and Frank Newell. The State of Ohio was represented by Principal Assistant Attorney General Henry Appel.

BOARD REVIEW OF THE RECORD

Prior to making its decision, the Board reviewed the entire administrative record in this matter, consisting of the following items:

- 1) 06.15.2018: Notice of Opportunity for Hearing, Case No. 2018-M1145
- 2) 06.15.2018: Notice of Opportunity for Hearing Case No. 2018-M1145, Attachment 1 Scorecard
- 3) 06.15.2018: Notice of Opportunity for Hearing Case No. 2018-M1145, Attachment 2 Full List of Application Scores by District
- 4) 06.19.2018: Proof of Service, Notice of Opportunity for Hearing, Case No. 2018-M1145
- 5) 06.21.2018: Request for Hearing, Case No. 2018-M1145
- 6) 07.31.2018: Acknowledgment of Hearing Request, Case No. 2018-M1145
- 7) 08.02.2018: Appointment of Hearing Examiner
- 8) 08.02.2018: Appointment of Hearing Examiner Attachment
- 9) 09.06.2018: Notice of Hearing and Journal Entry
- 10) 09.17.2018: State of Ohio Request for Prehearing Briefs
- 11) 09.14.2018: Respondent Response to State of Ohio Request for Prehearing Briefs
- 12) 09.25.2018: Hearing Examiner Response to Request for Prehearing Briefs
- 13) 09.27.2018: Amended Notice of Hearing and Scheduling Order
- 14) 11.01.2018: Motion to Appear Pro Hac Vice - Michael Kanovitz
- 15) 11.01.2018: Affidavit of Michael Kanovitz
- 16) 11.01.2018: Supreme Court of Ohio Certificate - Michael Kanovitz
- 17) 11.01.2018: Motion to Appear Pro Hac Vice with Attachments - Michael Kanovitz
- 18) 11.01.2018: Motion for Permission to Appear Pro Hac Vice - Frank Newell
- 19) 11.01.2018: Affidavit of Frank Newell
- 20) 11.01.2018: Supreme Court of Ohio Certificate - Frank Newell
- 21) 11.01.2018: Motion to Appear Pro Hac Vice with Attachments - Frank Newell
- 22) 11.06.2018: State of Ohio Motion for Continuance
- 23) 11.15.2018: Order Granting State of Ohio Motion for Continuance

- 24) 11.15.2018: 2nd Amended Notice of Hearing and Scheduling Order
- 25) 01.28.2019: State of Ohio Initial List of Witnesses and Exhibits
- 26) 01.28.2019: Respondent Request for Issuance of Subpoenas
- 27) 01.29.2019: State of Ohio Motion for Continuance
- 28) 01.31.2019: Email Exchange
- 29) 01.31.2019: 3rd Amended Notice of Hearing and Scheduling Order
- 30) 05.30.2019: 4th Amended Notice of Hearing and Scheduling Order
- 31) 06.21.2019: Respondent Request for Issuance of Subpoenas
- 32) 06.28.2019: Order Granting Frank Newell Motion for Permission to Appear Pro Hac Vice
- 33) 06.28.2019: Order Granting Michael Kanovitz Motion for Permission to Appear Pro Hac Vice
- 34) 07.01.2019: Respondent Request to Extend Pretrial Brief and Response Deadlines
- 35) 07.01.2019: Supreme Court of Ohio Certificate - Mike Kanovitz
- 36) 07.01.2019: Supreme Court of Ohio Certificate - Frank Newell
- 37) 07.03.2019: Email Exchange Granting Extension of Deadlines
- 38) 07.05.2019: State of Ohio Prehearing Brief
- 39) 07.11.2019: Respondent Prehearing Brief
- 40) 07.12.2019: GTI Ohio, LLC Motion to Quash Subpoena Duces Tecum
- 41) 07.16.2019: Respondent Response to State of Ohio Prehearing Brief
- 42) 07.16.2019: Respondent Prehearing Statement
- 43) 07.16.2019: OH 127, LLC Motion to Quash Subpoena
- 44) 07.16.2019: State of Ohio Response to Respondent Prehearing Brief
- 45) 07.25.2019: State of Ohio Motion to Quash Subpoena
- 46) 07.30.2019: Respondent Response to GTI Ohio, LLC Motion to Quash
- 47) 07.30.2019: Respondent Response to OH 127, LLC Motion to Quash
- 48) 08.06.2019: GTI Ohio, LLC Motion to Deny Request and Quash Subpoena
- 49) 08.06.2019: GTI Ohio, LLC Reply to Respondent Response to GTI Ohio, LLC Motion to Quash
- 50) 08.08.2019: GTI Ohio, LLC Notice of Withdrawal of Section I of Its Reply Brief in Support of Motion to Quash
- 51) 08.08.2019: Respondent Response to State of Ohio Motion to Quash
- 52) 08.11.2019: 5th Amended Notice of Hearing and Scheduling Order
- 53) 08.19.2019: Decision and Journal Entry Granting Motion to Quash Filed By GTI Ohio, LLC On July 12, 2019
- 54) 08.30.2019: Respondent Response to GTI Ohio, LLC Motion to Deny Request and Quash
- 55) 08.30.2019: Decision and Journal Entry Granting Motion to Quash Filed by OH 127, LLC on July 16, 2019
- 56) 08.28.2019: Email Communications Regarding Motions to Quash and Reply In Support of Motion to Quash
- 57) 09.09.2019: Decision and Journal Entry Granting the State of Ohio Motion to Quash Subpoenas
- 58) 09.09.2019: Decision and Journal Entry Granting GTI Ohio, LLC Motion to Deny Request and Quash Subpoenas
- 59) 09.23.2019: Respondent Prehearing Brief
- 60) 11.12.2019: Report and Recommendation, Case No. 2018-M1145
- 61) 11.13.2019: Report and Recommendation Cover Letter, Case No. 2018-M1145

