

**Minutes of the August 6-8, 2012**  
**Meeting of the Ohio State Board of Pharmacy**

**Monday, August 6, 2012**

**10:02 a.m.** The Ohio State Board of Pharmacy convened in Room South B&C, 31st Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, with the following members present:

Brian M. Joyce, R.Ph., *President*; Kevin J. Mitchell, R.Ph., *Vice-President*; Edward T. Cain, Public Member; Donald M. Casar, R.Ph.; Troy A. Gahm, R.Ph.; Richard F. Kolezynski, R.Ph.; Deborah A. Lange, R.Ph. and Michael A. Moné, R.Ph.

Also present were Kyle Parker, *Executive Director*; Mark Keeley, *Assistant Executive Director*; Tracy Nave, *Director of Legal Affairs*; Nancy Little, *Licensing Administrator*; Eric Griffin, *Compliance Supervisor*; Danna Droz, *Prescription Drug Monitoring Program Director*; and Sean Culley, *Assistant Attorney General*.

**10:03 a.m.** Mr. Casar moved that the Board go into Executive Session for the purpose of the investigation of complaints regarding licensees and registrants pursuant to Section 121.22(G)(1) of the Revised Code and to confer with an attorney for the Board regarding pending or imminent court action pursuant to Section 121.22(G)(3) of the Ohio Revised Code. The motion was seconded by Mr. Moné and a roll-call vote was conducted by President Joyce as follows: Cain – *yes*; Casar – *yes*; Gahm – *yes*; Kolezynski – *yes*; Lange – *yes*; Mitchell – *yes*; Moné – *yes*.

**10:43 a.m.** The Executive Session ended and the meeting was opened to the public.

**10:44 a.m.** The Board recessed briefly.

**10:51 a.m.** The meeting reconvened in Room South B&C.

Mr. Gahm stated there was no Nursing Board CPG Committee Report.

Ms. Lange stated there was no Medical Board PAPC Report.

Mr. Keeley presented the Legislative Report.

There was no Medical Board Prescribing Committee Report.

Ms. Lange and Mr. Keeley stated there was no Technician Exam Report.

Ms. Droz presented the Ohio Automated Prescription Reporting System update.

Ms. Little provided the Licensing Report.

Mr. Garner provided the IT report update.

- 11:00 a.m.** Mr. Griffin introduced the new Field Agents and Specialists to the Board.
- 11:03 a.m.** Ms. Droz introduced the new OARRS Pharmacist to the Board.
- 11:05 a.m.** Mr. Casar moved that the Board go into Executive Session for the purpose of the investigation of complaints regarding licensees and registrants pursuant to Section 121.22(G)(1) of the Revised Code and to confer with an attorney for the Board regarding pending or imminent court action pursuant to Section 121.22(G)(3) of the Ohio Revised Code. The motion was seconded by Mr. Gahm and a roll-call vote was conducted by President Joyce as follows: Cain – *yes*; Casar – *yes*; Gahm – *yes*; Kolezynski – *yes*; Lange – *yes*; Mitchell – *yes*; Moné – *yes*.
- 11:12 a.m.** The Executive Session ended and the meeting was opened to the public.
- R-2013-015** Mr. Mitchell moved that the settlement offer in the matter of Jon Fields, R.Ph., (03-3-16924) Warren, Ohio, be accepted as amended by the Board. The Board's acceptance of a settlement would be contingent on the respondent agreeing to the changes made by the Board. The motion was seconded by Mr. Gahm and approved by the Board: *Aye – 6/Nay – 1*.
- R-2013-016** Mr. Casar moved that the settlement offer in the matter of Amy Ahlegian, R.Ph., (03-2-25079) Mentor, Ohio, be denied. The motion was seconded by Ms. Lange and approved by the Board: *Aye – 4/Nay – 3*.
- R-2013-017** Mr. Moné moved that the settlement offer in the matter of Dorsey Sergent, R.Ph., (03-3-07460) Bowling Green, Ohio, be accepted as amended by the Board. The Board's acceptance of a settlement would be contingent on the respondent agreeing to the changes made by the Board. The motion was seconded by Mr. Mitchell and approved by the Board: *Aye – 7*.
- R-2013-018** Mr. Moné moved that a request from RightSource (02-1826600) West Chester, Ohio, for an exemption to Ohio Administrative Code Rule 4729-5-10 (Prescription pick-up station) received for the following sites: All other RightSource locations (on file), be approved. The motion was seconded by Mr. Casar and approved by the Board: *Aye – 7*.
- R-2013-019** Mr. Casar moved that a request from Walgreens #04613 (02-1070550) Dayton, Ohio, for an exemption to Ohio Administrative Code Rule 4729-5-10 (Prescription pick-up station) received for the following site: Public Hlth-Dayton Montgomery Cnty (02-0255300) Dayton, Ohio, be approved. The motion was seconded by Ms. Lange and approved by the Board: *Aye – 5/Nay – 2*.

**R-2013-020** Mr. Gahm moved that a request from Cleveland Clinic Home Care Serv Inc (02-0662200) Independence, Ohio, for an exemption to Ohio Administrative Code Rule 4729-5-10 (Prescription pick-up station) received for the following site: Cleveland Clinic Avon Ambulatory Surgery Center (02-2161350) Avon, Ohio, be approved. The motion was seconded by Mr. Kolezynski and approved by the Board: *Aye – 7*.

**R-2013-021** The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A) (1) requesting that **Daniel Sidwell**, R.Ph. (03-2-28021) Caldwell, Ohio, the current responsible person for Davis Drug (02-0693900), also be the responsible person for the following pharmacy:

**Davis Drug**, Caldwell, Ohio      (02-2242050)

After discussion, Mr. Gahm moved that the Board approve the request for a period of one year. The motion was seconded by Mr. Moné and approved by the Board: *Aye – 7*.

**R-2013-022** Ms. Little presented a request from Saffiatu Sillah, Int. (06-0-07889) to approve her internship hours approved already worked as appropriate for Pennsylvania test. After discussion Mr. Moné moved for the Board to approved that Ms. Sillah completed the appropriate number of internship hours, at the correct time, in accordance with the laws and rules of Pennsylvania test. The motion was seconded by Mr. Mitchell and approved by the Board: *Aye – 7*.

**11:38 a.m.** The Board recessed for lunch.

**2:35 p.m.** The meeting reconvened in Room South B&C.

Mr. Gahm moved that the Board go into Executive Session for the purpose of the investigation of complaints regarding licensees and registrants pursuant to Section 121.22(G)(1) of the Revised Code and to confer with an attorney for the Board regarding pending or imminent court action pursuant to Section 121.22(G)(3) of the Ohio Revised Code and to confer with an attorney for the Board regarding pending or imminent court action pursuant to Section 121.22(G)(3) of the Ohio Revised Code. The motion was seconded by Mr. Moné and a roll-call vote was conducted by President Joyce as follows: Cain – *yes*; Casar – *yes*; Gahm – *yes*; Kolezynski – *yes*; Lange – *yes*; Mitchell – *yes*; Moné – *yes*.

**2:45 p.m.** The Executive Session ended and the meeting was opened to the public.

**R-2013-023** Mr. Mitchell moved that the settlement offer in the matter of Carol Jean Thompson, R.Ph., (03-0-12982) N. Ridgeville, Ohio, be accepted as amended by the Board. The Board's acceptance of a settlement would be contingent on the respondent agreeing to the changes made by the Board. The motion was seconded by Mr. Moné and approved by the Board: *Aye – 4/Nay – 2*. Mr. Kolezynski recused himself from this vote.

**3:00 p.m.** The Board was joined by Assistant Attorney General Sean Culley to conduct an adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. in the matter of **Dave Wayne Blackwell, R.Ph.** (03-1-24395) Land O' Lakes, Florida.

**3:35 p.m.** The hearing ended and the record was closed.

Mr. Gahm moved that the Board recess in order to consider this quasi-judicial matter 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. Moné and a roll-call vote was conducted by President Joyce as follows: Cain – *yes*; Casar – *yes*; Gahm – *yes*; Joyce – *yes*; Kolezynski– *yes*; Lange – *yes*; Mitchell – *yes*.

