

MINUTES OF THE AUGUST 5 AND 6, 2024
MEETING OF THE STATE OF OHIO BOARD OF PHARMACY

Monday, August 5, 2024

10:02 a.m.

The State of Ohio Board of Pharmacy convened in the Hearing Room, 17th Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, for a public meeting, with the following members present:

Mindy Ferris, RPh, *Presiding*; Jeff Huston, RPh, *Vice President*; Trina Buettner, RPh; Jason George, RPh; TJ Grimm, RPh; Rich Miller, RPh.; Christine Pfaff, RPh.

Absent: Anthony Buchta, Sr., RPh and Victor Goodman, *Public Member*.

Also present were Sharon Maerten-Moore, *Chief Legal Counsel*; Ashley Gilbert, *Senior Legal Counsel*; Kathryn Lewis, *Legal Administrator*; and Jennifer Nelson, *Legal Administrative Assistant*.

10:03 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 **America's Pharmacy Source, Akron, Ohio**.

R-2025-0089

Ms. Buettner 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 Mr. Huston and approved by the Board: Yes-6, No-0.

11:07 a.m.

The deliberation ended and the hearing opened to the public.

R-2025-0090

After votes were taken in public session, the Board adopted the following order in the Matter of **America's Pharmacy Source, Akron, Ohio**.

ORDER OF THE OHIO BOARD OF PHARMACY

(Case Number A-2022-0202)

In The Matter Of:
America's Pharmacy Source
c/o Douglas Behrens
947 W. Waterloo Road
Akron, Ohio 44314

(License No. 02-30000002)

INTRODUCTION

The Matter of America's Pharmacy Source came for hearing on June 2, 2024 and August 5, 2024, before the following members of the Ohio Board of Pharmacy (Board): Mindy Ferris, RPh, *Presiding*; Jeff Huston, RPh, *Vice President*; Trina Buettner, RPh; Jason George, RPh; T.J. Grimm, RPh; Rich Miller, RPh; and Christine Pfaff, RPh.

Anthony Buchta, Sr., RPh and Victor Goodman, *Public Member*; Absent.

America's Pharmacy Source was not represented by counsel. The State of Ohio was represented by Henry Appel, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witnesses:

1. Douglas Behrens

Respondent's Witnesses:

1. None

State's Exhibits:

1. Notice Letter
2. Request for Hearing
3. Scheduling Order
4. Advertisement #1
5. Advertisement #2
6. Advertisement #3
7. Advertisement #4
8. Advertisement #5
9. Advertisement #6
10. Advertisement #7
11. Advertisement #8
12. Advertisement #9
13. Advertisement #10
14. Advertisement #11
15. Advertisement #12
16. Advertisement #13

17. Advertisement #14
18. Inspection Report 11/3/2021
19. Response to Inspection Report
20. Citation for Joseph Chimienti
21. Settlement Agreement with Joseph Chimienti
22. Statement of Joseph Chimienti
23. Statement of Ameila Romero
24. Omitted
25. Records for Patient "K9 Gus"
26. RX list for Patient "K9 Gus"
27. Documents for Patient M.B.
28. Omitted
29. Prescription for Patient M.B.
30. Inspection Report 8/23/2023
31. Board Order
32. E-mail from Licensee
33. State License List
34. States Licensee Ships to
35. Summary of Ohio Sales
36. NABP Digital Pharmacy Accreditation List

Respondent's Exhibits:

- A. None

FINDINGS OF FACT

After hearing the testimony, observing the demeanor of the witnesses, considering the evidence, and weighing the credibility of each, the Board finds the following to be fact:

1. During a November 3, 2021 inspection by agents of the Board, it was discovered that America's Pharmacy Source operates as a Terminal Distributor of Dangerous Drugs that sells or offers to sell dangerous drugs via the internet; however, the pharmacy (at the time) was not a verified internet pharmacy practice site from the National Association of Boards of Pharmacy (NABP), as required.
 - a. Additionally, the pharmacy's website did not include the information required for TDDD's that sell dangerous drugs on the internet. The following information was missing from the website: a list of states in which the TDDD may legally sell

dangerous drugs, and the name, address, and contact method for the state licensing board in each state in which the TDDD is authorized to do business.

CONCLUSIONS OF LAW

1. Such conduct as set forth in Allegations Section, if proven, constitutes a violation of each of the following divisions of Section 4729.57(B) of the ORC, as effective September 29, 2017:
 - a. Violating any rule of the board, ORC Section 4729.57(B)(2); and
 - b. Violating any provision of this chapter, ORC Section 4729.57(B)(3).
2. Such conduct as set forth in Allegations Section, if proven, each constitutes a violation of the following sections of Rule 4729:5-3-08 of the OAC, as effective June 1, 2019:
 - a. Except as provided in paragraph (F) of this rule, all terminal distributors of dangerous drugs who sell or offer to sell dangerous drugs at retail on the internet to persons located in Ohio shall maintain accreditation as a verified internet pharmacy practice site from the national association of boards of pharmacy, OAC Rule 4729:5-3-08(C); and
 - b. Websites owned and/or maintained by a terminal distributor of dangerous drugs who sell or offer to sell dangerous drugs at retail on the internet to persons located in Ohio or any other state must provide the following information to the public:
 - i. Name under which the terminal distributor is licensed to do business as in Ohio, OAC Rule 4729:5-3-08(D)(1); and
 - ii. Full address of the licensed location, OAC Rule 4729:5-3-08(D)(2); and
 - iii. Telephone number where the terminal distributor may be contacted during regular business hours, OAC Rule 4729:5-3-08(D)(3); and
 - iv. A list of the states in which the terminal distributor may legally sell dangerous drugs, OAC Rule 4729:5-3-08(D)(4); and
 - v. The name, address and how the state licensing agency and the drug enforcement administration may be contacted in each state in which the person is authorized to do business. This may include a link to the agency's

and the drug enforcement administration's website, OAC Rule 4729:5-3-08(D)(5).

3. Such conduct as set forth in the Allegations Section, if proven, each constitutes a violation of the following sections of Rule 4729:5-2-01 of the OAC, as effective March 1, 2019, each punishable by a maximum penalty of \$500:
 - a. The person to whom the terminal distributor of dangerous drugs license has been issued and all pharmacists on duty are responsible for compliance with all state and federal laws, regulations, and rules governing the distribution of drugs and the practice of pharmacy, OAC Rule 4729:5-2-01(A)(3); and
 - b. The responsible person to whom the terminal distributor of dangerous drugs license has been issued and all licensed health professionals on duty are responsible for compliance with all state and federal laws, regulations, and rules governing the distribution of dangerous drugs, OAC Rule 4729:5-2-01(E)(4).
4. Such conduct as set forth in Allegations Section, if proven, each constitutes a violation of the following sections of Rule 4729:5-4-01 of the OAC, as effective March 1, 2019, each violation punishable by a maximum penalty of \$1,000:
 - a. Violating any rule of the board, OAC Rule 4729:5-4-01(B)(2); and
 - b. Violating any provision of Chapter 4729. of the Revised Code, OAC Rule 4729:5-4-01(B)(3).

DECISION OF THE BOARD

Pursuant to Section 4729.57 of the Ohio Revised Code, and after consideration of the record as a whole, America's Pharmacy Source shall apply with National Association of Boards of Pharmacy (NABP) for a Healthcare Merchant accreditation within 30-days from the issuance of this Order. Further, once America's Pharmacy Source is approved for and receives the Healthcare Merchant accreditation, the Board orders America's Pharmacy Source apply with NABP for digital pharmacy accreditation within 30-days.

Pursuant to Section 4729.57 of the Ohio Revised Code, failure to submit the initial application for Healthcare Merchant accreditation within 30-days will result in a fine of \$1,000, and failure to apply through NABP for digital pharmacy accreditation within 30-days of receiving the Healthcare Merchant accreditation will result in a fine of \$1,000.

Absent a request by America's Pharmacy Source and subsequent Board approval, should America's Pharmacy Source not complete the application process and achieve both NABP accreditations within 12-months of the issuance of this Order, America's Pharmacy Source has 30-days to remove their pharmacy website or bring it into compliance immediately. If America's Pharmacy Source fails to remove the website or bring it into immediate compliance, a fine of \$1,000 will be imposed and a representative of America's Pharmacy Source shall appear before the Board.

If any of the above fines are issued, the fine(s) will be attached to the license record for America's Pharmacy Source and must be paid no later than 180 days from the failure to comply with the deadlines ordered above. To pay a fine, a representative of America's Pharmacy Source must log in to www.elicense.ohio.gov and process the items in the cart.

Further, the Board hereby grants the State's Motion to Seal the Record in this matter including, but not limited to, all confidential patient health information contained in the record, specifically State's exhibits: 27 and 29.

Ms. Pfaff moved for Findings of Fact; Mr. Grimm seconded the motion. Motion passed (Yes-6/No-0).

Ms. Pfaff moved for Conclusions of Law; Mr. Grimm seconded the motion. Motion passed (Yes-6/No-0).

Ms. Pfaff moved for Action of the Board; Mr. Grimm seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

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| 11:10 a.m. | Ms. Defiore-Hyrmer provided the OARRS Report. |
| 11:14 a.m. | Mr. Griffin provided the Compliance and Enforcement Report. |
| 11:16 a.m. | Ms. Maerten-Moore provided the Legal Report. |
| <u>R-2025-0091</u> | Mr. Huston moved that the Board approve the 2025 Board Meeting Dates. The motion was seconded by Ms. Buettner and approved by the Board: Yes-6, No-0. |
| 11:18 a.m. | Ms. Southard provided the Licensing Report. |
| 11:22 a.m. | Ms. Southard provided the Executive Director Report. |
| 11:23 a.m. | Ms. Southard presented the Pharmacist Examination Request of Kevbe Ziregbe, West Chester, OH (APP-000573266) to the Board for consideration. |
| <u>R-2025-0092</u> | Mr. Grimm moved that the Board grant Kevbe Ziregbe one (1) additional attempt to pass the NAPLEX. The motion was seconded by Mr. Huston and approved by the Board: Yes-6, No-0. |
| 11:25 a.m. | Ms. Southard presented the Pharmacy Technician Requirement Waiver Request of Safiyo Ibrahim Mohamed, Columbus, Ohio. |
| <u>R-2025-0093</u> | Mr. Grimm moved that the Board approve the Pharmacy Technician Requirement Waiver Request and grant the Pharmacy Technician Trainee license of Safiyo Ibrahim |

- Mohamed, Columbus, Ohio. The motion was seconded by Mr. Huston and approved by the Board: Yes-6, No-0.
- 11:27 a.m.** Ms. Southard presented the Reciprocity/FPGEC Request from Jigneshkumar Bhagat – Canton, MI to the Board for consideration.
- R-2025-0094** Mr. Huston moved that the Board grant Jigneshkumar Bhagat’s request. The motion was seconded by Mr. George and approved by the Board: Yes-6, No-0.
- 11:33 a.m.** Ms. Southard presented the Reciprocity/FPGEC Request from Hany Botros (fka Hani Abdelmalek) – Myrtle Beach, SC to the Board for consideration. The request was tabled for more information.
- 11:39 a.m.** Ms. Wai led a discussion on the Pilot Project Request of Healthsource of Ohio. The discussion was tabled for the October 2024 Board Meeting.
- 11:48 a.m.** Ms. Wai presented the request of Walgreens Central Fill #21423 to extend their Trainee Supervision Ratio exemption.
- R-2025-0095** Mr. Grimm moved that the Board approve the request and grant additional time until December 15, 2024. The motion was seconded by Mr. George and approved by the Board: Yes-6, No-0.
- R-2025-0096** Mr. Huston moved that the Board go into Executive Session to consider the investigation of charges or complaints against a licensee, confer with Board counsel regarding a pending or imminent court action and to discuss matters required to be confidential by law pursuant to Section 121.22(G)(1), (3) & (5) of the Ohio Revised. The motion was seconded by Mr. George and a roll-call vote was conducted by *President Ferris* as follows: Buettner-yes; George-yes; Grimm-yes; Huston-yes, Miller-yes, and Pfaff-yes.
- 2:00 p.m.** The Board adjourned for the day.

Tuesday, August 6, 2024**9:01 a.m.**

The State of Ohio Board of Pharmacy convened in the Hearing Room, 17th Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, for a public meeting, with the following members present:

Mindy Ferris, RPh, *Presiding*; Jeff Huston, RPh, *Vice President*; Trina Buettner, RPh; Jason George, RPh; TJ Grimm, RPh; Rich Miller, RPh.; Christine Pfaff, RPh.

Absent: Anthony Buchta, Sr., RPh and Victor Goodman, *Public Member*.