- 62) 11.19.2019: Proof of Service, Report and Recommendation, Case No. 2018-M1145
- 63) 11.13.2019: Respondent Request for Extension of Time and to Address the Board
- 64) 11.18.2019: Correspondence Granting Request for Extension of Time and to Address the Board
- 65) 11.29.2019: Respondent Second Request for Extension of Time to Respond to Report and Recommendation
- 66) 12.02.2019: Correspondent Granting Respondent Second Request for Extension of Time
- 67) 12.11.2019: Respondent Third Request for Extension of Time to Respond to Report and Recommendation
- 68) 12.13.2019: Correspondence Granting Respondent Third Request for Extension of Time to Respond to Report and Recommendation
- 69) 12.19.2019: Respondent Fourth Request for Extension of Time to Respond to Report and Recommendation
- 70) 12.20.2019: Correspondence Granting Fourth Request for Extension of Time to Respond to Report and Recommendation
- 71) 01.10.2020: Respondent Objections to Report and Recommendation
- 72) 02.07.2020: Correspondence Scheduling Oral Presentation to the Board

- The October 7, 2019 hearing transcript
- The following State of Ohio Exhibits admitted by the Hearing Examiner:

Exhibit 01: Notice letter (with all attachments)
Exhibit 02: Request for hearing
Exhibit 03: Request for Applications
Exhibit 04: Medical Marijuana Dispensary Districts
Exhibit 05: Medical Marijuana Dispensary Licensing Report
Exhibit 06: Dispensary Provisional License Presentation
Exhibit 07: Key Indicator -- Business Plan
Exhibit 08: Key Indicator -- security (Operations C&E)
Exhibit 09: Key Indicator -- operations Patient Care
Exhibit 10: Key Indicator -- Patient Care Plan
Exhibit 11: Evaluator key
Exhibit 12: List of Medical Marijuana Dispensaries by Statewide Rank
Exhibit 13: NW 3 rankings
Exhibit 14: Scorecard for JG
Exhibit 16: Score Card for 127 OH
Exhibit 17: Affidavit of Erin Reed
Exhibit 18: Application of JG City*

***Note: Exhibit 18 was admitted under seal**

- The following JG City, LLC Exhibits were identified during the hearing, but were not admitted by the Hearing Examiner:

Exhibit VV: GTI Ohio, LLC Application ID 99

DECISION OF THE BOARD

After thorough review of the administrative record, the Board hereby adopts in its entirety Hearing Examiner Bates' Report and Recommendation, as it relates to the Board's June 15, 2018 *Notice of Opportunity of Hearing/Notice of Intent to Deny Application for Medical Marijuana Dispensary License* to JG City LLC, including the Findings of Fact and Conclusions of Law.

The Board confirms and approves the Report and Recommendation of Hearing Examiner Anna L. Bates, affirming the Board's license award process, which includes a denial of a Dispensary Provisional License to JG City LLC.

Mr. Weaver moved to confirm and approve the Report and Recommendation of Hearing Examiner Bates; Mr. Newlon seconded the motion. Motion passed (Aye-5/Nay-0).

SO ORDERED.