**4:16 p.m.** The recess ended and the meeting was open to the public.

**R-2013-024** After votes were taken in public session, the Board adopted the following order in the matter of **Dave Wayne Blackwell, R.Ph.** (03-1-24395) Land O' Lakes, Florida.

**ORDER OF THE STATE BOARD OF PHARMACY**

(Docket Number D-070723-001)

In The Matter Of:

**DAVE WAYNE BLACKWELL, R.Ph.**

4626 Tailfeather Court  
Land O'Lakes, Florida 34639  
(R.Ph. Number 03-1-24395)

**INTRODUCTION**

The Matter of Dave Wayne Blackwell came for hearing on August 6, 2012 before the following members of the Board: Brian M. Joyce, R.Ph. (presiding); Edward T. Cain, Public Member; Donald M. Casar, R.Ph.; Troy A. Gahm, R.Ph.; Richard F. Kolezynski, R.Ph.; Deborah A. Lange, R.Ph.; Kevin J. Mitchell, R.Ph. and Michael A. Moné, R.Ph.

Dave Wayne Blackwell, R.Ph., was not represented by counsel. The State of Ohio was represented by Sean M. Culley, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witness:

1. Dave Wayne Blackwell, R.Ph., Respondent

Respondent's Witness:

1. Dave Wayne Blackwell, R.Ph., Respondent

State's Exhibits:

1. Petition for reinstatement letter [02-06-12]  
1A-1D. Procedurals
2. Copy of Order of the State Board of Pharmacy [06-07-06]
3. Copy of Order of the State Board of Pharmacy [07-09-08]

Respondent's Exhibits:

- A. Copy of Order of the State Board of Pharmacy [07-09-08]
- B. Copy of Florida PRN Monitoring contract for Dave Wayne Blackwell [06-12-05]
- C. Copy of Order Granting Request for Termination of Probation from FBOP [06-29-10]
- D. Copy of letter from Florida PRN verifying successful completion of monitoring contract [06-18-10]
- E. Letter of character from Director of Pharmacy at current Pharmacy of employment [08-02-12]
- F. Letter from League Director of 19 Youth Sports verifying community service [03-27-12]

DECISION OF THE BOARD

After consideration of the record as a whole, the State Board of Pharmacy hereby reinstates the pharmacist identification card, No. 03-1-24395, held by Dave Wayne Blackwell to practice pharmacy in Ohio subject to the following conditions:

- (A) Upon returning to work as a pharmacist in Ohio, Dave Wayne Blackwell must notify the Board of his employer and start date.
- (B) Dave Wayne Blackwell will serve a period of probation of two years beginning on the first date of active employment as a pharmacist in Ohio.
- (C) Dave Wayne Blackwell must enter into a **new** contract, signed and effective on the first day of employment as a pharmacist in Ohio, with an Ohio Department of Alcohol and Drug Addiction Services (ODADAS) treatment provider or a treatment provider acceptable to the Board for a period of not less than two years and, upon signing, submit a copy of the contract to the Board office. The contract must provide that:

(1) Random, **observed** urine drug screens shall be conducted at least once each month.

(a) 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.

(b) 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.

(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.

(3) Attendance is required a minimum of three times per calendar week (Sunday through Saturday), at an Alcoholics Anonymous, Narcotics Anonymous, and/or similar support group meeting.

(4) The program shall immediately report to the Board any violations of the contract and/or lack of cooperation.

(D) Dave Wayne Blackwell 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:

(1) The written report and documentation provided by the treatment program pursuant to the contract, and

(2) A written description of Dave Wayne Blackwell's progress towards recovery and what Dave Wayne Blackwell has been doing during the previous three months.

(E) Other terms of probation are as follows:

(1) The State Board of Pharmacy hereby declares that Dave Wayne Blackwell's pharmacist identification card is not in good standing and thereby denies the privilege of being a preceptor and training pharmacy interns pursuant to paragraph (D)(1) of Rule 4729-3-01 of the Ohio Administrative Code.

(2) Dave Wayne Blackwell may not serve as a responsible pharmacist.

(3) Dave Wayne Blackwell may not destroy, assist in, or witness the destruction of controlled substances.

(4) Dave Wayne Blackwell must abide by the contract with his treatment provider and must immediately report any violation of the contract to the Board.

(5) Dave Wayne Blackwell must not violate the drug laws of Ohio, any other state, or the federal government.

(6) Dave Wayne Blackwell must abide by the rules of the State Board of Pharmacy.

(7) Dave Wayne Blackwell must comply with the terms of this Order.

(8) Dave Wayne Blackwell 's license is deemed not in good standing until successful completion of the probationary period.

(F) Any violation of probation may result in a Board hearing to consider alternative or additional sanctions under Section 4729.16 of the Ohio Revised Code.

Dave Wayne Blackwell is hereby advised that the Board may at any time revoke probation for cause, modify the conditions of probation, and reduce or extend the period of probation. At any time during this period of probation, the Board may revoke probation for a violation occurring during the probation period.

Troy Gahm moved for Action of the Board; Michael Moné seconded the motion. Motion passed (Aye-4/Nay-3).

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**4:18 p.m.** The Board recessed briefly.

**4:19 p.m.** The meeting reconvened in Room South B&C.

**4:20 p.m.** Mr. Casar moved that the Board recess to Executive Session for the purpose of discussing the employment of a public employee or official pursuant to Section 121.22(G)(1) of the Ohio Revised Code. The motion was seconded by Ms. Lange and a roll-call vote was conducted by President Joyce as follows: Cain – *yes*; Casar – *yes*; Gahm – *yes*; Kolezynski– *yes*; Lange – *yes*; Mitchell – *yes*; Moné – *yes*.

**5:05 p.m.** The Executive Session ended and the meeting was opened to the public.

**5:06 p.m.** The Board recessed for the day.

Tuesday, August 7, 2012

9:02 a.m. The Ohio State Board of Pharmacy convened in Room South B&C, 31st Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, with the following members present:

Brian M. Joyce, R.Ph., *President*; Kevin J. Mitchell, R.Ph., *Vice-President*; Donald M. Casar, R.Ph.; Troy A. Gahm, R.Ph.; Richard F. Kolezynski, R.Ph.; Deborah A. Lange, R.Ph. and Michael A. Moné, R.Ph.

9:04 a.m. Mr. Cain joined the meeting.

9:05 a.m. The Board was joined by Assistant Attorney General Sean Culley to create a record in accordance with the Ohio Revised Code Chapters 119. and 4729. in the matter of **Robert Michael Masa**, R.Ph. (03-2-30855) South Elgin, IL.

9:17 a.m. The hearing ended and the record was closed.

Ms. Lange moved that the Board recess in order to consider this quasi-judicial matter 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. Casar and a roll-call vote was conducted by President Joyce as follows: Cain – *yes*; Casar – *yes*; Gahm – *yes*; Kolezynski – *yes*; Lange – *yes*; Mitchell – *yes*; Moné – *yes*.

9:31 a.m. The recess ended and the meeting was open to the public.

R-2013-025 After votes were taken in public session, the Board adopted the following order in the matter of **Robert Michael Masa**, R.Ph. (03-2-30855) South Elgin, IL.

ORDER OF THE STATE BOARD OF PHARMACY

(Docket Number D-111214-232)

In The Matter Of:

**ROBERT MICHAEL MASA, R.Ph.**  
570 N. Haverhill Lane  
South Elgin, Illinois 60177

INTRODUCTION

The Matter of Robert Michael Masa came for consideration on August 7, 2012, before the following members of the Board: Brian M. Joyce, R.Ph. (presiding); Edward T. Cain, Public Member; Donald M. Casar, R.Ph.; Troy A. Gahm, R.Ph.; Richard F. Kolezynski, R.Ph.; Deborah A. Lange, R.Ph.; Kevin J. Mitchell, R.Ph. and Michael A. Moné, R.Ph.