Also present were Sharon Maerten-Moore, *Chief Legal Counsel*; Ashley Gilbert, *Senior Legal Counsel*; Kathryn Lewis, *Legal Administrator*; and Jennifer Nelson, *Legal Administrative Assistant*.

9:01 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 Zachary Jones, Hudson, Ohio.

R-2025-0097

Mr. Huston 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 Mr. George and approved by the Board: Yes-6, No-0.

9:23 a.m.

The deliberation ended and the hearing opened to the public.

R-2025-0098

After votes were taken in public session, the Board adopted the following order in the Matter of Zachary Jones, Hudson, Ohio.

ORDER OF THE OHIO BOARD OF PHARMACY

(Case Number A-2023-0339)

In The Matter Of:

Zachary Jones, RPh

6041 Heather Lane
Hudson, Ohio 44236
(License no. 03-233557)

INTRODUCTION

The Matter of Zachary Jones came for hearing August 6, 2024, before the following members of the Ohio Board of Pharmacy (Board): Mindy Ferris, RPh, Presiding; Jeff

Huston, RPh, Vice President; Trina Buettner, RPh; Jason George, RPh; T.J. Grimm, RPh; Rich Miller, RPh; and Christine Pfaff, RPh.

Anthony Buchta, Sr., RPh and Victor Goodman, Public Member; Absent.

Zachary Jones was represented by Bob Garrity. The State of Ohio was represented by Henry Appel, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witnesses:

1. Zachary Jones, RPh – Respondent

Respondent's Witnesses:

1. Zachary Jones, RPh

State's Exhibits:

1. Original Notice Letter
2. Board Order
3. Scheduling Order

Respondent's Exhibits:

- A. Current PRO contract, UDS results and progress letter
- B. Chemical dependency treatment documentation (under seal)
- C. 12 Step meeting attendance
- D. Resume
- E. Continuing education documentation
- F. Letters of support

FINDINGS OF FACT & DECISION OF THE BOARD

After hearing the testimony, observing the demeanor of the witnesses, considering the evidence, and weighing the credibility of each, the Board finds that Zachary Jones has substantially complied with the terms set forth in the Board Order of the Ohio Board of Pharmacy, Case No. A-2023-0339 dated November 13, 2023.

On the basis of the Finding of Fact set forth above, and after consideration of the record as a whole, the Ohio Board of Pharmacy hereby approves the reinstatement of the pharmacist license no. 03-233557 held by Zachary Jones to practice pharmacy in Ohio, subject to a period of probation for five years beginning on the effective date of this Order, with the following conditions:

1. Zachary Jones must enter into and adhere to the terms of a **new** contract, signed within thirty days after the effective date of this Order, with a Board approved treatment monitor for a period of not less than five years and, upon signing, submit a copy of the contract to the Board office. Zachary Jones should also submit to the Board documentation demonstrating compliance with an Ohio

Department of Mental Health and Addiction Services (ODMHAS) treatment provider, if applicable. Failure to adhere to the terms of the treatment contract and/or monitoring contract will be considered a violation of the Board's Order and subject Zachary Jones to potential sanctions up to and including revocation of license. The monitoring contract must provide that:

- a. Random, **observed** urine drug screens shall be conducted at least once each month.
 - b. The urine sample must be given within twelve hours of notification. The urine drug screen must include testing for creatinine or specific gravity of the sample as the dilutional standard.
 - c. Alcohol and Ethyl Glucuronide (ETG) must be added to the standard urine drug screen.
 - d. Results of all drug screens must be negative. Refusal of a drug screen or a diluted drug screen is equivalent to a positive result. Any positive results, including those which may have resulted from ingestion of food, but excluding false positives which resulted from medication legitimately prescribed, indicates a violation of the contract.
 - e. In the event of a negative diluted screen, a hair sample test must be completed at the cost of the Zachary Jones in a timeframe consistent with the drug lab's recommended policy, but in any event no later than 12 days after the negative diluted screen.
 - f. Zachary Jones must meet the daily check-in requirements of the testing center or check-in requirements as otherwise proscribed by the treatment monitor.
2. The intervener/sponsor shall submit reports to the Board, in a format acceptable to the Board, indicating drug screens and their results in a timely fashion. Actual copies of drug screens shall be made available to the Board upon request.
 - a. Attendance is required a minimum of three times per calendar week (Sunday through Saturday) on separate days, at an Alcoholics Anonymous, Narcotics Anonymous, and/or similar support group meeting.
 - b. The program shall immediately report to the Board any violations of the contract and/or lack of cooperation.
 3. Zachary Jones shall not refuse an employer provided drug or alcohol screen. If the Board becomes aware of any positive drug or alcohol screen results that were obtained in the course of employment or any mechanism other than via the signed contract with ODMHAS, the Board shall treat these results as a violation of the Board's Order and request Zachary Jones reappear before the Board for possible additional sanctions, including and up to revocation of license.

4. Zachary Jones shall not refuse a breathalyzer or other drug testing requested by law enforcement during the duration of probation. The Board shall treat any such refusal as a violation of the Board's Order and request Zachary Jones reappear before the Board for possible additional sanctions, including and up to revocation of license.
5. Zachary Jones must submit quarterly progress reports to the Board (due January 10, April 10, July 10, and October 10 of each year of probation) that include:
 - a. The written report and documentation provided by the treatment program pursuant to the contract, and
 - b. A written description of Zachary Jones' progress towards recovery and what Zachary Jones has been doing during the previous three months, and
 - c. Proof of compliance with all terms of probation, the monitoring contract, including all terms in OAC Rule 4729:4-1-04, and proof of compliance with treatment, if applicable.
6. Zachary Jones must provide copies of the board order or settlement agreement to all employers or prospective employers, all licensing authorities in which Zachary Jones holds a professional license or applies for a professional license, and all persons who provide Zachary Jones chemical dependency treatment or monitoring, during the effective period of this order or agreement.
7. Other terms of probation are as follows:
 - a. Zachary Jones must meet at least annually with the Board's Probation Committee, the first meeting to be held **August 4, 2025**. Additional periodic appearances may be requested.
 - b. The Ohio Board of Pharmacy hereby declares that Zachary Jones's pharmacist license is not in good standing and thereby denies the privilege of being a preceptor and training pharmacy interns pursuant to paragraphs (K) and (O) of Rule 4729:2-1-01 of the OAC.
 - c. Zachary Jones must obtain prior approval of the board or the board's probation committee of departures or absences in excess of ten days from the country. Periods of departure or absence shall not change the probationary term, unless otherwise determined by motion of the board or the board's probation committee. For absences of three months or longer, the board or its probation committee may toll the length of probation, other than in instances where the board or its probation committee can be assured that probationary monitoring is otherwise being performed.
 - d. Zachary Jones may not serve as a responsible pharmacist or a designated representative in a dispensary or for home medical equipment.

- e. Zachary Jones may not engage in a consult agreement, unless approved by the board.
 - f. Zachary Jones may not destroy, assist in, or witness the destruction of controlled substances.
 - g. Zachary Jones may not work in a pharmacy more than 40 hours per week or 80 hours over a two week period.
 - h. Zachary Jones must not violate the drug laws of Ohio, any other state, or the federal government.
 - i. Zachary Jones must abide by the rules of the Ohio Board of Pharmacy.
 - j. Zachary Jones must comply with the terms of this Order.
 - k. Zachary Jones's license is deemed not in good standing until successful completion of the probationary period.
 - l. Zachary Jones must provide continuing authorization for disclosure by the monitor and treatment provider (when applicable) to the Board, to treating and monitoring physicians, and to others involved in the monitoring process, of information necessary for those individuals to fulfill their duties.
8. When deemed appropriate by the Board, Zachary Jones must submit to a psychiatric evaluation, and, where appropriate, continued treatment acceptable to the Board.
9. Zachary Jones may not request modifications to probationary terms for at least three years, however, limited, isolated deviations may be granted with approval by the Board, in exceptional circumstances.
10. Zachary Jones must immediately report any violation of the terms of this probation to the Board by contacting legal@pharmacy.ohio.gov. Failure to self-report any violation shall be treated as a violation of this Board's Order and will subject Zachary Jones to possible additional sanctions, including and up to revocation of license.
11. Any violation of probation or this Board's Order may result in a Board hearing to consider alternative or additional sanctions under Section 4729.16 of the Ohio Revised Code, including and up to revocation of Zachary Jones's license.
12. Periods during which Zachary Jones is not in compliance with all probationary terms shall toll the length of time of probation, or the Board may implement additional disciplinary action in addition to or instead of tolling probation.

At the conclusion of the probationary period, the Board will issue a letter indicating whether probation has been successfully completed. If the Board determines

probation has not been successfully completed, it will issue a notice of opportunity for hearing to Zachary Jones.

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

Mr. Grimm moved for Findings of Fact; **Mr. Huston** seconded the motion. Motion passed (Yes-6/No-0).

Mr. Grimm moved for the Decision of the Board; **Mr. Huston** seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

9:24 a.m.

The Board took a brief recess.

9:33 a.m.

The Board returned to public session and 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 Mark Baugh, Tsaille, Arizona.

R-2025-0099

Mr. Huston 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. Buettner and approved by the Board: Yes-6, No-0.

10:08 a.m.

The deliberation ended and the hearing opened to the public.

R-2025-0100

After votes were taken in public session, the Board adopted the following order in the Matter of Mark Baugh, Homeworth, Ohio.

ORDER OF THE OHIO BOARD OF PHARMACY

(Case Number A-2022-0549)

In The Matter Of:

Mark Albert Baugh, RPh

23147 Main Street, P.O. Box 44

Homeworth, Ohio 44634

(Inactive License No. 03-13334422)

INTRODUCTION

The Matter of Mark Baugh, RPh came for hearing on August 6, 2024, before the following members of the Ohio Board of Pharmacy (Board): Mindy Ferris, RPh, Presiding; Jeff Huston, RPh, Vice President; Trina Buettner, RPh; Jason George, RPh; T.J. Grimm, RPh; Rich Miller, RPh; and Christine Pfaff, RPh.

Anthony Buchta, Sr., RPh and Victor Goodman, Public Member; Absent.

Mark Baugh was not present and not represented by counsel. The State of Ohio was represented by Henry Appel, Assistant Attorney General.

SUMMARY OF EVIDENCEState's Witnesses:

1. Rachael Tormasi – Board Compliance Specialist

Respondent's Witnesses:

1. None

State's Exhibits:

- 1a. Notice Letter
- 1b. Patient Key (under seal)
2. Request for Hearing
3. Initial Scheduling Order
4. Current Scheduling Order
5. First Statement of Respondent
6. Second Statement of Respondent
7. Statement of Terminal Distributor
8. Statement of Anthony Rozzi
9. Statement of Dr. Scott
10. Modifications to Prescriptions (under seal)
11. Prescriptions for Patient 1 (under seal)
12. Dispensing History (under seal)
13. Dispensing Records (under seal)
14. Settlement with MD Compounding Pharmacy
15. Settlement with Anthony Rozzi
16. Settlement with Mario Petrino

Respondent's Exhibits:

A. None

FINDINGS OF FACT

After hearing the testimony, observing the demeanor of the witnesses, considering the evidence, and weighing the credibility of each, the Board finds the following to be fact:

1. On or about July 27, 2015, through on or about October 7, 2021, MD Compounding Pharmacy, located at 721 Boardman-Canfield Road, Youngstown, Ohio, dispensed 15 prescriptions for patient 1. All the prescriptions were dispensed to patient 1 as methyltestosterone (a Schedule III Controlled Substance) instead of the prescribed medication testosterone (a Schedule III Controlled Substance). Neither the prescriber nor the patient was consulted or notified prior to changing the medication.
2. On or about December 1, 2016, through on or about March 6, 2019, while working at MD Compounding Pharmacy, Mark Baugh approved data entry, including the change from testosterone to methyltestosterone (PV-1) for four (4) prescriptions for patient 1. The prescriber was never contacted to request the change to methyltestosterone from testosterone. The (four) 4 prescriptions include:
 - a. 105879 (dispensed December 13, 2016),
 - b. 110689 (dispensed June 1, 2018),
 - c. 112440 (dispensed December 27, 2018), and
 - d. 113446 (dispensed March 6, 2019).
3. A review of the records provided to agents of the Board by the pharmacy revealed the pharmacy notes stated "testosterone is not absorbed in the body as well, change to methyltestosterone per Mark Baugh and PCCA".
4. The patient ingested the incorrect medication from on or about July 27, 2015, through on or about April 2022, when a refill request was sent to the prescriber from the pharmacy and the prescriber realized the wrong medication was listed on the request. The prescriber contacted MD Compounding Pharmacy and confirmed that the Pharmacy had been issuing a therapeutic substitution without the prescriber's approval.
5. On or about September 1, 2022, Mark Baugh was interviewed via telephone by an agent of the Board, and on September 7, 2022, Mark Baugh provided a written, notarized statement. Mr. Baugh stated:
 - a. He knew testosterone was inactive orally and suggested the prescription be changed to methyltestosterone.
 - b. He recalled the initial change in 2015 to methyltestosterone from testosterone, but he said the physician should have been contacted to approve it.