R-2020-0429

After votes were taken in public session, the Board adopted the following order in the matter of **Angela Thomas, Youngstown, Ohio.**

ORDER OF THE STATE OF OHIO BOARD OF PHARMACY
CONFIRMING IN PART AND APPROVING IN PART
REPORT & RECOMMENDATION OF HEARING EXAMINER

(Case Number A-2019-0520-MME)

IN THE MATTER OF:
Angela Thomas (Respondent)
1637 Thalia Avenue
Youngstown, OH 44514
(License No. MME.05200320)

INTRODUCTION

In the Matter of: Angela Thomas came for hearing before Hearing Examiner Rhonda Shamansky on January 15, 2020, and for consideration by the State of Ohio Board of Pharmacy (Board) on March 3, 2020 before the following members of the State of Ohio Board of Pharmacy (Board): Shawn C. Wilt, RPh, *Presiding*; Donald R. Miller, RPh; Megan E. Marchal, Rph; Fred M. Weaver, RPh; Richard J. Newlon, *public member*; and Joshua M. Cox, RPh.

Respondent was represented by attorney Robert Garrity. The State of Ohio was represented by Principal Assistant Attorney General Henry G. Appel.

BOARD REVIEW OF THE RECORD

Prior to making its decision, the Board reviewed the entire administrative record in this matter, consisting of the following items:

- 1) Summary Suspension/Notice of Opportunity for Hearing for Case No. A-2019-0520-MME
- 2) Identifier Key
- 3) Proof of Service, Summary Suspension/Notice of Opportunity for Hearing for Case No. A-2019-0520-MME
- 4) Request for Hearing
- 5) Acknowledgement of Hearing Request
- 6) Proof of service, Acknowledgement of Hearing Request
- 7) Hearing Examiner Appointment Letter
- 8) Notice of Hearing Date
- 9) Hearing Transcript*

***A portion of the transcript was sealed**

- 10) The following State of Ohio Exhibits admitted by the Hearing Examiner:

Exhibit 01a. Summary Suspension/Notice of Opportunity for Hearing

Exhibit 01b. Summary Suspension/Notice of Opportunity for Hearing

Exhibit 02. Request for Hearing

Exhibit 03. Acknowledgment of Hearing Request

Exhibit 04. Journal Entry with Notice of Hearing

Exhibit 05. Receipt*

Exhibit 06. Leaf Logix Printout*

Exhibit 07. Order of the State Board of Pharmacy, *In the Matter Of: Christopher Jaroscak, R.Ph.*, Case No. M-2019-0081

***Exhibit 05 and Exhibit 06 were admitted under seal**

11) The following Respondent Exhibits admitted by the Hearing Examiner:

Exhibit A. State of Nevada Dispensary Employee License

Exhibit B. Training Documentation

Exhibit C. Letters of Support*

Exhibit D. Angela Thomas Resume

***Exhibit C (Page 3) was admitted under seal**

12) Report and Recommendation dated January 31, 2020

13) Proof of Service, Report and Recommendation

DECISION OF THE BOARD

After thorough review of the administrative record, the Board hereby confirms and approves in its entirety Hearing Examiner Shamansky's Findings of Fact and Conclusions of Law as detailed in the Report and Recommendation.

In reviewing the evidence before the Board including hearing transcript and the exhibits admitted by the State of Ohio and Angela Thomas, the Board modifies Hearing Examiner Shamansky's recommendation that the Board revoke Angela Thomas' medical marijuana dispensary employee license and not allow reapplication until at least one year from the date of the Board's Order. The Board agrees with Hearing Examiner Shamansky's recommendation to revoke Angela Thomas' medical marijuana employee license MME.05200320. However, pursuant to Ohio Adm.Code 3796:6-1-01(K), "'Revoke' means to take action against a license rendering such license void and such license may not be reissued. 'Revoke' is an action that is permanent against the license and licensee." Therefore, Angela Thomas may not reapply for a medical marijuana dispensary employee license.

Mr. Weaver moved to confirm and approve the Report and Recommendation of Hearing Examiner Shamansky; Mr. Cox seconded the motion. Motion passed (Aye-5/Nay-0).

SO ORDERED.

R-2020-0430 After votes were taken in public session, the Board adopted the following order in the matter of **Angela Thomas, Youngstown, Ohio**. For purposes of the administrative hearing, Angela Thomas agreed to waive confidentiality regarding her status as a medical marijuana patient.