Robert Michael Masa was not present nor was he represented by counsel. The State of Ohio was represented by Sean M. Culley, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witness:

1. Joann Predina, R.Ph., Ohio State Board of Pharmacy

Respondent's Witnesses:

None

State's Exhibits:

1. Copy of Proposal to Deny/Notice of Opportunity for Hearing letter [12-14-11]
  - 1A. Procedural
2. Application for Reciprocity [03-21-11]
3. Letter from Village of Roselle, Illinois re: Criminal History [06-03-11]
4. Roselle Police Department Report [04-29-03]
5. Court documentation in the matter of, The People of the State of Illinois vs Robert M. Masa [06-27-05]

Respondent's Exhibits:

None

FINDINGS OF FACT

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

- (1) Robert Michael Masa is a registered pharmacist in the state of Illinois, and on or about March 14, 2011 applied for reciprocal registration into the State of Ohio.
- (2) Robert Michael Masa did, on or about March 14, 2011, knowingly make a false statement with purpose to secure the issuance of a license or registration, to wit: Robert Michael Masa indicated on his reciprocity application that he had not been charged with a crime when in fact Robert Michael Masa had been charged on April 30, 2003, and subsequently convicted of Criminal Trespass to a Residence in Roselle, Illinois. Such conduct is in violation of Section 2921.13 of the Ohio Revised Code.

CONCLUSION OF LAW

The State Board of Pharmacy concludes that paragraph (2) of the Findings of Fact constitutes being guilty of dishonesty in the practice of pharmacy as provided in Division (A)(2) of Section 4729.16 of the Ohio Revised Code.

DECISION OF THE BOARD

On the basis of the Findings of Fact set above and after consideration of the record as a whole, the State Board of Pharmacy hereby approves the application for reciprocity submitted by Robert Michael Masa and directs Robert Michael Masa to attend the Reciprocity Review session.

Robert Michael Masa is hereby publicly reprimanded for this behavior and reminded of his duty to cooperate with the Board in all regulatory matters and answer all questions honestly.

Deborah Lange moved for Findings of Fact; Troy Gahm seconded the motion. Motion passed (Aye-7/Nay-0).

Troy Gahm moved for Conclusions of Law; Richard Kolezynski seconded the motion. Motion passed (Aye-7/Nay-0).

Donald Casar moved for Action of the Board; Michael Moné seconded the motion. Motion passed (Aye-7/Nay-0).

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9:32 a.m.

R-2013-026

Mr. Gahm moved that the Board minutes of July 9-10, 2012, be approved as amended. Ms. Lange seconded the motion and it was approved by the Board: *Aye – 7.*

9:36 a.m.

The Board recessed and Mr. Gahm left for personal reasons.

1:30 p.m.

The Board reconvened in Room South A, 31<sup>st</sup> Floor of the Vern Riffe Center for Government and the Arts. The following candidates for licensure by reciprocity introduced themselves to the Board, and then participated in a discussion of pharmacy laws and rules with Ms. Little, Licensing Administrator and the Board.

|                           |               |
|---------------------------|---------------|
| Housam Abdelhamid         | Michigan      |
| Marisa Ashley Bell        | California    |
| Dominic Nicholas Bertucci | Virginia      |
| Gregory Francis Blank     | Michigan      |
| Kelley Dawn Carlstrom     | Massachusetts |
| Larry Jake Childs         | Utah          |
| Benjamin Lee Collins      | Illinois      |
| Gwendoline Takor Egbe     | Maryland      |
| Mark Hamm                 | Missouri      |
| Danielle Rosealla James   | Kentucky      |
| Jehan Jouda               | Michigan      |
| Megan Marie Knightly      | Illinois      |
| Tabitha Marie Lewis       | Indiana       |
| Daniel Mark Macniven      | New York      |

|                           |              |
|---------------------------|--------------|
| Jessica Campaign Streeter | New York     |
| David B. Stultz           | Kentucky     |
| Sarah Elisa Venezian      | Virginia     |
| Matthew Richard Wanek     | Pennsylvania |

**1:57 p.m.** The meeting reconvened in Room South B&C.

**R-2013-027** Mr. Joyce announced the following Settlement Agreement has been signed by all parties and is now effective.

**SETTLEMENT AGREEMENT WITH THE STATE BOARD OF PHARMACY**  
(Docket Number D-120319-243)

In The Matter Of:

**James Louis Coll, III, R.Ph.**  
465 Rosedale Street  
Ravenna, Ohio 44266  
(R.Ph. No. 03-1-13584)

This Settlement Agreement is entered into by and between James Louis Coll, III and the Ohio State Board of Pharmacy, a state agency charged with enforcing the Pharmacy Practice Act and Dangerous Drug Distribution Act, Chapter 4729. of the Ohio Revised Code.

James Louis Coll, III voluntarily enters into this Agreement being fully informed of his rights afforded under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel, the right to a formal adjudication hearing on the issues contained herein, and the right to appeal. James Louis Coll, III acknowledges that by entering into this agreement he has waived his rights under Chapter 119. of the Revised Code.

Whereas, the Board is empowered by Section 4729.16 of the Ohio Revised Code to suspend, revoke, limit, place on probation, refuse to grant or renew an identification card or enforce a monetary penalty on the license holder for violation of any of the enumerated grounds therein.

Whereas, James Louis Coll, III is licensed to practice pharmacy in the State of Ohio.

Whereas, on or about March 19, 2012, pursuant to Chapter 119. of the Ohio Revised Code, James Louis Coll, III was notified of the allegations or charges against him, his right to a hearing, his rights in such hearing, and his right to submit contentions in writing. James Louis Coll, III requested a hearing; it was scheduled and continued. The

March 19, 2012, Notice of Opportunity for Hearing contains the following allegations or charges:

- (1) Records of the State Board of Pharmacy indicate that James Louis Coll, III was originally licensed in the State of Ohio on April 24, 1980, pursuant to examination, and is currently licensed to practice pharmacy in the State of Ohio.
- (2) James Louis Coll, III did, on or about April 2, 2011, misbrand a drug, to wit: when he refilled a prescription for 120 doses of Requip 1 mg, to be taken two tablets at 6 pm and two tablets at 10 pm, RX #634430, James Louis Coll, III dispensed risperidone, which had not been specifically prescribed by the physician. The patient was harmed and subsequently hospitalized. Such conduct is in violation of Section 3715.52(A)(2) of the Ohio Revised Code.

James Louis Coll, III neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated March 19, 2012; however, the Board has evidence sufficient to sustain the allegations and hereby adjudicates the same.

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of a formal hearing at this time, James Louis Coll, III knowingly and voluntarily agrees with the State Board of Pharmacy to the following:

(A) James Louis Coll, III agrees to the imposition of a monetary penalty of two hundred and fifty dollars (\$250.00) due and owing within thirty days from the effective date of this Agreement. Checks should be made payable to the "Treasurer, State of Ohio" and mailed with the enclosed forms to the State Board of Pharmacy, 77 South High Street, Room 1702, Columbus, Ohio 43215-6126.

(B) In addition, James Louis Coll, III must obtain, within one year from the effective date of this Agreement, six hours of approved continuing pharmacy education (6.0 CEUs) in medication safety, which may not also be used for license renewal.

James Louis Coll, III acknowledges that he has had an opportunity to ask questions concerning the terms of this agreement and that all questions asked have been answered in a satisfactory manner. Any action initiated by the Board based on alleged violation of this Agreement shall comply with the Administrative Procedure Act, Chapter 119. of the Ohio Revised Code.

James Louis Coll, III waives any and all claims or causes of action he may have against the State of Ohio or the Board, and members, officers, employees, and/or agents of either, arising out of matters which are the subject of this Agreement. James Louis Coll, III waives any rights of appeal pursuant to Chapter 119. of the Ohio Revised Code.

This Settlement Agreement shall be considered a public record, as that term is used in Section 149.43 of the Ohio Revised Code, and shall become effective upon the date of the Board President's signature below.

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|---|--|
| _____<br>James Louis Coll, R.Ph., III, Respondent                         | 07/07/2012<br>_____<br>Date of Signature |
| _____<br>Zachary Swisher, Attorney for Respondent                         | 08/07/2012<br>_____<br>Date of Signature |
| _____<br>Brian M. Joyce, R.Ph., President<br>Ohio State Board of Pharmacy | 08/07/2012<br>_____<br>Date of Signature |
| _____<br>Sean M. Culley, Ohio Assistant Attorney General                  | 08/07/2012<br>_____<br>Date of Signature |

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**1:59 p.m.** The Board was joined by Assistant Attorney General Sean Culley to conduct an adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. in the matter of **Amy Ahlegian**, R.Ph. (03-2-25079) Mentor, Ohio.