- c. He was unable to recall approving the changes on four (4) prescriptions to methyltestosterone from testosterone without receiving approval by the prescriber.
- d. The written word “methyl” on the prescription he approved was not in his handwriting and therefore you did not question the change.

CONCLUSIONS OF LAW

1. Such conduct as set forth in the Findings of Fact Section, constitutes a violation of section 3715.52(A)(2) of the ORC, the adulteration or misbranding of any food, drug, device, or cosmetic.
2. Such conduct as set forth in the Findings of Fact Section, constitutes a violation of section 3715.64(A)(1), Misbranded drug – its labeling is false or misleading in any particular.
3. Such conduct as set forth in the Findings of Fact Section, constitutes a violation of section 3715.64(A) of the ORC, Misbranding: The drug sold or dispensed is not the brand or drug specifically prescribed or ordered or, when dispensed by a pharmacist upon prescription, is neither the brand or drug prescribed nor a generically equivalent drug, ORC Section 3715.64(A)(10)(d).
4. Such conduct as set forth in the Findings of Fact Section, constitutes a violation of the following divisions of (A) of section 4729.16 of the ORC effective as of September 29, 2017:
 - a. Engaged in dishonesty or unprofessional conduct in the practice of pharmacy, ORC 4729.16 Section (A)(2)(b); and
 - b. Violated, conspired to violate, attempted to violate, or aided and abetted the violation of any of the provisions of this chapter 3715.52 to 3715.72 of the Revised Code, Chapter 2925. or 3719. of the Revised Code, or any rule adopted by the board under those provisions, ORC 4729.16(A)(2)(e); and
 - c. Engaged in any other conduct for which the board may impose discipline as set forth in rules adopted under section 4729.26 of the Revised Code, ORC 4729.16(A)(2)(l).
5. Such conduct as set forth in the Findings of Fact Section, each constitutes a violation of each of the following divisions of Rule 4729-5-04 of the OAC as effective April 28, 2016:
 - a. Violated any state or federal law or rule regardless of the jurisdiction in which the acts were committed, except for minor traffic violations such as parking violations, speeding tickets, and violations such as failure to obey a red light, failure to use a turn signal or expired registration, OAC 4729-5-04(A); and

- b. Violated, conspired to violate, attempted to violate, or aided and abetted in the violation of any of the provisions of Chapters 4729., 3715., 3719., and 2925. of the Revised Code, or any rule adopted by the board under those provisions, OAC 4729-5-04(B); and
 - c. Failed to conform to prevailing standards of care of similar pharmacists or pharmacy interns under the same or similar circumstances, whether or not actual injury to a patient is established, OAC 4729-5-04(L).
6. Such conduct as set forth in the Findings of Fact Section, each constitutes a violation of the following divisions of Rule 4729:1-4-01(B)(2) of the OAC as effective May 1, 2018:
- a. Engaged in dishonesty or unprofessional conduct in the practice of pharmacy, OAC Rule 4729:1-4-01(B)(2)(b); and
 - b. Violated, conspired to violate, attempted to violate, or aided and abetted the violation of any of the provisions of Chapter 4729. of the Revised Code, sections 3715.52 to 3715.72 of the Revised Code, Chapter 2925., 3796., 3719. or 4752. of the Revised Code, or any rule adopted by the board under those provisions, OAC Rule 4729:1-4-01(B)(2)(e); and
 - c. Violated any state or federal law, regulation or rule regardless of the jurisdiction in which the acts were committed, except for minor traffic violations..., OAC Rule 4729:1-4-01(B)(2)(m); and
 - d. Failed to conform to prevailing standards of care of similar pharmacists under the same or similar circumstances, whether or not actual injury to a patient is established, OAC Rule 4729:1-4-01(B)(2)(p).

DECISION OF THE BOARD

Pursuant to Section 4729.16 of the Ohio Revised Code, and after consideration of the record as a whole, the Board of Pharmacy hereby imposes a reprimand on Mark Baugh's inactive license to practice pharmacy in the State of Ohio, license no. 03-133442.

Further, pursuant to Section 4729.16 of the Ohio Revised Code, the State of Ohio Board of Pharmacy imposes a monetary penalty in the amount of \$500.00. This fine will be attached to the license record for Mark Baugh and must be paid no later than 180 days from the effective date of this Order. To pay this fine, you must log in to www.elicense.ohio.gov and process the items in the cart.

The Board hereby grants the State's Motion to Seal the Record in this matter including, but not limited to, all confidential patient health information contained in the record, specifically State's exhibits: 1b, 10, 11, 12, and 13.

Ms. Pfaff moved for Findings of Fact; Mr. Grimm seconded the motion. Motion passed (Yes-6/No-0).

Ms. Pfaff moved for Conclusions of Law; Mr. Grimm seconded the motion. Motion passed (Yes-6/No-0).

Ms. Pfaff moved for Action of the Board; Mr. Grimm seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

10:13 a.m.

Mr. McNamee provided the Legislative Report.

10:15 a.m.

Mr. McNamee presented a resolution titled Temporary Authorization for the Use of Non-Ohio Licensed Pharmacy Personnel by Walgreens.

R-2025-0101

Mr. Huston moved to approve the resolution. The motion was seconded by Mr. George and approved by the Board: Yes-6, No-0. The following resolution was adopted by the Board:

****Indicates resolutions was authorized by the Board President in accordance with a Board resolution adopted on May 5, 2020.***

1) Temporary Authorization for the Use of Non-Ohio Licensed Pharmacy Personnel by Walgreens*

To mitigate any possible delays due to the closure of Ohio Rite Aid stores, the Ohio Board of Pharmacy hereby authorizes non-Ohio licensed pharmacy personnel employed by Walgreens licensed in other states to work in Ohio Walgreens or Rite Aid stores under certain conditions. This authorization is being issued in accordance with a Board resolution adopted on May 5, 2020.

For the purposes of this authorization, “non-Ohio licensed pharmacy personnel” means an individual who is licensed or registered as a pharmacist, pharmacy intern, or pharmacy technician in another state or jurisdiction, but who does not hold an active Ohio license or registration.

This authorization shall be in effect from the date it is signed by a representative of Walgreens and shall remain in effect until **September 30, 2024**, upon which all Walgreens pharmacists, pharmacy interns, and pharmacy technicians must be appropriately licensed in accordance with Chapter 4729. of the Revised Code.

Pharmacy personnel employed by Walgreens who are not licensed/registered in Ohio, but currently licensed and in good standing in another state, may practice pharmacy in this state under the following conditions:

1. Walgreens shall verify that all non-Ohio licensed personnel are in good standing prior to commencing work in this state. Verification may be done using the online

licensing system of the state in which the pharmacy personnel were originally licensed or registered. If licensed/registered in multiple states, verification must be conducted in the state where the individual primarily practices.

NOTE: "In good standing" means the pharmacist does not have a license, registration or certificate limited, on probation, suspended, or revoked by any public agency or licensing agency. "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a territory or insular possession subject to the jurisdiction of the United States.

10:17 a.m.

Mr. McNamee presented a resolution titled Licensure Verification for Institutional Pharmacies Restocking EMS Organizations.

R-2025-0102

Mr. Huston moved to approve the resolution. The motion was seconded by Mr. Miller and approved by the Board: Yes-6, No-0. The following resolution was adopted by the Board:

Licensure Verification for Institutional Pharmacies Restocking EMS Organizations

To ensure compliance with the licensure verification requirements of OAC 4729:5-3-04 and to reduce operational burden, the Ohio Board of Pharmacy hereby adopts the following resolution for institutional pharmacies and facilities owned or operated by Ohio hospitals:

*An institutional pharmacy **or facility** that is owned or operated by a hospital for purposes of restocking an emergency medical services vehicle may satisfy the licensure verification requirements of OAC 4729:5-3-04 by conducting an annual query to ensure the EMS organization is properly licensed as a terminal distributor of dangerous drugs. This resolution shall remain in effect until rescinded by the Board or upon amendment of OAC 4729:5-3-04.*

NOTE: This resolution was adopted by the Board in July. This is a request to update the language to include institutional facilities (freestanding emergency departments) that also stock EMS organizations.

10:18 a.m.

Mr. McNamee presented rule 4729:5-3-04 | *Verification of licensure prior to sale or purchase (AMEND)* to the Board for approval.

10:19 a.m.

Mr. McNamee presented rule 4729:5-5-26 | *Outpatient pharmacy delivery services (NEW)*

R-2025-0103

Mr. George moved that the Board approve rule 4729:5-3-04 | *Verification of licensure prior to sale or purchase (AMEND)* and 4729:5-5-26 | *Outpatient pharmacy delivery services (NEW)* for filing with CSI and JCARR. The motion was seconded by Mr. Grimm and approved by the Board: Yes-6, No-0.

10:27 a.m.

Mr. McNamee presented rule 4729:9-1-01 | *Schedule I controlled substances and 4729:9-1-01 | Placement of Benzimidazole Opioids (Nitazenes) in Schedule I.*

R-2025-0104

Mr. George moved that the Board approve rule 4729:9-1-01 | *Schedule I controlled substances* for filing with CSI. The motion was seconded by Mr. Grimm and approved by the Board: Yes-6, No-0.

The Board approved the placement of the following compounds in Schedule I by authorizing amendments to OAC 4729:9-1-01:

1. *N,N*-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1 *H*-benzimidazol-1-yl)ethan-1-amine (metonitazene);
2. 2-(4-ethoxybenzyl)-5-nitro-1-(2-(pyrrolidin-1-yl)ethyl)-1*H*-benzimidazole (*N*-pyrrolidino etonitazene; etonitazepyrne);
3. *N,N*-diethyl-2-(5-nitro-2-(4-propoxybenzyl)-1 *H*-benzimidazol-1-yl)ethan-1-amine (protonitazene);
4. 2-(2-(4-ethoxybenzyl)-1*H*-benzimidazol-1-yl)- *N,N*-diethylethan-1-amine (etodesnitazene; etazene);
5. 2-(2-(4-butoxybenzyl)-5-nitro-1*H*-benzimidazol-1-yl)- *N,N*-diethylethan-1-amine (butonitazene);
6. *N,N*-diethyl-2-(2-(4-fluorobenzyl)-5-nitro-1 *H*-benzimidazol-1-yl)ethan-1-amine (flunitazene);
7. *N,N*-diethyl-2-(2-(4-methoxybenzyl)-1 *H*-benzimidazol-1-yl)ethan-1-amine (metodesnitazene).

R-2025-0105

Mr. George moved that the Board approve rule 4729:9-1-01 | *Placement of Benzimidazole Opioids* for filing with CSI. The motion was seconded by Mr. Grimm and approved by the Board: Yes-6, No-0.

The Board approved the placement of the following compounds in Schedule I by authorizing amendments to OAC 4729:9-1-01:

1. *N*-Pyrrolidino metonitazene (2-(4-methoxybenzyl)-5-nitro-1-(2-(pyrrolidin-1-yl)ethyl)-1*H*-benzo[d]imidazole, 2-hydroxy-1,2,3-propanetricarboxylate);
2. *N*-Pyrrolidino protonitazene (5-nitro-2-(4-propoxybenzyl)-1-(2-(pyrrolidin-1-yl)ethyl)-1*H*-benzo[d]imidazole);
3. Ethyleneoxynitazene (2-(2-((2,3-dihydrobenzofuran-5-yl)methyl)-5-nitro-1*H*-benzo[d]imidazol-1-yl)-*N,N*-diethylethan-1-amine, 2-hydroxypropane-1,2,3-tricarboxylic acid);
4. *N*-Desethyl isotonitazene (*N*-(2-(3-ethyl-2-oxoimidazolidin-1-yl)-5-nitrophenyl)-2-(4-isopropoxyphenyl)acetamide);
5. 5-Methyl etodesnitazene (2-[(4-ethoxyphenyl)methyl]-*N,N*-diethyl-5-methyl-1*H*-benzimidazole-1-ethanamine, 2-hydroxypropane-1,2,3-tricarboxylic acid);

R-2025-0106

After hearing Mr. Flaharty discuss the significant facts regarding the activities of Pharmacist Joshua Barr, New Albany, Ohio, Mr. Grimm moved that the Board

summarily suspend the Pharmacist license belonging to Joshua Barr, New Albany, Ohio. The motion was seconded by Ms. Pfaff and approved by the Board: Yes-6, No-0.