ORDER OF THE STATE OF OHIO BOARD OF PHARMACY
CONFIRMING IN PART AND APPROVING IN PART
REPORT & RECOMMENDATION OF HEARING EXAMINER
(Case Number A-2019-0520-MPT)

IN THE MATTER OF:
Angela Thomas (Respondent)
1637 Thalia Avenue
Youngstown, OH 44514
(Patient Registration No. 0030-5010-0056-8368-6499)

INTRODUCTION

In the Matter of: Angela Thomas came for hearing before Hearing Examiner Rhonda Shamansky on January 15, 2020, and for consideration by the State of Ohio Board of Pharmacy (Board) on March 3, 2020 before the following members of the State of Ohio Board of Pharmacy (Board): Shawn C. Wilt, RPh, *Presiding*; Donald R. Miller, RPh; Megan E. Marchal, Rph; Fred M. Weaver, RPh; Richard J. Newlon, *public member*; and Joshua M. Cox, RPh.

Respondent was represented by attorney Robert Garrity. The State of Ohio was represented by Principal Assistant Attorney General Henry G. Appel.

BOARD REVIEW OF THE RECORD

Prior to making its decision, the Board reviewed the entire administrative record in this matter, consisting of the following items:

- 1) Summary Suspension/Notice of Opportunity for Hearing for Case No. A-2019-0520-MPT
- 2) Identifier Key
- 3) Proof of Service, Summary Suspension/Notice of Opportunity for Hearing for Case No. A-2019-0520-MPT
- 4) Request for Hearing
- 5) Acknowledgement of Hearing Request

- 6) Proof of service, Acknowledgement of Hearing Request
- 7) Hearing Examiner Appointment Letter
- 8) Notice of Hearing Date
- 9) Hearing Transcript*

***A portion of the transcript was sealed**

- 10) The following State of Ohio Exhibits admitted by the Hearing Examiner:

Exhibit 01a. Summary Suspension/Notice of Opportunity for Hearing

Exhibit 01b. Summary Suspension/Notice of Opportunity for Hearing

Exhibit 02. Request for Hearing

Exhibit 03. Acknowledgment of Hearing Request

Exhibit 04. Journal Entry with Notice of Hearing

Exhibit 05. Receipt*

Exhibit 06. Leaf Logix Printout*

Exhibit 07. Order of the State Board of Pharmacy, *In the Matter Of: Christopher Jaroscak, R.Ph.*, Case No. M-2019-0081

***Exhibit 05 and Exhibit 06 were admitted under seal**

- 11) The following Respondent Exhibits admitted by the Hearing Examiner:

Exhibit A. State of Nevada Dispensary Employee License

Exhibit B. Training Documentation

Exhibit C. Letters of Support*

Exhibit D. Angela Thomas Resume

***Exhibit C (Page 3) was admitted under seal**

- 12) Report and Recommendation dated January 31, 2020

13) Proof of Service, Report and Recommendation

DECISION OF THE BOARD

After thorough review of the administrative record, the Board hereby confirms and approves in its entirety Hearing Examiner Shamansky's Findings of Fact and Conclusions of Law as detailed in the Report and Recommendation.

In reviewing the evidence before the Board including the hearing transcript and specifically Angela Thomas' explanation as to why her medical marijuana patient registration should not be suspended or revoked, as well as the exhibits admitted by the State of Ohio and Angela Thomas, the Board disapproves Hearing Examiner Shamansky's recommendation to suspend Angela Thomas' patient registration until she has paid a fine in an amount to be determined by the Board and until she has completed additional continuing education concerning the legal and ethical handling of medical marijuana in a number of hours to be determined by the Board. In light of the mitigating factors addressed in Hearing Examiner Shamansky's Report and Recommendation (*see Report and Recommendation* at p.19) and the need for Angela Thomas' continued access to medical marijuana in the treatment of her qualifying condition as recommended by her physician (*see Tr. 18-19*), the Board imposes a reprimand pursuant to Ohio Adm.Code 3796:7-2-08(A)(2).

Mr. Newlon moved to confirm and approve the Report and Recommendation of Hearing Examiner Shamansky; Mr. Weaver seconded the motion. Motion passed (Aye-5/Nay-0).

SO ORDERED.

R-2020-0431 Mr. Cox moved to appoint Mr. Wilt as the representative of the Board for any necessary decisions related to protection of data in the OARRS Database for the duration of his term as President, during times when the Board is not session. The motion was seconded by Mr. Weaver and approved by the Board: Aye-5, Nay-0.

R-2020-0432 Mr. Weaver moved to Adjourn the March State of Ohio Board of Pharmacy Meeting. The motion was seconded by Mr. Cox and approved by the Board: Aye-5, Nay-0.

3:10 p.m. The Board Meeting Adjourned.



Shawn C. Wilt, RPh, President

Date: 05.06.2020



Steven W. Schierholt, Executive Director

Date: 05.06.2020