**2:38 p.m.** The hearing ended and the record was closed.

Mr. Kolezynski moved that the Board recess in order to consider this quasi-judicial matter 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. Mitchell and a roll-call vote was conducted by President Joyce as follows: Cain – yes; Casar – yes; Kolezynski– yes; Lange – yes; Mitchell – yes; Moné – yes.

**2:54 p.m.** The recess ended and the meeting was opened to the public.

**R-2013-028** After votes were taken in public session, the Board adopted the following order in the matter of **Amy Ahlegian**, R.Ph. (03-2-25079) Mentor, Ohio.

**ORDER OF THE STATE BOARD OF PHARMACY**

(Docket Number D-111116-219)

In The Matter Of:

**AMY AHLEGIAN, R.Ph.**  
7797 Hidden Hollow Drive  
Mentor, Ohio 44060  
(R.Ph. Number 3-2-25079)

### INTRODUCTION

The Matter of Amy Ahlegian came for hearing on August 7, 2012, before the following members of the Board: Brian M. Joyce, R.Ph. (presiding); Edward T. Cain, Public Member; Donald M. Casar, R.Ph.; Richard F. Kolezynski, R.Ph.; Deborah A. Lange, R.Ph.; Kevin J. Mitchell, R.Ph.; and Michael A. Moné, R.Ph.

Troy A. Gahm, R.Ph., Absent.

Amy Ahlegian was represented by Ronald A. Margolis. The State of Ohio was represented by Sean M. Culley, Assistant Attorney General.

### SUMMARY OF EVIDENCE

#### State's Witness:

1. William Edwards, Ohio State Board of Pharmacy

#### Respondent's Witness:

1. Amy Ahlegian, R.Ph., Respondent

#### State's Exhibits:

1. Copy of Notice of Opportunity for Hearing letter [11-16-11]  
1A-1H. Procedurals
2. Copy of RX #761422 [02-29-08]; Prescription telephone log [07-15-08]
3. Copy of RX #1261355 [11-17-09]; Prescription telephone log and University Hospitals Telephone Contract Record [11-17-09]
4. Copy of RX #1304584 [05-29-10]; Prescription telephone log and University Hospitals Telephone Contract Record [05-29-10]
5. Copy of RX #1318815 [08-09-11]; Prescription telephone log and University Hospitals Telephone Contract Record [08-09-11]
6. Copy of RX #91852 [09-24-10]
7. Copy of RX #751083 [11-01-10]; University Hospitals Telephone Contract Record [11-01-10]
8. Copy of RX #630830 [01-09-11]; University Hospitals Telephone Contract Record [01-09-11]
9. Copy of RX #1292539 [05-12-11]; University Hospitals Telephone Contract Record [05-12-11]
10. Letter from Lauren M. Goetz, CNM University Hospitals [not dated]
11. Letter from Zipoora Smith [5-13-11]
12. Written statement of Amy Ahlegian [05-13-11]
13. Walgreens Disciplinary Record in the matter of Amy Ahlegian [05-13-11]
14. Notarized statement of Mary Jo Stiegemeier, OD [08-03-11]

Respondent's Exhibits:

- A. Letter from Janice Carrick, D.O. [01-19-12]
- B. Cuyahoga County Court Records in the matter of State of Ohio vs Amy Ahlegian [04-02-12]

FINDINGS OF FACT

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

- (1) Records of the State Board of Pharmacy indicate that Amy Ahlegian was originally licensed in the State of Ohio on June 28, 2002, pursuant to examination, and is currently licensed to practice pharmacy in the State of Ohio.
- (2) Amy Ahlegian did, on or about July 15, 2008, knowingly make a false statement in any prescription, order, report, or record required by Chapter 3719. or 4729. of the Revised Code, to wit: Amy Ahlegian falsely created refills and/or altered the strength of the drug in RX #761422, for 30 tablets of Zoloft 50 mg, indicating 12 refills, without authorization from a prescriber. Amy Ahlegian subsequently maintained the document on file in the pharmacy as if it were a legitimate prescription. Such conduct is in violation of Section 2925.23(A) of the Ohio Revised Code.
- (3) Amy Ahlegian did, on or about November 17, 2009, knowingly make a false statement in any prescription, order, report, or record required by Chapter 3719. or 4729. of the Revised Code, to wit: Amy Ahlegian falsely created refills and/or altered the strength of the drug in RX #1261355, for 6 tablets of azithromycin 250 mg, indicating 1 refill, without authorization from a prescriber. Amy Ahlegian subsequently maintained the document on file in the pharmacy as if it were a legitimate prescription. Such conduct is in violation of Section 2925.23(A) of the Ohio Revised Code.
- (4) Amy Ahlegian did, on or about May 29, 2010, knowingly make a false statement in any prescription, order, report, or record required by Chapter 3719. or 4729. of the Revised Code, to wit: Amy Ahlegian falsely created refills and/or altered the strength of the drug in RX #1304584, for 6 tablets of azithromycin 250 mg, indicating 3 refills, without authorization from a prescriber. Amy Ahlegian subsequently maintained the document on file in the pharmacy as if it were a legitimate prescription. Such conduct is in violation of Section 2925.23(A) of the Ohio Revised Code.

- (5) Amy Ahlegian did, on or about August 9, 2010, knowingly make a false statement in any prescription, order, report, or record required by Chapter 3719. or 4729. of the Revised Code, to wit: Amy Ahlegian falsely created refills and/or altered the strength of the drug in RX #1318815, for 1 tablet of Diflucan 150 mg, indicating 1 refill, without authorization from a prescriber. Amy Ahlegian subsequently maintained the document on file in the pharmacy as if it were a legitimate prescription. Such conduct is in violation of Section 2925.23(A) of the Ohio Revised Code.
- (6) Amy Ahlegian did, on or about September 24, 2010, knowingly make a false statement in any prescription, order, report, or record required by Chapter 3719. or 4729. of the Revised Code, to wit: Amy Ahlegian falsely created refills and/or altered the strength of the drug in RX #91852, for 6 tablets of azithromycin 250 mg, indicating 2 refills, without authorization from a prescriber. Amy Ahlegian subsequently maintained the document on file in the pharmacy as if it were a legitimate prescription. Such conduct is in violation of Section 2925.23(A) of the Ohio Revised Code.
- (7) Amy Ahlegian did, on or about November 1, 2010, knowingly make a false statement in any prescription, order, report, or record required by Chapter 3719. or 4729. of the Revised Code, to wit: Amy Ahlegian falsely created refills and/or altered the strength of the drug in RX #751083, for 6 tablets of azithromycin 250 mg, indicating 1 refill, without authorization from a prescriber. Amy Ahlegian subsequently maintained the document on file in the pharmacy as if it were a legitimate prescription. Such conduct is in violation of Section 2925.23(A) of the Ohio Revised Code.
- (8) Amy Ahlegian did, on or about January 9, 2011, intentionally create and/or knowingly possess a false or forged prescription, to wit: Amy Ahlegian falsely created RX #630830, for 30 tablets of Zoloft 100 mg, indicating 3 refills, without authorization from a prescriber. Amy Ahlegian subsequently maintained the document on file in the pharmacy as if it were a legitimate prescription. Such conduct is in violation of Section 2925.23(B)(1) of the Ohio Revised Code.
- (9) Amy Ahlegian did, on or about May 12, 2011, knowingly make a false statement in any prescription, order, report, or record required by Chapter 3719. or 4729. of the Revised Code, to wit: Amy Ahlegian falsely created refills and/or altered the strength of the drug in RX #1292539, for 6 tablets of azithromycin 250 mg, indicating 3 refills, without authorization from a prescriber. Amy Ahlegian subsequently maintained the document on file in the pharmacy as if it were a legitimate prescription. Such conduct is in violation of Section 2925.23(A) of the Ohio Revised Code.

CONCLUSIONS OF LAW

- (1) The State Board of Pharmacy concludes that paragraphs (2) through (9) of the Findings of Fact constitute being guilty of dishonesty and unprofessional conduct in the practice of pharmacy as provided in Division (A)(2) of Section 4729.16 of the Ohio Revised Code.
- (2) The State Board of Pharmacy concludes that paragraphs (2) through (9) of the Findings of Fact constitute being guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of provisions of Chapter 2925. of the Revised Code as provided in Division (A)(5) of Section 4729.16 of the Ohio Revised Code.