R-2025-0107

After votes were taken in public session, the Board adopted the following order in the Matter of Richard Pate, **Birmingham, Alabama.**

**BEFORE THE STATE OF OHIO BOARD OF PHARMACY
(Case No. A-2021-0117)**

**In the Matter of
Richard Pate, RPh
531 Greenbrier Way
Birmingham, AL 35244
Respondent.**

Pending License No. APP-000314308

FINAL ORDER OF THE STATE OF OHIO BOARD OF PHARMACY

Richard Pate, RPh submitted an application for reciprocity for licensure as a pharmacist ("Application") to the State of Ohio Board of Pharmacy on December 4, 2019. The Board issued a Notice of Opportunity for Hearing/Proposal to Deny Reciprocity Application ("Notice") to Respondent on January 5, 2022, via certified mail, return receipt requested. Respondent received the Notice on January 18, 2022. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held and the matter was brought before the Board on August 5, 2024, for final adjudication pursuant to ORC 119.07, and 4729.57(E).

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

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.16(A)(1) and Ohio Administrative Code (OAC) 4729:1-4-01(B)(1), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.16(A)(2), and OAC 4729:1-4-01(B)(2) and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

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

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

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

Trina Buettner, RPh, moved for the findings and decision of the Board. Jason George, RPh, seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

R-2025-0108

After votes were taken in public session, the Board adopted the following order in the Matter of Tishshaneil Steele, **Cleveland, Ohio**.

**OHIO BOARD OF PHARMACY
(Case No. A-2022-0080)**

**In the Matter of
Tishshaneil Steele**

924 E. 150th St., #2
Cleveland, OH 44110

Respondent.

Registration No. 09-310152

OHIO BOARD OF PHARMACY

Tishshaneil Steele (“Respondent”) was issued a registration as a certified pharmacy technician by the Ohio Board of Pharmacy (“Board”) on April 27, 2018. The Board issued a Notice of Opportunity for Hearing (“Notice”) to Respondent on September 28, 2023, which was sent by certified mail, return receipt requested. The Board re-issued the Notice to Respondent via email on November 17, 2023, and via traceable email on March 21, 2024. Respondent received the Notice on March 21, 2024. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of service. Respondent failed to do so. Accordingly, no hearing was held, and the matter was brought before the Board on August 6, 2024, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

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

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.96(A)(1) and Ohio Administrative Code (OAC) 4729:3-4-01(B), the Board finds and

concludes that Respondent engaged in conduct set forth in ORC 4729.96(A)(2) and OAC 4729:3-4-01(C) and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. The Board hereby imposes a written reprimand on Respondent's certified pharmacy technician registration no. 09-310152.
2. The Board hereby imposes a fine in the amount of \$100.00. This fine must be paid no later than 180 days from the effective date of this Order. Payment must be made by means of a personal check made payable to "Ohio Treasurer of State" and mailed with a copy of this Order to: Ohio Board of Pharmacy, Attn: Finance Department, 77 South High Street, 17th Floor, Columbus, Ohio 43215.
3. This Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which Respondent currently holds a professional license, including to the Board on renewal applications or applications for a new license or registration.

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

Trina Buettner, RPh, moved for the findings and decision of the Board. Jason George, RPh, seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

R-2025-0109

After votes were taken in public session, the Board adopted the following order in the Matter of Linda Gareau, **Cleveland, Ohio.**

BEFORE THE OHIO BOARD OF PHARMACY

(Case No. A-2024-0101)

**In the Matter of
Linda Gareau**

16501 Ernadale Avenue
Cleveland, OH 44111

Respondent.

Registration No. 09-302777

FINAL ORDER OF THE OHIO BOARD OF PHARMACY

Linda Gareau (“Respondent”) was issued a registration as a certified pharmacy technician by the Ohio Board of Pharmacy on February 7, 2018. The Board issued a Summary Suspension Notice of Opportunity for Hearing (“Notice”) to Respondent on March 13, 2024, via email, return receipt requested. Respondent received the Notice on March 14, 2024. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held and the matter was brought before the Board on August 5, 2024, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

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

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

1. The Board hereby imposes a written reprimand on Respondent’s certified pharmacy technician registration, no. 09-302777.
2. The Board hereby places the respondent on probation for a period of two (2) years.
3. Respondent must obtain, within six months from the effective date of this Agreement, three hours of approved continuing education in compounding (0.3 CEUs), not to count towards renewal. Copies of completed continuing education courses must be e-mailed to legal@pharmacy.ohio.gov within 30 days of completion.
4. This Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which Respondent currently holds a professional license, including to the Board on renewal applications or applications for a new license or registration.

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

Trina Buettner, RPh, moved for the findings and decision of the Board. Jason George, RPh, seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

R-2025-0110

After votes were taken in public session, the Board adopted the following order in the Matter of Joel Bacola, **Munroe Falls, Ohio.**

**BEFORE THE OHIO BOARD OF PHARMACY
(Case No. A-2022-0076)**

In the Matter of

Joel Bacola

101 Trudy Ave.

Munroe Falls, OH 44262

Respondent.

Registration No. 09-115607

FINAL ORDER OF THE OHIO BOARD OF PHARMACY

Joel Bacola ("Respondent") was issued a registration as a pharmacy technician trainee by the Ohio Board of Pharmacy on November 5, 2020. The Board issued a Notice of Opportunity for Hearing ("Notice") to Respondent on January 24, 2024, via email, return receipt requested. Respondent received the Notice on March 18, 2024. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held, and the matter was brought before the Board on August 5, 2024, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

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

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

1. The Board hereby imposes a written reprimand on Respondent's pharmacy technician trainee registration, no. 09-115607.
2. The Board hereby imposes a fine in the amount of \$100. This fine will be attached to the registration record and must be paid no later than 180 days from the effective date of this Order. To pay this fine Respondent must login to www.elicense.ohio.gov and process the items in the cart.

3. This Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which Respondent currently holds a professional license, including to the Board on renewal applications or applications for a new license or registration.

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

Trina Buettner, RPh, moved for the findings and decision of the Board. Jason George, RPh, seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

R-2025-0111

After votes were taken in public session, the Board adopted the following order in the Matter of Blossom Nursing and RLC Labs, Inc, **Phoenix, Arizona.**

**BEFORE THE OHIO BOARD OF PHARMACY
(Case No. A-2020-0712)**

**In the Matter of
RLC Labs, Inc.**

c/o Dai Jinn
1850 East Riverview Drive
Phoenix, AZ 85034
Respondent.

License No. 01-1702400

FINAL ORDER OF THE OHIO BOARD OF PHARMACY

RLC Labs, Inc. ("Respondent") was issued a license as a wholesale distributor of dangerous drugs by the Ohio Board of Pharmacy on May 11, 2007. The Board issued a Notice of Opportunity for Hearing ("Notice") to Respondent on May 12, 2022, via certified mail, return receipt requested. Respondent received the Notice on May 16, 2022. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held, and the matter was brought before the Board on August 5, 2024, for final adjudication pursuant to ORC 119.07, and 4729.56(D).

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

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.56(A) and Ohio Administrative Code (OAC) 4729:6-4-01(A), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.51, ORC 4729.56, ORC 4729.60, OAC 4729:6-3-04, OAC 4729:6-4-01, and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. The Board hereby imposes a written reprimand on Respondent's terminal distributor of dangerous drugs registration no. 01-1702400.
2. The Board hereby imposes a fine in the amount of \$375.00. This fine will be attached to the registration record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
3. This Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which Respondent currently holds a professional license, including to the Board on renewal applications or applications for a new license or registration.

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

Trina Buettner, RPh, moved for the findings and decision of the Board. Jason George, RPh, seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

R-2025-0112

After votes were taken in public session, the Board adopted the following order in the Matter of McKesson Corporation, **Washington Court House, Ohio.**

**BEFORE THE OHIO BOARD OF PHARMACY
(Case No. A-2021-0363)**

**In the Matter of
McKesson Corporation**
c/o Todd Spaulding
3000 Kenskill Avenue

Washington Court House, OH 43160

Respondent.

License No. 01-0977250

FINAL ORDER OF THE OHIO BOARD OF PHARMACY

McKesson Corporation ("Respondent") was issued a license as a wholesale distributor of dangerous drugs by the Ohio Board of Pharmacy on November 12, 1996. The Board issued a Notice of Opportunity for Hearing ("Notice") to Respondent on September 30, 2022, via certified mail, return receipt requested. Respondent received the Notice on October 3, 2022. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held, and the matter was brought before the Board on August 5, 2024, for final adjudication pursuant to ORC 119.07, and 4729.56(D).

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

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.56(A) and Ohio Administrative Code (OAC) 4729:6-4-01(A), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.56, OAC 4729:6-3-04, OAC 4729:6-4-01, and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. The Board hereby imposes a written reprimand on Respondent's terminal distributor of dangerous drugs registration no. 01-0977250.
2. The Board hereby imposes a fine in the amount of \$2,750.00. This fine will be attached to the registration record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
3. This Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which Respondent currently holds a professional license, including to the Board on renewal applications or applications for a new license or registration.

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

Trina Buettner, RPh, moved for the findings and decision of the Board. Jason George, RPh, seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED

R-2025-0113

After votes were taken in public session, the Board adopted the following order in the Matter of Fitzsimmons Hospital Services, **Brecksville, Ohio.**

**BEFORE THE OHIO BOARD OF PHARMACY
(Case No. A-2022-0312)**

**In the Matter of
Fitzsimmons Hospital Services**

c/o Craig Martin
6940 Miller Road
Brecksville, OH 44141

Respondent.

License No. 02-2453000

FINAL ORDER OF THE OHIO BOARD OF PHARMACY

Fitzsimmons Hospital Services ("Respondent") was issued a license as a terminal distributor of dangerous drugs by the Ohio Board of Pharmacy on September 10, 2014. The Board issued a Notice of Opportunity for Hearing ("Notice") to Respondent on November 9, 2022, via certified mail, return receipt requested. Respondent received the Notice on November 12, 2022. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held, and the matter was brought before the Board on August 5, 2024, for final adjudication pursuant to ORC 119.07, and 4729.57(E).

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

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.57(A) and Ohio Administrative Code (OAC) 4729:5-4-01(A), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.51, ORC 4729.57, OAC 4729:5-4-01(B), OAC 4729:5-3-09, and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. The Board hereby imposes a written reprimand on Respondent's terminal distributor of dangerous drugs registration no. 02-2453000.

2. The Board hereby imposes a fine in the amount of \$200.00. This fine will be attached to the registration record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
3. This Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which Respondent currently holds a professional license, including to the Board on renewal applications or applications for a new license or registration.

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

Trina Buettner, RPh, moved for the findings and decision of the Board. Jason George, RPh, seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

R-2025-0114

After votes were taken in public session, the Board adopted the following order in the Matter of Autumn Years Nursing Center, **Sabina, Ohio.**

**BEFORE THE OHIO BOARD OF PHARMACY
(Case No. A-2022-0153)
In the Matter of**

Autumn Years Nursing Center
c/o Dr. Dirk Juschka
580 E. Washington Street
Sabina, OH 45169
Respondent.

License No. 02-74000334

FINAL AMENDED ORDER OF THE OHIO BOARD OF PHARMACY

Autumn Years Nursing Center ("Respondent") was issued a license as a terminal distributor of dangerous drugs by the Ohio Board of Pharmacy on September 17, 2020. The Board issued a Notice of Opportunity for Hearing ("Notice") to Respondent on May 11, 2023, via certified mail, return receipt requested. Respondent received the Notice on May 15, 2023. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so.

Accordingly, no hearing was held, and the matter was brought before the Board on August 5, 2024, for final adjudication pursuant to ORC 119.07, and 4729.57(E).

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

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.57(A) and Ohio Administrative Code (OAC) 4729:5-4-01(A), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.51, ORC 4729.57, OAC 4729:5-4-01(B), and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. The Board hereby imposes a written reprimand on Respondent's terminal distributor of dangerous drugs registration no. 02-74000334.
2. The Board hereby imposes a fine in the amount of \$250.00. This fine will be attached to the registration record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
3. This Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which Respondent currently holds a professional license, including to the Board on renewal applications or applications for a new license or registration.

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

Trina Buettner, RPh, moved for the findings and decision of the Board. Jason George, RPh, seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

R-2025-0115

After votes were taken in public session, the Board adopted the following order in the Matter of F&M Mafco Inc, **Harrison, Ohio**.

**BEFORE THE OHIO BOARD OF PHARMACY
(Case No. A-2019-0259)**

**In the Matter of
F & M Mafco, Inc.**

c/o Kevin Ruter
9149 Dry Fork Road
Harrison, OH 45030

Respondent.