DECISION OF THE BOARD

Pursuant to Section 4729.16 of the Ohio Revised Code, and after consideration of the record as a whole, the State Board of Pharmacy adjudicates the matter of Amy Ahlegian as follows:

(A) Pursuant to Section 4729.16 of the Ohio Revised Code, and after consideration of the record as a whole, the State Board of Pharmacy hereby imposes a monetary penalty of two thousand dollars (\$2,000.00) on Amy Ahlegian and payment in full is due and owing within thirty days of the mailing of this Order. The remittance should be made payable to the "Treasurer, State of Ohio" and mailed with the enclosed form to the State Board of Pharmacy, 77 South High Street, Room 1702, Columbus, Ohio 43215-6126.

(B) Amy Ahlegian must obtain, within six months from the effective date of this Order, three hours of continuing pharmacy education (0.3 CEUs) in board approved Jurisprudence, which may not also be used for license renewal.

(C) Pursuant to Section 4729.16 of the Ohio Revised Code, and after consideration of the record as a whole, the State Board of Pharmacy hereby places on probation for two years the pharmacist identification card, No. 03-2-25079, held by Amy Ahlegian effective as of the date of the mailing of this Order. The terms of probation are as follows:

(1) Amy Ahlegian's practice of pharmacy is limited in that she may not dispense prescriptions for herself or for any member of her family during her period of probation.

(2) Amy Ahlegian must not violate the drug laws of Ohio, any other state, or the federal government.

(3) Amy Ahlegian must abide by the rules of the State Board of Pharmacy.

- (4) Amy Ahlegian must comply with the terms of this Order.
- (5) Amy Ahlegian's license is deemed to be not in good standing until successful completion of the probationary period.
- (6) Any violation of probation may result in a Board hearing to consider alternative or additional sanctions under Section 4729.16 of the Ohio Revised Code.

Amy Ahlegian is hereby advised that the Board may at any time revoke probation for cause, modify the conditions of probation, and reduce or extend the period of probation. At any time during this period of probation, the Board may revoke probation for a violation occurring during the probation period.

Deborah Lange moved for Findings of Fact; Donald Casar seconded the motion. Motion passed (Aye-6/Nay-0).

Deborah Lange moved for Conclusions of Law; Richard Kolezynski seconded the motion. Motion passed (Aye-6/Nay-0).

Donald M. Casar moved for Action of the Board; Kevin J. Mitchell seconded the motion. Motion passed (Aye-6/Nay-0).

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**3:01 p.m.** Mr. Casar moved that the Board go into Executive Session for the purpose of the investigation of complaints regarding licensees and registrants pursuant to Section 121.22(G)(1) of the Revised Code and to confer with an attorney for the Board regarding pending or imminent court action pursuant to Section 121.22(G)(3) of the Ohio Revised Code and to confer with an attorney for the Board regarding pending or imminent court action pursuant to Section 121.22(G)(3) of the Ohio Revised Code. The motion was seconded by Mr. Kolezynski and a roll-call vote was conducted by President Joyce as follows: Cain – *yes*; Casar – *yes*; Kolezynski – *yes*; Lange – *yes*; Mitchell – *yes*; Moné – *yes*.

**3:49 p.m.** The Executive Session ended and the meeting was opened to the public.

**3:50 p.m.** The Board recessed for the day.

### **WEDNESDAY, AUGUST 8, 2012**

**9:08 a.m.** The Ohio State Board of Pharmacy convened in Room East B, 31<sup>st</sup> Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, with the following members present:

Kevin J. Mitchell, R.Ph., *Vice-President*; Edward T. Cain, Public Member; Troy A. Gahm, R.Ph.; Richard F. Kolezynski, R.Ph.; Deborah A. Lange, R.Ph. and Donald M. Casar, R.Ph.

**9:09 a.m.** The Board was joined by Assistant Attorney General Sean Culley to conduct an adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. in the matter of **Ellen Kyle Bell**, Tiffin, Ohio.

**9:34 a.m.** The hearing ended and the record was closed.

Mr. Casar moved that the Board recess in order to consider this quasi-judicial matter 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. Gahm and a roll-call vote was conducted by Vice-President Mitchell as follows: Cain – *yes*; Casar – *yes*; Gahm – *yes*; Kolezynski– *yes*; Lange – *yes*.

**9:40 a.m.** The recess ended and the meeting was opened to the public.

**R-2013-029** After votes were taken in public session, the Board adopted the following order in the matter of **Ellen Kyle Bell**, Tiffin, Ohio.

**ORDER OF THE STATE BOARD OF PHARMACY**

(Docket Number D-120524-250)

In The Matter Of:

**ELLEN KYLE BELL**

142 Walker Street  
Tiffin, Ohio 44883

**INTRODUCTION**

The Matter of Ellen Kyle Bell came for hearing on August 8, 2012, before the following members of the Board: Kevin J. Mitchell, R.Ph., (presiding); Edward T. Cain; Public Member; Donald M. Casar, R.Ph.; Troy A. Gahm, R.Ph.; Richard F. Kolezynski, R.Ph. and Deborah A. Lange, R.Ph.

Brian M. Joyce, R.Ph., Absent.

Michael A. Moné, R.Ph., Absent.

Ellen Kyle Bell was not represented by counsel. The State of Ohio was represented by Sean M. Culley, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witnesses:

1. Ellen Kyle Bell, Respondent
2. Don Newton, Ohio State Board of Pharmacy

Respondent's Witnesses:

None

State's Exhibits:

1. Proposal to Deny/Notice of Opportunity for Hearing letter [05-24-12]  
1A-1C. Procedurals
2. Pharmacy Intern Application submitted by Ellen Kyle Bell [08-08-11]
3. Letter from Ellen Bell [07-26-11]
4. Notarized Statement of Ellen Bell [10-06-11]
5. Legal documentation in the matter of Ellen K. Bell [03-01-11 to 05-17-11]

Respondent's Exhibits:

None

FINDINGS OF FACT

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

- (1) Records of the Board of Pharmacy indicate that Ellen Kyle Bell applied to the Board for registration as an intern in the State of Ohio on August 8, 2011.
- (2) Ellen Kyle Bell was arrested on or about March 1, 2011, for operating a motor vehicle while under the influence of drugs or alcohol (OVI), possession of drug paraphernalia, possession of marijuana, child endangerment, and speeding. Ellen Kyle Bell subsequently pled no contest to the OVI and speeding charges and received a one year license suspension, five (5) days in jail or the completion of a seventy-two hour inpatient driver intervention program. The remaining charges against Ellen Kyle Bell were dismissed. Ellen Kyle Bell admitted to Board Agents that she possessed between 100 and 200 grams of marijuana as well as a "dugout" device used to smoke marijuana. Ellen Kyle Bell's daughter was also with her in the car at the time of the arrest. Ellen Kyle Bell further admitted to Board Agents that she had smoked marijuana the night prior to her arrest.

CONCLUSION OF LAW

The State Board of Pharmacy concludes that paragraph (2) of the Findings of Fact constitutes having been found by the Board of Pharmacy not to be of not good moral character and habits within the meaning of Rule 4729-5-04 of the Ohio Administrative Code.

DECISION OF THE BOARD

Pursuant to Section 4729.11 of the Ohio Revised Code, and after consideration of the record as a whole, the State Board of Pharmacy hereby approves the Application for Pharmacy Intern Registration submitted by Ellen Kyle Bell on or about October 8, 2011.

Deborah Lange moved for Findings of Fact; Richard Kolezynski seconded the motion. Motion passed (Aye-5/Nay-0).

Troy Gahm moved for Conclusion of Law; Deborah Lange seconded the motion. Motion passed (Aye-5/Nay-0).

Donald Casar moved for Action of the Board; Troy Gahm seconded the motion. Motion passed (Aye-4/Nay-1).

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9:41 a.m. Mr. Keeley directed as discussion with the Board regarding the Walgreens Well Experience Pharmacy Model presentation. (Reference Attachments I – III)

R-2013-030 The Board revisited the presentation regarding Walgreens Well Experience Pharmacy Model to be placed in Ohio. After further discussion, Mr. Casar made a motion to approve the request, as amended by Mr. Keeley and pending final inspection, Mr. Cain seconded. The motion was approved by the Board: *Aye – 4; Nay – 1.*

10:03 a.m. The Board recessed briefly.

10:10 a.m. The Board reconvened in Room East B.

10:11 a.m. Mr. Casar moved that the Board go into Executive Session for the purpose of the investigation of complaints regarding licensees and registrants pursuant to Section 121.22(G)(1) of the Revised Code and to confer with an attorney for the Board regarding pending or imminent court action pursuant to Section 121.22(G)(3) of the Ohio Revised Code and to confer with an attorney for the Board regarding pending or imminent court action pursuant to Section 121.22(G)(3) of the Ohio Revised Code. The motion was seconded by Mr. Kolezynski and a roll-call vote was conducted by Vice-President Mitchell as follows: Cain – *yes*; Casar – *yes*; Gahm – *yes*; Kolezynski – *yes*; Lange – *yes*.

10:28 a.m. The Executive Session ended and the meeting was opened to the public.

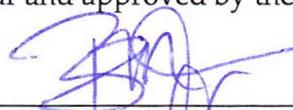
R-2013-031 Ms. Lange moved that the Board receive Per Diem as follows:

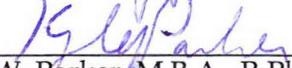
| PER DIEM   | 8/6 | 8/7 | 8/9 | Total |
|------------|-----|-----|-----|-------|
| Cain       | 1   | 1   | 1   | 3     |
| Casar      | 1   | 1   | 1   | 3     |
| Gahm       | 1   | 1   | 1   | 3     |
| Joyce      | 1   | 1   | 0   | 2     |
| Kolezynski | 1   | 1   | 1   | 3     |
| Lange      | 1   | 1   | 1   | 3     |
| Mitchell   | 1   | 1   | 1   | 3     |
| Moné       | 1   | 1   | 0   | 2     |

Mr. Kolezynski seconded the motion and it was approved by the Board: *Aye* – 5.

**R-2013-032**

Mr. Gahm moved that the meeting be adjourned. The motion was seconded by Mr. Casar and approved by the Board: *Aye* – 5.

  
 \_\_\_\_\_ Date: 9-12-12  
 Brian M. Joyce, R.Ph., President

  
 \_\_\_\_\_ Date: 9-12-12  
 Kyle W. Parker, M.B.A., R.Ph., Executive Director



# OHIO STATE BOARD OF PHARMACY

77 South High Street, Room 1702; Columbus, OH 43215-6126

-Equal Opportunity Employer and Service Provider-

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FAX: 614-752-4836

TTY/TDD: Use the Ohio Relay Service: 1-800-750-0750

URL: <http://www.pharmacy.ohio.gov>

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## August 2012 Board Meeting Minutes

# Attachment

# I



February 2, 2012

Ohio State Board of Pharmacy  
Kyle Parker, Executive Director  
77 South High Street, Room 1702  
Columbus, OH 43215-6126

Dear Kyle:

The Walgreen Company is dedicated to providing the highest level of pharmacy care and quality prescription service to our patients. Pharmacists have consistently demonstrated and proven the pivotal role they can play in the health care system when they are patient focused. The reduction of pharmacist performed administrative and non-professional dispensing process tasks allows the highest patient focus.

The intent of this letter is to introduce you to the "Well Experience" pharmacy which is designed to let pharmacists be pharmacists again.

Some key features of this new pharmacy include:

- A highly accessible pharmacist who is located outside the production area of the pharmacy.
- A state of the art video system that allows direct and constant supervision of technicians.
- A private consultation and medication administration room adjacent to the pharmacist desk.
- A high definition digital imaging filling process that allows final product verification by the pharmacist from any workstation.
- Centralized support for many administrative tasks such as data entry, phones and third party adjudication.

I look forward to demonstrating this new approach to pharmacy care and improving the health of the citizens of your state. A detailed video is also available for presentation. I am prepared to meet with you and your staff to discuss this new concept pharmacy and answer any questions you may have. Please contact me at your earliest convenience so we can discuss next steps.

Professionally yours,

William J. Cover, R.Ph.  
Walgreen Company  
Corporate Manager, Pharmacy Affairs  
104 Wilmot Road, MS #1444  
Deerfield, IL 60015  
(847) 315-8067 Office  
(847) 315-4417 Fax



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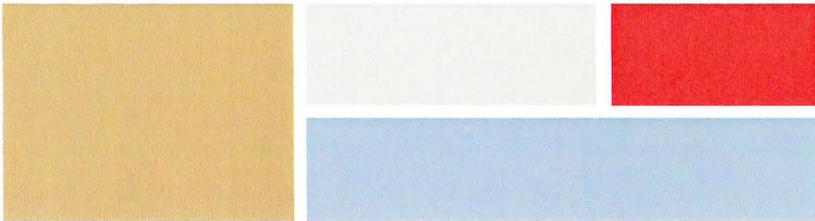
URL: <http://www.pharmacy.ohio.gov>

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## August 2012 Board Meeting Minutes

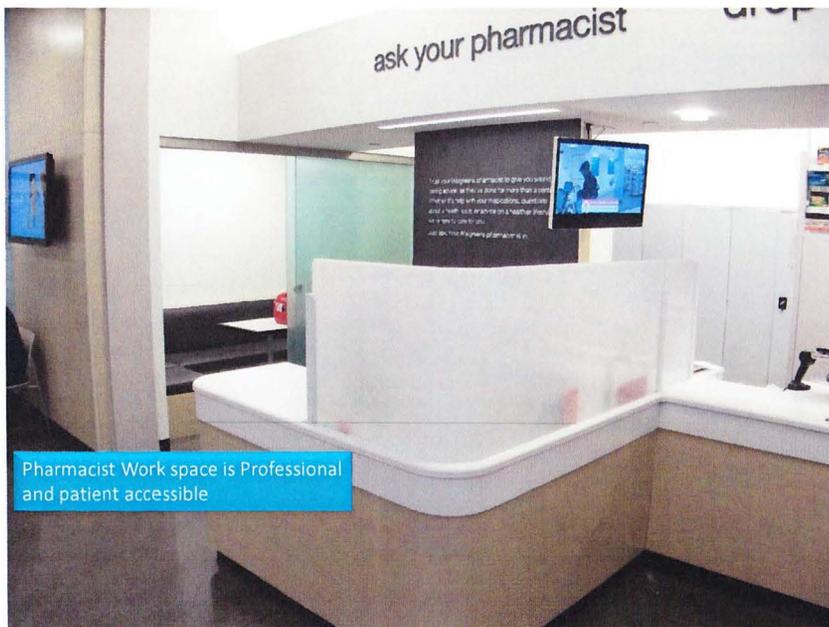
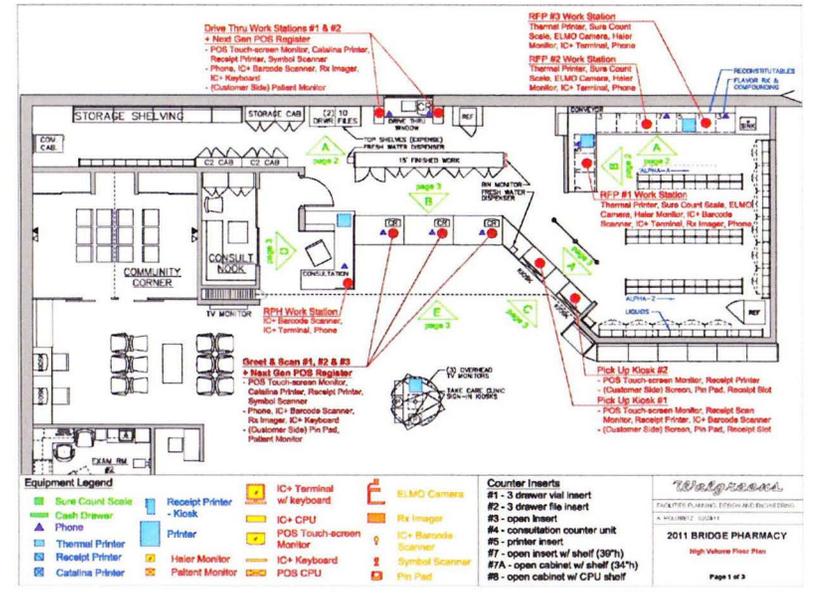
# Attachment