License No. 01-1478900 (expired)

FINAL ORDER OF THE OHIO BOARD OF PHARMACY

F & M Mafco, Inc. ("Respondent") was issued a license as a wholesale distributor of dangerous drugs by the Ohio Board of Pharmacy on December 15, 2004. The Board issued a Notice of Opportunity for Hearing ("Notice") to Respondent on September 1, 2021, via certified mail, return receipt requested. Respondent received the Notice on December 9, 2021. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held, and the matter was brought before the Board on August 5, 2024, for final adjudication pursuant to ORC 119.07, and 4729.56(D).

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

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.56(A) and Ohio Administrative Code (OAC) 4729:6-4-01(A), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.56, ORC 4729.51, OAC 4729-21-01, OAC 4729-9-19, OAC 4729:6-4-01 and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. The Board hereby imposes a written reprimand on Respondent's terminal distributor of dangerous drugs registration no. 01-1478900.
2. The Board hereby imposes a fine in the amount of \$1,000.00. This fine will be attached to the registration record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
3. This Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which Respondent currently holds a professional license, including to the Board on renewal applications or applications for a new license or registration.

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

Trina Buettner, RPh, moved for the findings and decision of the Board. Jason George, RPh, seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

R-2025-0116

After votes were taken in public session, the Board adopted the following order in the Matter of F&M Mafco Inc, **Harrison, Ohio.**

**BEFORE THE OHIO BOARD OF PHARMACY
(Case No. A-2022-0390)**

**In the Matter of
F & M Mafco, Inc.
c/o Kevin Ruter
9149 Dry Fork Road
Harrison, OH 45030
Respondent.**

License No. 01-1478900 (expired)

FINAL ORDER OF THE OHIO BOARD OF PHARMACY

F & M Mafco, Inc. ("Respondent") was issued a license as a wholesale distributor of dangerous drugs by the Ohio Board of Pharmacy on December 15, 2004. The Board issued a Notice of Opportunity for Hearing ("Notice") to Respondent on March 8, 2024, via email, return receipt requested. Respondent received and open the email containing the Notice on March 8, 2024. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held, and the matter was brought before the Board on August 5, 2024, for final adjudication pursuant to ORC 119.07, and 4729.56(D).

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

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.56(A) and Ohio Administrative Code (OAC) 4729:6-4-01(A), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.56, ORC 4729.51, ORC 4729.60, OAC 4729-21-01, OAC 4729-9-12, OAC 4729:5-17-04, OAC 4729:6-3-04, OAC 4729:6-4-01 and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. The Board hereby imposes a written reprimand on Respondent's terminal distributor of dangerous drugs registration no. 01-1478900.
2. The Board hereby imposes a fine in the amount of \$1,000.00. This fine will be attached to the registration record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
3. This Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which Respondent currently holds a professional license, including to the Board on renewal applications or applications for a new license or registration.

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

Trina Buettner, RPh, moved for the findings and decision of the Board. Jason George, RPh, seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

R-2025-0117

After votes were taken in public session, the Board adopted the following order in the Matter of Code Blue Medical Services, DBA Rivers Bend Urgent Care, **Maineville, Ohio.**

**BEFORE THE OHIO BOARD OF PHARMACY
(Case Nos. A-2022-0526 and A-2020-0180)**

**In the Matter of
Code Blue Medical Services dba Rivers Bend
Urgent Care
c/o Dr. William Danko
87 E. U.S. 22/3 Suite 800
Maineville, OH 45039
Respondent.**

Lapsed License No. 02-1842150

FINAL ORDER OF THE OHIO BOARD OF PHARMACY

Autumn Hills Nursing Center ("Respondent") was issued a license as a terminal distributor of dangerous drugs by the Ohio Board of Pharmacy on May 7, 2008. The Board issued a Notice of Opportunity for Hearing ("Notice") to Respondent on May 2,

2023, via certified mail, return receipt requested. Respondent received the Notice on May 6, 2023. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held, and the matter was brought before the Board on August 5, 2024, for final adjudication pursuant to ORC 119.07, and 4729.57(E).

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

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.57(A) and Ohio Administrative Code (OAC) 4729:5-4-01(A), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.55, ORC 4729.57, 4729.51 ORC, OAC 4729:5-4-01(B), OAC 4729:5-2-01, OAC 4729:5-3-06, and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. The Board hereby imposes a written reprimand on Respondent's lapsed terminal distributor of dangerous drugs registration no. 02-1842150.
2. The Board hereby imposes a fine in the amount of \$2,000.00. This fine will be attached to the registration record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine, login to www.license.ohio.gov and process the items in the cart.
3. This Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which Respondent currently holds a professional license, including to the Board on renewal applications or applications for a new license or registration.

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

Trina Buettner, RPh, moved for the findings and decision of the Board. Jason George, RPh, seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

R-2025-0118

After votes were taken in public session, the Board adopted the following order in the Matter of Lauren Scheidt, **Van Wert, Ohio.**

**BEFORE THE OHIO BOARD OF PHARMACY
(Case No. A-2023-0261)**

**In the Matter of
Lauren Scheidt
1008 Maplewood Drive
Van Wert, OH 45891
Respondent.**

Registration No. 09-218004

FINAL ORDER OF THE OHIO BOARD OF PHARMACY

Lauren Scheidt (“Respondent”) was issued a registration as a registered pharmacy technician by the Ohio Board of Pharmacy on November 16, 2022. The Board issued a Summary Suspension/Notice of Opportunity for Hearing (“Notice”) to Respondent on June 28, 2023, via certified mail, return receipt requested. On July 25, 2023, the Board became aware the Notice was returned as unclaimed. Consistent with Chapter 119. of the Ohio Revised Code, the Board issued a Certificate of Mailing to Respondent, which was sent to Respondent’s address of record on August 24, 2023. It was not returned for failure of delivery. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held and the matter was brought before the Board on August 5, 2024, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

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

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

1. Respondent’s Registration as a registered pharmacy technician, No. 09-218004, is REVOKED.
2. Notwithstanding the definition of “Revoke” in OAC 4729:3-1-01, Respondent may not apply for any license or registration over which the Board has jurisdiction, including those set forth in ORC Chapters 3719., 3796., 4729. or 4752., for a period of at least twenty-four months from the date of this Order.

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

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

Trina Buettner, RPh, moved for the findings and decision of the Board. Jason George, RPh, seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

R-2025-0119

After votes were taken in public session, the Board adopted the following order in the Matter of Travis Cutshaw, **Parkersburg, West Virginia.**

**BEFORE THE OHIO BOARD OF PHARMACY
(Case No. A-2024-0060)**

**In the Matter of
Travis Cutshaw**

35 Parkville Drive, Apt. 58
Parkersburg, WV 26101

Respondent.

Registration No. 09-318857

FINAL ORDER OF THE OHIO BOARD OF PHARMACY

Travis Cutshaw ("Respondent") was issued a registration as a certified pharmacy technician by the Ohio Board of Pharmacy on July 24, 2023. The Board issued a Summary Suspension/Notice of Opportunity for Hearing ("Notice") to Respondent on

February 1, 2024, via email service. Email service failed. The Notice was then served via certified mail. On February 7, 2024, return receipt requested. Respondent received the Notice on February 13, 2024. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held and the matter was brought before the Board on July 11, 2023, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

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

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

1. Respondent's Registration as a certified pharmacy technician, No. 09-318857, is REVOKED.
2. Notwithstanding the definition of "Revoke" in OAC 4729:3-1-01, Respondent may not apply for any license or registration over which the Board has jurisdiction, including those set forth in ORC Chapters 3719., 3796., 4729. or 4752., for a period of at least twenty-four months from the date of this Order.
3. Respondent may only apply for a license or registration, as described above in Paragraph (2), if she provides satisfactory proof to the Board that she is no longer addicted to or abusing liquor or drugs or impaired physically or mentally to such a degree as to render her unfit to practice pharmacy, to include at minimum, unless otherwise approved by the Board:
 - a. Successful completion of a Board-approved or court-ordered treatment program; and
 - b. Continuous participation in a Board-approved monitoring program for no less than 24 months, to include all components set forth in OAC 4729:4-1-04.
4. Respondent is prohibited from working or otherwise serving in any capacity that requires a license or registration under ORC Chapter 4729.

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

Trina Buettner, RPh, moved for the findings and decision of the Board. Jason George, RPh, seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

R-2025-0120

After votes were taken in public session, the Board adopted the following order in the Matter of Allexis Baker, **Batavia, Ohio.**

**BEFORE THE OHIO BOARD OF PHARMACY
(Case No. A-2023-0476)**

**In the Matter of
Allexis Baker
1810 Bell Tower Circle
Batavia, OH 45103
Respondent.**

Registration No. 09-215091

FINAL ORDER OF THE OHIO BOARD OF PHARMACY

Allexis Baker ("Respondent") was issued a registration as a registered pharmacy technician by the Ohio Board of Pharmacy on July 16, 2021. The Board issued a Summary Suspension/Notice of Opportunity for Hearing ("Notice") to Respondent on December 5, 2023, via email service. Email service failed and the Notice was served via certified mail, return receipt requested, on February 7, 2024. Respondent received the Notice on February 9, 2024. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held and the matter was brought before the Board on July 11, 2023, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

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

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

1. Respondent's Registration as a registered pharmacy technician, No. 09-205393, is REVOKED.
2. Notwithstanding the definition of "Revoke" in OAC 4729:3-1-01, Respondent may not apply for any license or registration over which the Board has jurisdiction, including those set forth in ORC Chapters 3719., 3796., 4729. or 4752., for a period of at least twenty-four months from the date of this Order.
3. Respondent may only apply for a license or registration, as described above in Paragraph (2), if she provides satisfactory proof to the Board that she is no longer addicted to or abusing liquor or drugs or impaired physically or mentally to such a degree as to render her unfit to practice pharmacy, to include at minimum, unless otherwise approved by the Board:
 - a. Successful completion of a Board-approved or court-ordered treatment program; and
 - b. Continuous participation in a Board-approved monitoring program for no less than 24 months, to include all components set forth in OAC 4729:4-1-04.
4. Respondent is prohibited from working or otherwise serving in any capacity that requires a license or registration under ORC Chapter 4729.

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

Trina Buettner, RPh, moved for the findings and decision of the Board. Jason George, RPh, seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

R-2025-0121

Ms. Ferris announced the dismissal of the Notice of Opportunity for Hearing issued on May 15, 2023, in the matter of Veronica Hocker (Case No. A-2021-0384).

R-2025-0122

Ms. Ferris announced the dismissal of the Notice of Opportunity for Hearing issued on February 9, 2023, in the matter of Benjamin Swartz (Case Nos. A-2022-0596 and A-2021-0272).

R-2025-0123

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

**IN THE MATTER OF:
CASE NO. A-2023-0484**

Charles Ryan Staley, RPh
License No. 03-228051
8949 Emerald Hill Dr.
Lewis Center, OH 43035

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Charles Ryan Staley, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of Charles Ryan Staley engaging in inappropriate flirtatious behaviors with a pharmacy student during her APPE rotation, when he was in the position of her supervisor. Together, the Board and Charles Ryan Staley are referred to hereinafter as “the parties.”

JURISDICTION

1. Pursuant to Section 4729.16 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to Sections 4729.07 and 4729.08 of the Ohio Revised Code to practice pharmacy in the state of Ohio.
2. Charles Ryan Staley is a licensed pharmacist in the state of Ohio under license number 03-228051.

FACTS

1. The Board initiated an investigation of Charles Ryan Staley, pharmacist license number 03-228051, related to Charles Ryan Staley engaging in inappropriate flirtatious behavior with a pharmacy student during her APPE rotation, when he was in the position of her supervisor.
2. On or about February 13, 2024, the Board sent a Notice of Opportunity for Hearing to Charles Ryan Staley, which outlined the allegations and provided notice of his right to a hearing, his rights in such hearing, and his right to submit contentions in writing.
3. Charles Ryan Staley did not timely request a hearing.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Charles Ryan Staley neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated February 13, 2024; 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. Charles Ryan Staley must obtain six hours of approved continuing pharmacy education (0.6 CEUs) in ethics/professionalism, which may not also be used for license renewal. The 0.6 CEUs must be completed within six months from the effective date of this Agreement. Copies of completed CEUs must be e-mailed to legal@pharmacy.ohio.gov.
4. Charles Ryan Staley may not serve as a preceptor without prior approval from the Board.
5. The Board hereby imposes a written reprimand on Charles Ryan Staley's pharmacist license, number 03-228051.
6. Charles Ryan Staley agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
7. Charles Ryan Staley understands that he has the right to be represented by counsel for review and execution of this agreement.
8. Charles Ryan Staley 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 he currently holds a professional license, including the Board on renewal applications or applications for a new license.
9. Charles Ryan Staley waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.
10. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

11. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
12. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
13. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.