# II

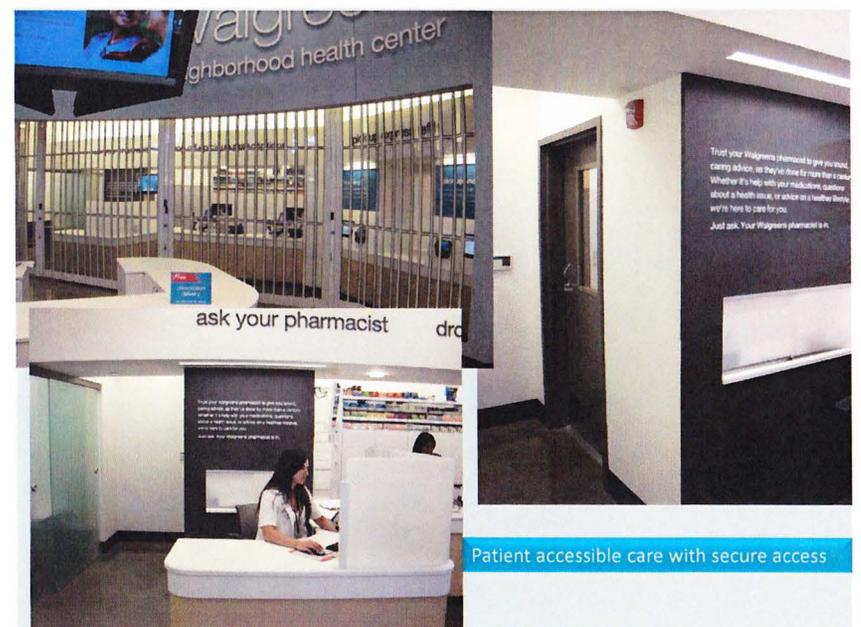


# Walgreens Well Experience Pharmacy

Walgreens Pharmacy Affairs



Pharmacist Work space is Professional and patient accessible



Patient accessible care with secure access

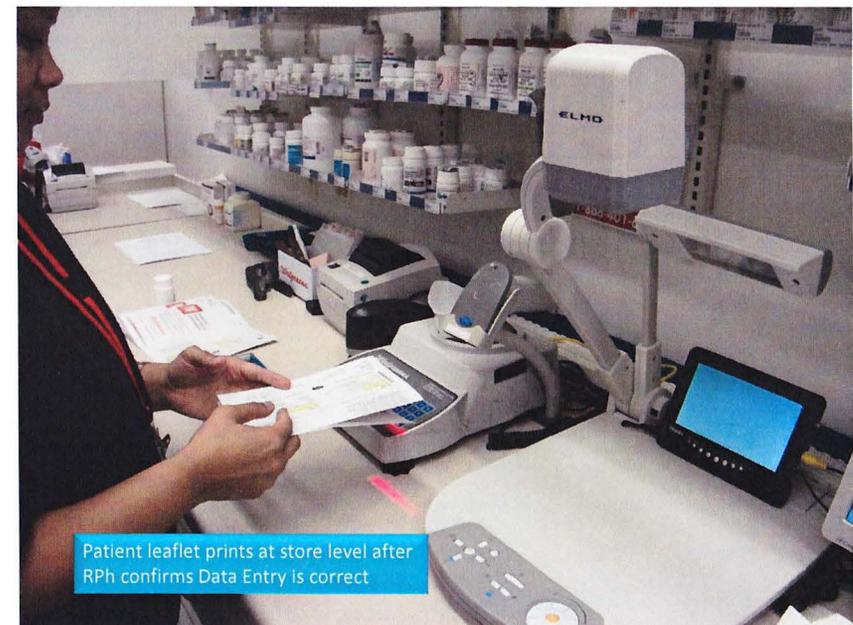
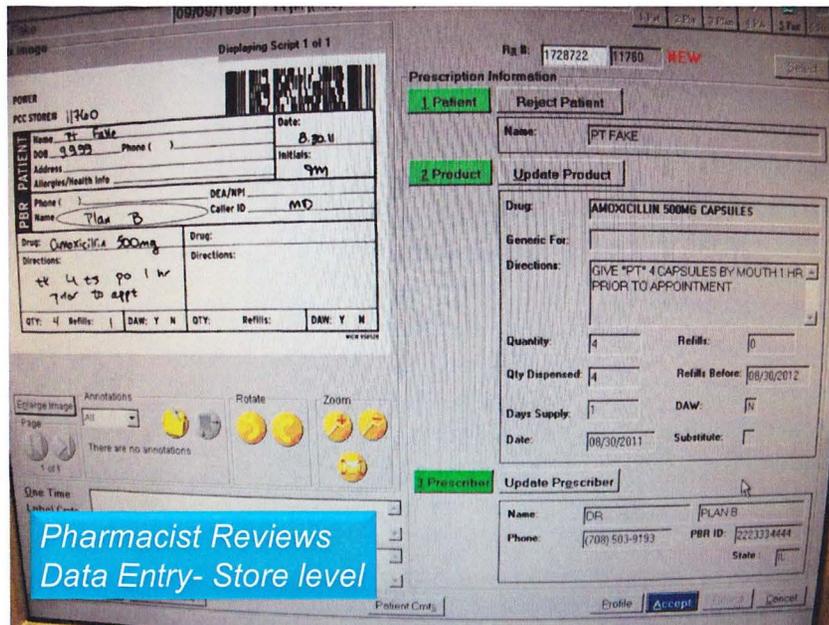
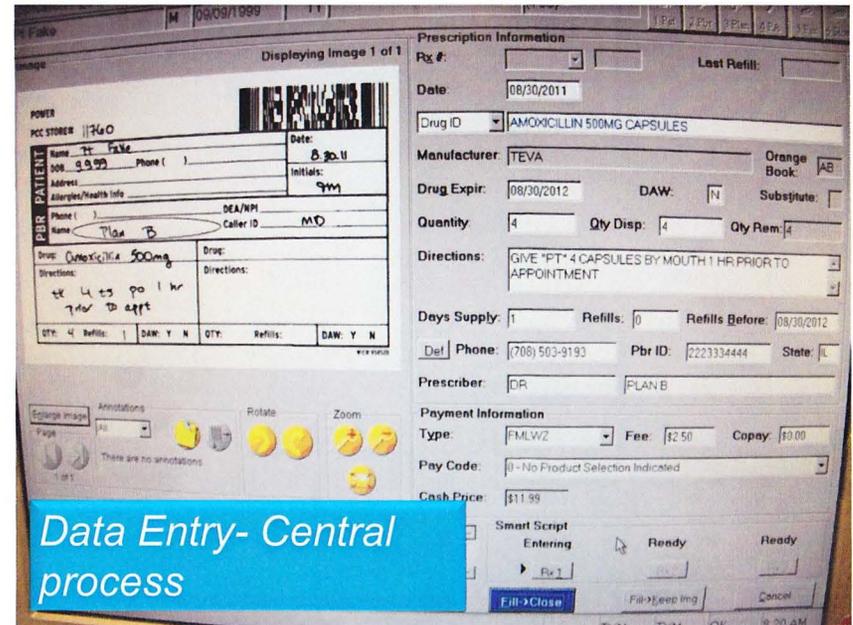


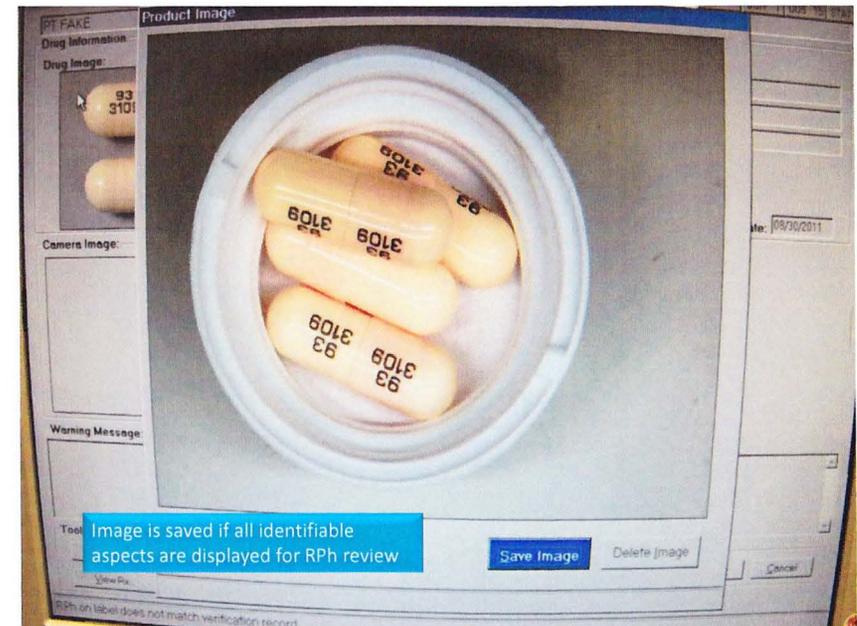
### Well Experience Pharmacy Process to Fill an Rx