R-2025-0124

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

**IN THE MATTER OF:
CASE NO. A-2024-0140**

Mohammad Umar Afridi, RPh
Withdrawn Application: APP-000786314
1401 Lavaca St. #PMB40408
Austin, TX 78701

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Mohammad Umar Afridi, RPh, for the purpose of resolving all issues between the parties relating to the application for registration as an Ohio-licensed pharmacist. Together, the Board and Mohammad Umar Afridi are referred to hereinafter as “the parties.”

JURISDICTION

1. Pursuant to Section 4729.16 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to Sections 4729.07 and 4729.08 of the Ohio Revised Code to practice pharmacy in the state of Ohio.
2. Mohammad Umar Afridi is a licensed pharmacist in the state of California. He applied for reciprocal registration into the State of Ohio with the California

pharmacy license as the basis for the transfer, pending application number APP-000786314.

FACTS

1. The Board initiated an investigation of Mohammad Umar Afridi, pharmacist license applicant, application number APP-000786314, related to Mohammad Umar Afridi's application for licensure as a pharmacist. During the background investigation, prior disciplinary action from Boards of Pharmacy in California, Alabama and Michigan was identified, which had not been properly disclosed on the Ohio Board of Pharmacy application.
2. On or about July 8, 2024, the Board sent a Notice of Opportunity for Hearing to Mohammad Umar Afridi, RPh, which outlined the allegations and provided notice of his right to a hearing, his rights in such hearing, and his right to submit contentions in writing.
3. Mohammad Umar Afridi did not request an administrative hearing. This matter was settled via this Agreement in lieu of hearing.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Mohammad Umar Afridi neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated July 8, 2024; 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. **MOHAMMAD UMAR AFRIDI VOLUNTARILY WITHDRAWS HIS APPLICATION FOR LICENSURE AS A PHARMACIST, APPLICATION NO. APP-000786314, WITH DISCIPLINE PENDING.**
4. Mohammad Umar Afridi agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

5. Mohammad Umar Afridi understands that he has the right to be represented by counsel for review and execution of this agreement.
6. Mohammad Umar Afridi 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 he currently holds a professional license, including the Board on renewal applications or applications for a new license.
7. Mohammad Umar Afridi waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and 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. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.

R-2025-0125

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

**IN THE MATTER OF:
CASE NO. A-2022-0547**

Mario Petrino, RPh
License No. 03-327097
7130 Paddington Rowe
Canfield, Ohio 44406

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 Mario Petrino, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of an error in dispensing. Together, the Board and Mario Petrino are referred to hereinafter as “the parties.”

JURISDICTION

1. Pursuant to Section 4729.16 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to Sections 4729.07 and 4729.08 of the Ohio Revised Code to practice pharmacy in the state of Ohio.
2. Mario Petrino is a licensed pharmacist in the state of Ohio under license number 03-327097.
3. Mario Petrino is the Responsible Person and owner of MD Compounding Pharmacy, located at 721 Boardman-Canfield Road, Youngstown, Ohio.

FACTS

1. The Board initiated an investigation of Mario Petrino, pharmacist license number 03-327097, related to an error in dispensing.
2. On or about February 22, 2024, the Board sent a Notice of Opportunity for Hearing to Mario Petrino, RPh, which outlined the allegations and provided notice of his right to a hearing, his rights in such hearing, and his right to submit contentions in writing.
3. On or about February 26, 2024, Mario Petrino, timely requested an administrative hearing, which was subsequently scheduled for August 7, 2024. This matter was settled via this Agreement prior to hearing.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
 2. Mario Petrino neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated February 22, 2024; 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. The Board hereby imposes a written reprimand on Mario Petrino's pharmacist license, number 03-327097.
 4. Mario Petrino agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
 5. Mario Petrino understands that he has the right to be represented by counsel for review and execution of this agreement.
 6. Mario Petrino 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 he currently holds a professional license, including the Board on renewal applications or applications for a new license.
 7. Mario Petrino explicitly withdraws his request for a hearing, waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.
 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. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.
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R-2025-0126

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

**IN THE MATTER OF:
CASE NO. A-2022-0202**

MD Compounding Pharmacy
License No. 02-2395500
c/o Mario Petrino, RPh
721 Boardman-Canfield Road
Youngstown, Ohio 44512

SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and MD Compounding Pharmacy for the purpose of resolving all issues between the parties relating to the Board investigation of an error in dispensing. Together, the Board and MD Compounding Pharmacy are referred to hereinafter as “the parties.”

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.
2. MD Compounding Pharmacy is a licensed Terminal Distributor of Dangerous Drugs under license number 02-2395500.

FACTS

1. The Board initiated an investigation of MD Compounding Pharmacy, Terminal Distributor of Dangerous Drugs license number 02-2395500, related to MD Compounding Pharmacy’s error in dispensing.
2. On or about February 22, 2024, the Board sent a Notice of Opportunity for Hearing to MD Compounding Pharmacy, 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 February 26, 2024, MD Compounding Pharmacy, timely requested an administrative hearing, which was subsequently scheduled for August 7, 2024. This matter was settled via this Agreement prior to hearing.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. MD Compounding Pharmacy neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated February 22, 2024; 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. MD Compounding Pharmacy agrees to pay to the Board a monetary penalty the amount of \$1,000. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.
4. The Board hereby imposes a written reprimand on MD Compounding Pharmacy's TDDD license, number 02-2395500.
5. MD Compounding Pharmacy agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which it currently holds a professional license, including the Board on renewal applications or applications for a new license.
6. MD Compounding Pharmacy 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 MD Compounding Pharmacy 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 MD Compounding Pharmacy by the Board and will NOT

discharge MD Compounding Pharmacy from any obligation under the terms of this Agreement.

7. MD Compounding Pharmacy agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
8. MD Compounding Pharmacy understands that it has the right to be represented by counsel for review and execution of this agreement.
9. This Agreement is binding upon any and all successors, assigns, affiliates, and subsidiaries of the parties or any other corporation through whom or with whom MD Compounding Pharmacy will operate.
10. MD Compounding Pharmacy explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.
11. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
12. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
13. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
14. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.

R-2025-0127

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

IN THE MATTER OF:

CASE NO. A-2021-0565**Regimed Medical
License No. 01-1521300**

c/o Reginald Maclin
106 Arabian Path
St. Peters, MO 63376

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 Regimed Medical, for the purpose of resolving all issues between the parties relating to the Board investigation of fraudulent dangerous drug invoices. Together, the Board and Regimed Medical are referred to hereinafter as “the parties.”

JURISDICTION

1. Pursuant to Section 4729.56 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to Section 4729.52 of the Ohio Revised Code.
2. Regimed Medical is a licensed Wholesaler Distributor of Dangerous Drug, License No. 01-1521300, which lists Reginald Maclin, as the Responsible Person.

FACTS

1. The Board initiated an investigation of Regimed Medical, Wholesaler Distributor of Dangerous Drugs License No. 01-1521300, related to Regimed Medical’s providing back-dated dangerous drug invoices to another entity. No dangerous drugs were ever sold after further investigation into the intentions of the entity by Regimed.
2. On or about December 21, 2023, the Board sent a Notice of Opportunity for Hearing to Regimed Medical, 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. Regimed Medical, did not request a hearing.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Regimed Medical neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated December 21, 2023; 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. Regimed Medical agrees to pay to the Board a monetary penalty in the amount of \$500. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.
4. The Board hereby imposes a written reprimand on Regimed Medical's WDDD license, number 01-1521300.
5. Regimed Medical agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which it currently holds a professional license, including the Board on renewal applications or applications for a new license.
6. Regimed Medical 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 Regimed Medical 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 Regimed Medical by the Board and will NOT discharge Regimed Medical from any obligation under the terms of this Agreement.
7. Regimed Medical agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
8. Regimed Medical understands that it has the right to be represented by counsel for review and execution of this agreement.

9. This Agreement is binding upon any and all successors, assigns, affiliates, and subsidiaries of the parties or any other corporation through whom or with whom Regimed Medical will operate.
10. Regimed Medical explicitly withdraws its request for hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.
11. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
12. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
13. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
14. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.

R-2025-0128

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

**IN THE MATTER OF:
CASE NO. A-2024-0207**

Adnan Abdulhusain
License No. 03-135490
1380 Fry Ave
Lakewood, Oh 44107

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 Adnan Abdulhusain, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of Adnan Abdulhusain's failure to comply with the continuing education requirements of Rule 4729:1-5-02 of the Ohio Administrative Code (OAC). Together, the Board and Adnan Abdulhusain are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.16 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to Sections 4729.07 and 4729.08 of the Ohio Revised Code to practice pharmacy in the state of Ohio.
2. Adnan Abdulhusain is a licensed pharmacist in the state of Ohio under license number 03-135490.

FACTS

1. The Board initiated an investigation of Adnan Abdulhusain, pharmacist license number 03-135490, based on the results of a continuing education audit.
2. On or about June 25, 2024, the Board sent a Notice of Opportunity for Hearing to Adnan Abdulhusain, which outlined the allegations and provided notice of their right to a hearing, their rights in such hearing, and their 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. Adnan Abdulhusain neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated June 25, 2024; 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. Adnan Abdulhusain agrees to pay to the Board a monetary penalty in the amount of \$1,000.00. This fine will be attached to Adnan Abdulhusain's license record and

must be paid no later than 90 days from the effective date of this Agreement. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.

4. Adnan Abdulhusain must obtain 60 hours of approved continuing pharmacy education (6.0 CEUs) with 4 hours in patient safety (ACPE – 05) and 4 hours in law (ACPE – 03), which may not also be used for license renewal. The 6.0 CEUs must be completed by the next continuing education reporting period which concludes on September 15, 2025. The Board will automatically audit compliance with this term by review of NABP's CPE Monitor Program and the Board's CE Program.
5. The Board hereby imposes a written reprimand on Adnan Abdulhusain's pharmacist license, number 03-135490.
6. Adnan Abdulhusain agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
7. Adnan Abdulhusain understands that they have the right to be represented by counsel for review and execution of this agreement.
8. Adnan Abdulhusain 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 they currently hold a professional license, including the Board on renewal applications or applications for a new license.
9. Adnan Abdulhusain explicitly waives their opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.
10. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
11. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
12. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
13. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other

provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.

R-2025-0129

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

**IN THE MATTER OF:
CASE NO. A-2024-0039**

Rite Aid #3167
License No. 02-0184700
304 E. State Street
Alliance, OH 44601

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Rite Aid #3167 for the purpose of resolving all issues between the parties relating to the Board investigation of drug security issues. Together, the Board and Rite Aid #3167 are referred to hereinafter as “the parties.”

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.
2. Rite Aid #3167 is a licensed Terminal Distributor of Dangerous Drugs under license number 02-0184700.

FACTS

1. The Board initiated an investigation of Rite Aid #3167, Terminal Distributor of Dangerous Drugs license number 02-0184700, related to Rite Aid #3167’s drug security issues.
2. On or about April 5, 2024, the Board sent a Notice of Opportunity for Hearing to Rite Aid #3167, 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 April 9, 2024, Rite Aid #3167 timely requested an administrative hearing.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Rite Aid #3167 neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated April 5, 2024; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. Rite Aid #3167 agrees to pay to the Board a monetary penalty in the amount of \$4,000. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.
4. The Board hereby imposes a written reprimand on Rite Aid #3167's TDDD license, number 02-0184700.
5. Rite Aid #3167 agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which it currently holds a professional license, including the Board on renewal applications or applications for a new license.
6. Rite Aid #3167 agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Rite Aid #3167 of the terms of one or more federal or state requirements may constitute sufficient grounds for further enforcement action related to any licenses granted to Rite Aid #3167 by the Board and will NOT discharge Rite Aid #3167 from any obligation under the terms of this Agreement.

7. Rite Aid #3167 agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
8. Rite Aid #3167 understands that it has the right to be represented by counsel for review and execution of this agreement.
9. This Agreement is binding upon any and all successors, assigns, affiliates, and subsidiaries of the parties or any other corporation through whom or with whom Rite Aid #3167 will operate.
10. Rite Aid #3167 explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.
11. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
12. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
13. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
14. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.

R-2025-0130

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

**IN THE MATTER OF
CASE NO. A-2022-0505**

Shari Rochè
License No. 03-120497
6367 Mill Road
Broadview Heights, OH 44147

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Shari Rochè, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of following compounding guidelines and maintaining a compliant electronic prescription transmission system. Together, the Board and Shari Rochè are referred to hereinafter as “the parties.”