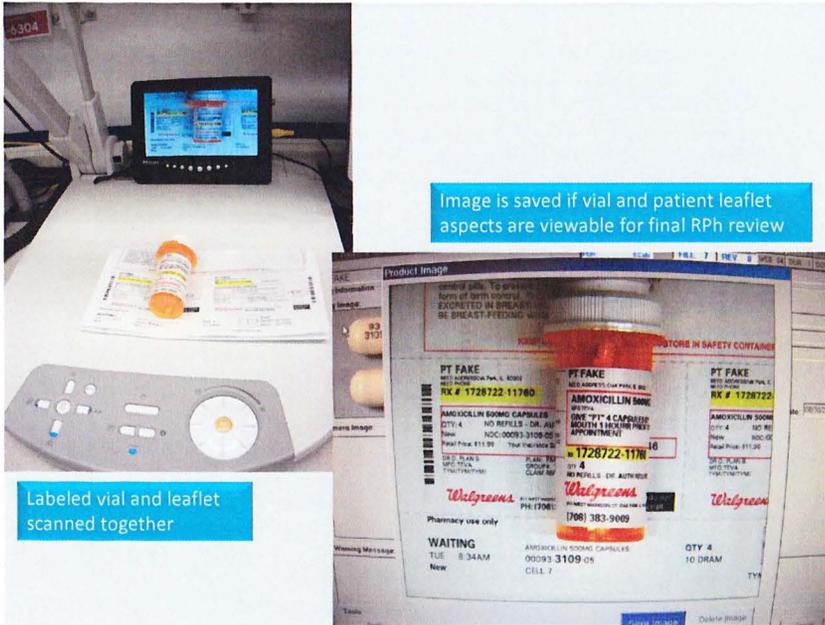
- Pharmacist is located in a patient accessible setting that promotes counseling and improvements in quality
- Prescription filling area unseen to patient to increase a patient's professional versus product perception
- Centralized processes in the background keep in-store staff patient focused:
  - \* Data Entry
  - \* Incoming Prescriber/Patient Phone calls
  - \* Third Party Reject Resolution
- In-store processes:
  - \* Data Entry Review
  - \* DUR/Profile Review
  - \* Filling of the Rx
  - \* Final Product Check-Virtual Product Review

### The Flow of a Well Experience Rx

- Patient drops off Rx
- Rx scanned at store level into digital format
- Data Entry and third party adjudication assistance is completed centrally
- Pharmacist reviews data entry at store level
- Rx is filled at store level using digital imaging system
- Pharmacist at store level completes final check using remote product review process

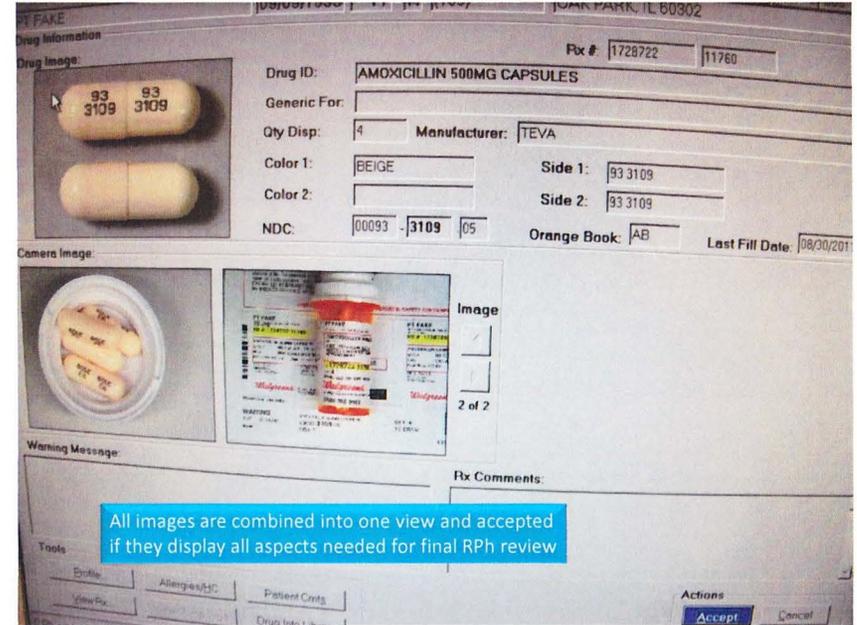






Labeled vial and leaflet scanned together

Image is saved if vial and patient leaflet aspects are viewable for final RPh review



All images are combined into one view and accepted if they display all aspects needed for final RPh review



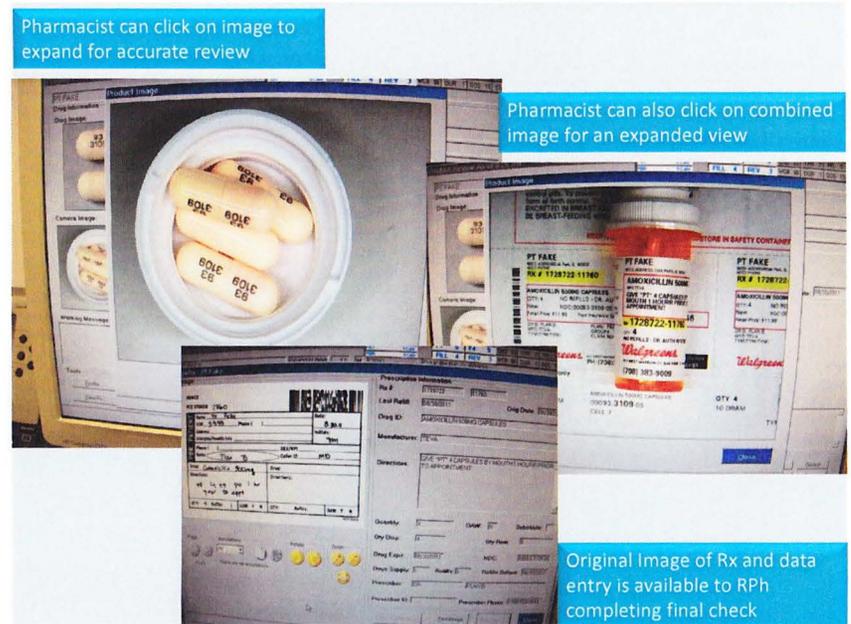
Bagged and stapled vial and leaflet flow down belt

Imaged vial and patient leaflet are bagged. Each Rx is bagged seperately



Bags are filed alphabetically and numerically. POS block on Rx sale until final check is completed by RPh

Filled and Imaged bags





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## August 2012 Board Meeting Minutes

# Attachment

# III



# OHIO STATE BOARD OF PHARMACY

77 South High Street, Room 1702; Columbus, OH 43215-6126

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## August 2012 Board Meeting Minutes Attachment III

In addition to the terms proposed by Walgreens:

- 1) The pharmacist checking the final product must be present within the same pharmacy location and within the barricade in order to personally and immediately address dispensing questions and/or concerns.
- 2) No compounded products are to be checked remotely.
- 3) All technicians working in the dispensing area must be qualified pursuant to 4729.42 of the Revised Code.
- 4) The dispensing area must contain cameras for visual monitoring, by the on duty pharmacist, of technician activities as well as allow for personal supervision by the on duty pharmacist.
- 5) Inventory counts of drugs of abuse must be performed on a routine basis to detect theft.

Wednesday, August 8, 2012

Kyle Parker, M.B.A., R.Ph.  
Executive Director

Mark Keeley, R.Ph.  
Assistant Executive Director