JURISDICTION

1. Pursuant to Section 4729.16 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to Sections 4729.07 and 4729.08 of the Ohio Revised Code to practice pharmacy in the state of Ohio.
2. Shari Rochè is a licensed pharmacist in the state of Ohio under license number 03-120497.
3. Shari Rochè is the Responsible Person and owner of Core Pharmacy located at 6180 Halle Drive, Ste. B, Cleveland, Ohio.

FACTS

1. The Board initiated an investigation of Shari Rochè, pharmacist license number 03-120497, and Core Pharmacy, related to following compounding guidelines and maintaining a compliant electronic prescription transmission system.
2. On or about November 16, 2023 and January 30, 2024, the Board sent a Notice of Opportunity for Hearing to Shari Rochè, 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 February 5, 2024, Shari Rochè, through counsel Daniel Zinsmaster, timely requested an administrative hearing, which was subsequently scheduled for August 5, 2024.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Shari Rochè neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated November 16, 2024; 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. Shari Rochè agrees to pay to the Board a monetary penalty in the amount of \$500. This fine will be attached to Shari Rochè's license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. Shari Rochè must obtain six hours of approved continuing pharmacy education (0.6 CEUs) which may not also be used for license renewal. The 0.6 CEUs must be completed within six months from the effective date of this Agreement. Copies of completed CEUs must be e-mailed to legal@pharmacy.ohio.gov.
5. The Board hereby imposes a written reprimand on Shari Rochè's pharmacist license, number 03-120497.
6. Shari Rochè agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
7. Shari Rochè understands that she has the right to be represented by counsel for review and execution of this agreement.
8. Shari Rochè 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 she currently holds a professional license, including the Board on renewal applications or applications for a new license.
9. Shari Rochè explicitly withdraws her request for a hearing, waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.
10. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
11. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.

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

R-2025-0131

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

IN THE MATTER OF:
CASE NO. A-2022-0504
Core Pharmacy
License No. 02-32000093
c/o Shari Rochè, RPh
6180 Halle Drive, Ste. B
Cleveland, OH 44125

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Core Pharmacy for the purpose of resolving all issues between the parties relating to the Board investigation of following compounding guidelines and maintaining a compliant electronic prescription transmission system. Together, the Board and Core Pharmacy are referred to hereinafter as “the parties.”

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.
2. Core Pharmacy is a licensed Terminal Distributor of Dangerous Drugs under license number 02-32000093.

FACTS

1. The Board initiated an investigation of Core Pharmacy, Terminal Distributor of Dangerous Drugs license number 02-32000093, related to Core Pharmacy's following compounding guidelines and maintaining a compliant electronic prescription transmission system.
2. On or about November 16, 2023, and January 30, 2024, the Board sent a Notice of Opportunity for Hearing to Core Pharmacy, 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 February 5, 2024, Core Pharmacy, through counsel Daniel Zinsmaster, timely requested an administrative hearing, which was subsequently scheduled for August 5, 2024.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Core Pharmacy neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated November 16, 2024; 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. Core Pharmacy agrees to pay to the Board a monetary penalty in the amount of \$2,000. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.
4. The Board hereby imposes a written reprimand on Core Pharmacy's TDDD license, number 02-32000093.
5. Core Pharmacy agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which it currently holds a professional license, including the Board on renewal applications or applications for a new license.

6. Core Pharmacy 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 Core Pharmacy 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 Core Pharmacy by the Board and will NOT discharge Core Pharmacy from any obligation under the terms of this Agreement.
 7. Core Pharmacy agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
 8. Core Pharmacy understands that it has the right to be represented by counsel for review and execution of this agreement.
 9. This Agreement is binding upon any and all successors, assigns, affiliates, and subsidiaries of the parties or any other corporation through whom or with whom Core Pharmacy will operate.
 10. Core Pharmacy explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.
 11. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
 12. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
 13. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
 14. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.
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R-2025-0132

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

**IN THE MATTER OF:
CASE NO. A-2024-0200**

Michael Herzog
License No. 03-124807
5801 Taylor Rd
Sandusky, Oh 44870

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 Michael Herzog, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of Michael Herzog's failure to comply with the continuing education requirements of Rule 4729:1-5-02 of the Ohio Administrative Code (OAC). Together, the Board and Michael Herzog are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.16 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to Sections 4729.07 and 4729.08 of the Ohio Revised Code to practice pharmacy in the state of Ohio.
2. Michael Herzog is a licensed pharmacist in the state of Ohio under license number 03-124807.

FACTS

1. The Board initiated an investigation of Michael Herzog, pharmacist license number 03-124807, based on the results of a continuing education audit.
2. On or about June 25, 2024, the Board sent a Notice of Opportunity for Hearing to Michael Herzog, which outlined the allegations and provided notice of their right to a hearing, their rights in such hearing, and their 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. Michael Herzog neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated June 25, 2024; 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. Michael Herzog agrees to pay to the Board a monetary penalty in the amount of \$500.00. This fine will be attached to Michael Herzog's license record and must be paid no later than 90 days from the effective date of this Agreement. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. Michael Herzog must obtain 60 hours of approved continuing pharmacy education (6.0 CEUs) with 4 hours in patient safety (ACPE – 05) and 4 hours in law (ACPE – 03), which may not also be used for license renewal. The 6.0 CEUs must be completed by the next continuing education reporting period which concludes on September 15, 2025. The Board will automatically audit compliance with this term by review of NABP's CPE Monitor Program and the Board's CE Program.
5. The Board hereby imposes a written reprimand on Michael Herzog's pharmacist license, number 03-124807.
6. Michael Herzog agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
7. Michael Herzog understands that they have the right to be represented by counsel for review and execution of this agreement.
8. Michael Herzog 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 they currently hold a professional license, including the Board on renewal applications or applications for a new license.
9. Michael Herzog explicitly waives their opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.
10. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

11. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
12. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
13. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.

R-2025-0133

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

**IN THE MATTER OF:
CASE NO. A-2024-0232**

YELENA VAN GROVER
License No. 03-334695
33075 Wagon Wheel Dr
Solon, OH 44137

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 Yelena Van Grover, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of Yelena Van Grover's failure to comply with the continuing education requirements of Rule 4729:1-5-02 of the Ohio Administrative Code (OAC). Together, the Board and Yelena Van Grover are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.16 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to Sections 4729.07 and 4729.08 of the Ohio Revised Code to practice pharmacy in the state of Ohio.

2. Yelena Van Grover is a licensed pharmacist in the state of Ohio under license number 03-334695.

FACTS

1. The Board initiated an investigation of Yelena Van Grover, pharmacist license number 03-334695, based on the results of a continuing education audit.
2. On or about July 5, 2024, the Board sent a Notice of Opportunity for Hearing to Yelena Van Grover, which outlined the allegations and provided notice of their right to a hearing, their rights in such hearing, and their 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. Yelena Van Grover neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated July 5, 2024; 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. Yelena Van Grover agrees to pay to the Board a monetary penalty in the amount of \$1,000.00. This fine will be attached to Yelena Van Grover's license record and must be paid no later than 90 days from the effective date of this Agreement. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. Yelena Van Grover must obtain 60 hours of approved continuing pharmacy education (6.0 CEUs) with 4 hours in patient safety (ACPE – 05) and 4 hours in law (ACPE – 03), which may not also be used for license renewal. The 6.0 CEUs must be completed by the next continuing education reporting period which concludes on September 15, 2025. The Board will automatically audit compliance with this term by review of NABP's CPE Monitor Program and the Board's CE Program.
5. The Board hereby imposes a written reprimand on Yelena Van Grover's pharmacist license, number 03-334695.

6. Yelena Van Grover agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
7. Yelena Van Grover understands that they have the right to be represented by counsel for review and execution of this agreement.
8. Yelena Van Grover 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 they currently hold a professional license, including the Board on renewal applications or applications for a new license.
9. Yelena Van Grover explicitly waives their opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.
10. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
11. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
12. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
13. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.

R-2025-0134

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

**IN THE MATTER OF:
CASE NO. A-2024-0225**

Lauren Delande

License No. 03-233742

35822 Kilarney Rd
Willoughby, OH 44094

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Lauren Delande, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of Lauren Delande's failure to comply with the continuing education requirements of Rule 4729:1-5-02 of the Ohio Administrative Code (OAC). Together, the Board and Lauren Delande are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.16 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to Sections 4729.07 and 4729.08 of the Ohio Revised Code to practice pharmacy in the state of Ohio.
2. Lauren Delande is a licensed pharmacist in the state of Ohio under license number 03-233742.

FACTS

1. The Board initiated an investigation of Lauren Delande, pharmacist license number 03-233742, based on the results of a continuing education audit.
2. On or about June 27, 2024, the Board sent a Notice of Opportunity for Hearing to Lauren Delande, which outlined the allegations and provided notice of their right to a hearing, their rights in such hearing, and their 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. Lauren Delande neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated June 27, 2024; 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. Lauren Delande agrees to pay to the Board a monetary penalty in the amount of \$1,000.00. This Lauren Delande will be attached to Lauren Delande's license record and must be paid no later than 90 days from the effective date of this Agreement. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. Lauren Delande must obtain 60 hours of approved continuing pharmacy education (6.0 CEUs) with 4 hours in patient safety (ACPE – 05) and 4 hours in law (ACPE – 03), which may not also be used for license renewal. The 6.0 CEUs must be completed by the next continuing education reporting period which concludes on September 15, 2025. The Board will automatically audit compliance with this term by review of NABP's CPE Monitor Program and the Board's CE Program.
5. The Board hereby imposes a written reprimand on Lauren Delande's pharmacist license, number 03-233742.
6. Lauren Delande agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
7. Lauren Delande understands that they have the right to be represented by counsel for review and execution of this agreement.
8. Lauren Delande 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 they currently hold a professional license, including the Board on renewal applications or applications for a new license.
9. Lauren Delande explicitly waives their opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.
10. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
11. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
12. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.

13. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.

R-2025-0135

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

**IN THE MATTER OF:
CASE NO. A-2024-0209**

Sharon Mack
License No. 03-222655
24832 Rockledge Lane
Richmond Heights, Oh 44143

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 Sharon Mack, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of Sharon Mack's failure to comply with the continuing education requirements of Rule 4729:1-5-02 of the Ohio Administrative Code (OAC). Together, the Board and Sharon Mack are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.16 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to Sections 4729.07 and 4729.08 of the Ohio Revised Code to practice pharmacy in the state of Ohio.
2. Sharon Mack is a licensed pharmacist in the state of Ohio under license number 03-222655.

FACTS

1. The Board initiated an investigation of Sharon Mack, pharmacist license number 03-222655, based on the results of a continuing education audit.

2. On or about June 25, 2024, the Board sent a Notice of Opportunity for Hearing to Sharon Mack, which outlined the allegations and provided notice of their right to a hearing, their rights in such hearing, and their 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. Sharon Mack neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated June 25, 2024; 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. Sharon Mack agrees to pay to the Board a monetary penalty in the amount of \$1,000.00. This fine will be attached to Sharon Mack's license record and must be paid no later than 90 days from the effective date of this Agreement. To pay this fine, login to www.license.ohio.gov and process the items in the cart.
4. Sharon Mack must obtain 60 hours of approved continuing pharmacy education (6.0 CEUs) with 4 hours in patient safety (ACPE – 05) and 4 hours in law (ACPE – 03), which may not also be used for license renewal. The 6.0 CEUs must be completed by the next continuing education reporting period which concludes on September 15, 2025. The Board will automatically audit compliance with this term by review of NABP's CPE Monitor Program and the Board's CE Program.
5. The Board hereby imposes a written reprimand on Sharon Mack's pharmacist license, number 03-222655.
6. Sharon Mack agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
7. Sharon Mack understands that they have the right to be represented by counsel for review and execution of this agreement.
8. Sharon Mack 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 they currently hold a professional license, including the Board on renewal applications or applications for a new license.

9. Sharon Mack explicitly waives their opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.
10. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
11. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
12. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
13. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.

R-2025-0136

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

**IN THE MATTER OF:
CASE NO. A-2024-0234**

**Rite Aid #3167
License No. 02-0184700
304 E. State Street
Alliance, OH 44601**

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Rite Aid #3167 for the purpose of resolving all issues between the parties relating to the Board investigation of drug security issues. Together, the Board and Rite Aid #3167 are referred to hereinafter as “the parties.”

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.
2. Rite Aid #3167 is a licensed Terminal Distributor of Dangerous Drugs under license number 02-0184700.

FACTS

1. The Board initiated an investigation of Rite Aid #3167, Terminal Distributor of Dangerous Drugs license number 02-0184700, related to Rite Aid #3167's drug security issues.
2. On or about April 5, 2024 the Board sent a Notice of Opportunity for Hearing to Rite Aid #3167, 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 April 9, 2024, Rite Aid #3167 timely requested an administrative hearing.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Rite Aid #3167 neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated April 5, 2024; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. Rite Aid #3167 agrees to pay to the Board a monetary penalty in the amount of \$4,000. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.

4. The Board hereby imposes a written reprimand on Rite Aid #3167's TDDD license, number 02-0184700.
5. Rite Aid #3167 agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which it currently holds a professional license, including the Board on renewal applications or applications for a new license.
6. Rite Aid #3167 agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Rite Aid #3167 of the terms of one or more federal or state requirements may constitute sufficient grounds for further enforcement action related to any licenses granted to Rite Aid #3167 by the Board and will NOT discharge Rite Aid #3167 from any obligation under the terms of this Agreement.
7. Rite Aid #3167 agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
8. Rite Aid #3167 understands that it has the right to be represented by counsel for review and execution of this agreement.
9. This Agreement is binding upon any and all successors, assigns, affiliates, and subsidiaries of the parties or any other corporation through whom or with whom Rite Aid #3167 will operate.
10. Rite Aid #3167 explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.
11. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
12. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
13. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.

14. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.

R-2025-0137

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

**IN THE MATTER OF:
CASE NO. A-2023-0459**

Ronald Ferguson, RPh
License No. 03-117432
741 Halcyon Hill Lane
Loveland, OH 45140

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Ronald Ferguson, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of positive identification compliance and license verification. Together, the Board and Ronald Ferguson are referred to hereinafter as “the parties.”

JURISDICTION

1. Pursuant to Section 4729.16 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to Sections 4729.07 and 4729.08 of the Ohio Revised Code to practice pharmacy in the state of Ohio.
2. Ronald Ferguson is a licensed pharmacist in the state of Ohio under license number 03-117432.
3. Ronald Ferguson is the Responsible Person and owner of Jungle Jim’s Pharmacy, located at 5484 Dixie Highway, Fairfield, Ohio.

FACTS

1. The Board initiated an investigation of Ronald Ferguson, pharmacist license number 03-117432, and Jungle Jim's Pharmacy, related to positive identification compliance and license verification.
2. On or about December 11, 2023, the Board sent a Notice of Opportunity for Hearing to Ronald Ferguson, which outlined the allegations and provided notice of his right to a hearing, his rights in such hearing, and his right to submit contentions in writing.
3. On or about December 28, 2023, Ronald Ferguson, through counsel Elizabeth Collis and Greg Topocsi, timely requested an administrative hearing, which was subsequently scheduled for August 6, 2024.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Ronald Ferguson neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated December 11, 2023; 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. Ronald Ferguson agrees to pay to the Board a monetary penalty in the amount of \$500. This fine will be attached to Ronald Ferguson's license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. Ronald Ferguson must obtain six hours of approved continuing pharmacy education (0.6 CEUs) which may not also be used for license renewal. The 0.6 CEUs must be completed within six months from the effective date of this Agreement. Copies of completed CEUs must be e-mailed to legal@pharmacy.ohio.gov.
5. The Board hereby imposes a written reprimand on Ronald Ferguson's pharmacist license, number 03-117432.
6. Ronald Ferguson agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

7. Ronald Ferguson understands that he has the right to be represented by counsel for review and execution of this agreement.
8. Ronald Ferguson 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 he currently holds a professional license, including the Board on renewal applications or applications for a new license.
9. Ronald Ferguson explicitly withdraws his request for a hearing, waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.
10. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
11. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
12. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
13. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.

R-2025-0138

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

**IN THE MATTER OF:
CASE NOS. A-2022-0406 & A-2023-0435**

**Jungle Jim's Pharmacy
License No. 02-1513150
c/o Ronald Ferguson, RPh**

5484 Dixie Highway
Fairfield, OH 45041

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Jungle Jim's Pharmacy for the purpose of resolving all issues between the parties relating to the Board investigation of following compounding guidelines, failure to verify licenses, and positive identification compliance. Together, the Board and Jungle Jim's Pharmacy are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.
2. Jungle Jim's Pharmacy is a licensed Terminal Distributor of Dangerous Drugs under license number 02-1513150.

FACTS

1. The Board initiated an investigation of Jungle Jim's Pharmacy, Terminal Distributor of Dangerous Drugs license number 02-1513150, related to following compounding guidelines, failure to verify licenses, and positive identification compliance.
2. On or about December 11, 2023, the Board sent a Notice of Opportunity for Hearing to Jungle Jim's Pharmacy, 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 December 28, 2023, Jungle Jim's Pharmacy, through counsel Elizabeth Collis and Greg Tapoci, timely requested an administrative hearing, which was subsequently scheduled for August 6, 2024.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Jungle Jim's Pharmacy neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated December 11, 2023; 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. Jungle Jim's Pharmacy agrees to pay to the Board a monetary penalty the amount of \$2,500. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.
4. The Board hereby imposes a written reprimand on Jungle Jim's Pharmacy's TDDD license, number 02-1513150.
5. Jungle Jim's Pharmacy agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which it currently holds a professional license, including the Board on renewal applications or applications for a new license.
6. Jungle Jim's Pharmacy 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 Jungle Jim's Pharmacy 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 Jungle Jim's Pharmacy by the Board and will NOT discharge Jungle Jim's Pharmacy from any obligation under the terms of this Agreement.
7. Jungle Jim's Pharmacy agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
8. Jungle Jim's Pharmacy understands that it has the right to be represented by counsel for review and execution of this agreement.
9. This Agreement is binding upon any and all successors, assigns, affiliates, and subsidiaries of the parties or any other corporation through whom or with whom Jungle Jim's Pharmacy will operate.

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

R-2025-0139

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

**IN THE MATTER OF:
CASE NO. A-2024-0227**

SHELLY MILLER
License No. 03-321844
235 Cassandra Dr
Niles, OH 44446

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 Shelly Miller, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of Shelly Miller's failure to comply with the continuing education requirements of Rule 4729:1-5-02 of the Ohio Administrative

Code (OAC). Together, the Board and Shelly Miller are referred to hereinafter as “the parties.”

JURISDICTION

1. Pursuant to Section 4729.16 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to Sections 4729.07 and 4729.08 of the Ohio Revised Code to practice pharmacy in the state of Ohio.
2. Shelly Miller is a licensed pharmacist in the state of Ohio under license number 03-321844.

FACTS

1. The Board initiated an investigation of Shelly Miller, pharmacist license number 03-321844, based on the results of a continuing education audit.
2. On or about July 19, 2024, the Board sent a Notice of Opportunity for Hearing to Shelly Miller, which outlined the allegations and provided notice of their right to a hearing, their rights in such hearing, and their 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. Shelly Miller neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated July 19, 2024; 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. Shelly Miller agrees to pay to the Board a monetary penalty in the amount of \$1,000.00. This fine will be attached to Shelly Miller’s license record and must be paid no later than 90 days from the effective date of this Agreement. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. Shelly Miller must obtain 60 hours of approved continuing pharmacy education (6.0 CEUs) with 4 hours in patient safety (ACPE – 05) and 4 hours in law (ACPE – 03), which may not also be used for license renewal. The 6.0 CEUs must be completed

by the next continuing education reporting period which concludes on September 15, 2025. The Board will automatically audit compliance with this term by review of NABP's CPE Monitor Program and the Board's CE Program.

5. The Board hereby imposes a written reprimand on Shelly Miller's pharmacist license, number 03-321844.
6. Shelly Miller agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
7. Shelly Miller understands that they have the right to be represented by counsel for review and execution of this agreement.
8. Shelly Miller 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 they currently hold a professional license, including the Board on renewal applications or applications for a new license.
9. Shelly Miller explicitly waives their opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.
10. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
11. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
12. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
13. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.

R-2025-0140

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

**IN THE MATTER OF:
CASE NO. A-2023-0489**

CVS Pharmacy #6167
License No. 02-2012050
c/o Dipansh Bhavsar, RPh
418 East Main Street
Ashland, Ohio 44805

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and CVS Pharmacy #6167 for the purpose of resolving all issues between the parties relating to the Board investigation of CVS #6167 employing a Responsible Person who was prohibited from being a Responsible Person in Ohio, as a result of a Settlement Agreement with the Board. Together, the Board and CVS Pharmacy #6167 are referred to hereinafter as “the parties.”

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.
2. CVS Pharmacy #6167 is a licensed Terminal Distributor of Dangerous Drugs under license number 02-2012050.

FACTS

1. The Board initiated an investigation of CVS Pharmacy #6167, Terminal Distributor of Dangerous Drugs inactive license number 02-2012050, related to CVS Pharmacy #6167's employing a Responsible Person who was prohibited from being a Responsible Person in Ohio, as a result of a Settlement Agreement with the Board.
2. On or about April 29, 2024, the Board sent a Notice of Opportunity for Hearing to CVS Pharmacy #6167, 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 May 29, 2024, CVS Pharmacy #6167, through counsel Brian Convery, timely requested an administrative hearing. This matter was settled via this Agreement prior to hearing.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. CVS Pharmacy #6167 neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated April 29, 2024; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. CVS Pharmacy #6167 agrees to pay to the Board a monetary penalty the amount of \$5,000. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.
4. The Board hereby imposes a written reprimand on CVS Pharmacy #6167's Inactive TDDD license, number 02-2012050.
5. CVS Pharmacy #6167 agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which it currently holds a professional license, including the Board on renewal applications or applications for a new license.
6. CVS Pharmacy #6167 agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by CVS Pharmacy #6167 of the terms of one or more federal or state requirements may constitute sufficient grounds for further enforcement action related to any licenses granted to CVS Pharmacy #6167 by the Board and will NOT discharge CVS Pharmacy #6167 from any obligation under the terms of this Agreement.
7. CVS Pharmacy #6167 agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

8. CVS Pharmacy #6167 understands that it has the right to be represented by counsel for review and execution of this agreement.
 9. This Agreement is binding upon any and all successors, assigns, affiliates, and subsidiaries of the parties or any other corporation through whom or with whom CVS Pharmacy #6167 will operate.
 10. CVS Pharmacy #6167 explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.
 11. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
 12. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
 13. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
 14. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.
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R-2025-0141

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

**IN THE MATTER OF:
CASE NO. A-2024-0031**

**CVS Pharmacy #3238
INACTIVE License No. 02-0983100**
1500 Lockbourne Road
Columbus, Ohio 43206

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and CVS Pharmacy #3238 for the purpose of resolving all issues between the parties relating to the Board investigation of drug security and the loss of controlled substances. Together, the Board and CVS Pharmacy #3238 are referred to hereinafter as “the parties.”

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.
2. CVS Pharmacy #3238 was a licensed Terminal Distributor of Dangerous Drugs under license number 02-0983100. The business was discontinued on or about December 21, 2023.

FACTS

1. The Board initiated an investigation of CVS Pharmacy #3238, Terminal Distributor of Dangerous Drugs inactive license number 02-0983100, related to CVS Pharmacy #3238’s drug security and loss of controlled substances.
2. On or about April 18, 2024, the Board sent a Notice of Opportunity for Hearing to CVS Pharmacy #3238, 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 May 14, 2024, CVS Pharmacy #3238, through counsel Brian Convery, timely requested an administrative hearing. This matter was settled via this Agreement prior to hearing.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.

2. CVS Pharmacy #3238 neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated April 18, 2024; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. CVS Pharmacy #3238 agrees to pay to the Board a monetary penalty the amount of \$5,000. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.
4. The Board hereby imposes a written reprimand on CVS Pharmacy #3238's Inactive TDDD license, number 02-0983100.
5. CVS Pharmacy #3238 agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which it currently holds a professional license, including the Board on renewal applications or applications for a new license.
6. CVS Pharmacy #3238 agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by CVS Pharmacy #3238 of the terms of one or more federal or state requirements may constitute sufficient grounds for further enforcement action related to any licenses granted to CVS Pharmacy #3238 by the Board and will NOT discharge CVS Pharmacy #3238 from any obligation under the terms of this Agreement.
7. CVS Pharmacy #3238 agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
8. CVS Pharmacy #3238 understands that it has the right to be represented by counsel for review and execution of this agreement.
9. This Agreement is binding upon any and all successors, assigns, affiliates, and subsidiaries of the parties or any other corporation through whom or with whom CVS Pharmacy #3238 will operate.
10. CVS Pharmacy #3238 explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.

11. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
 12. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
 13. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
 14. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.
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R-2025-0142

Mr. Huston moved to adjourn the August 2024 State of Ohio Board of Pharmacy Meeting. The motion was seconded by Ms. Buettner and approved by the Board: Yes-6, No-0.

10:51 a.m.

The Board Meeting Adjourned.



Mindy Ferris, RPh, President

Date: 10.08.2024



Steven W. Schierholt, Executive Director

Date: 10.08.2024