



MINUTES OF THE JULY 11-12, 2022
MEETING OF THE STATE OF OHIO BOARD OF PHARMACY

Monday, July 11, 2022

10:00 a.m. The State of Ohio Board of Pharmacy convened in the Hearing Room, 17th Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, for a public meeting, which was also broadcast via Microsoft Teams audio/visual conference call, with the following members present:

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

Also present were Steven Schierholt, *Executive Director*; Sharon Maerten-Moore, *Chief Legal Counsel*; Ashley Gilbert, *Senior Legal Counsel*; Michelle Walker, *Senior Legal Counsel*; Kathryn Lewis, *Legal Administrator*.

10:01 a.m. Mr. Miller, *Presiding*, administered the Oath of President to Mr. Wilt, hereafter President of the State of Ohio Board of Pharmacy for Fiscal year 2023:

Oath of President

I, Shawn Wilt, as President of the State of Ohio Board of Pharmacy,
do solemnly swear to uphold the Constitution of the United States and
the State of Ohio;

to impartially enforce the laws governing the profession of pharmacy
and the legal distribution of drugs in the state of Ohio;

and carry out the responsibilities of the Board as mandated by the
laws of the State of Ohio without bias or prejudice, so help me God.

10:02 a.m. Mr. Miller, *Presiding*, administered the Oath of Vice President to Ms. Buettner, hereafter Vice President of the State of Ohio Board of Pharmacy for Fiscal year 2023:

Oath of Vice President

I, Trina Buettner, as Vice President of the State of Ohio Board of Pharmacy,

do solemnly swear to uphold the Constitution of the United States and the State of Ohio;

to impartially enforce the laws governing the profession of pharmacy and the legal distribution of drugs in the state of Ohio;

and carry out the responsibilities of the Board as mandated by the laws of the State of Ohio without bias or prejudice, so help me God.

- 10:03 a.m.** Ms. Walker led a presentation on Ethics Training.
- 10:26 a.m.** Mr. Corlett led a presentation on Travel Reimbursement Submission Review.
- 10:50 a.m.** Mr. Garner provided the OARRS Report.
- 10:52 a.m.** Mr. Griffin provided the Compliance and Enforcement Report.
- 10:54 a.m.** Ms. Maerten-Moore provided the Licensing Report.
- 10:55 a.m.** Mr. McNamee presented the Legislative Report.
- 10:57 a.m.** Ms. Maerten-Moore presented a Pharmacy Technician Trainee Extension Request from Taniqua Christian – Cleveland, OH (09106782) to the Board for consideration.
- R-2023-0003** Ms. Rudell moved that the Board grant Taniqua Christian's Extension Request for a period of 6 months. The motion was seconded by Ms. Buettner and approved by the Board: Yes-7, No-0.
- 10:59 a.m.** Mr. McNamee proposed amendments of rules 4729:5-9-03.2 and 4729:2-1-01.
- R-2023-0004** Mr. Huston moved that the Board amend rules 4729:5-9-03.2 and 4729:2-1-01 for filing with CSI and JCARR. The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0.
- 11:01 a.m.** Mr. McNamee presented a resolution titled Pharmacist Specialty Certifications to the Board for consideration/approval.
- R-2023-0005** Ms. Rudell moved that the Board approve the resolution. The motion was seconded by Mr. George and approved by the Board: Yes-7, No-0. The following resolution was adopted by the Board:

Pharmacist Specialty Certifications

Pursuant to OAC 4729:1-5-02 (B)(1), the State of Ohio Board of Pharmacy hereby approves all current and future specialty certification programs from the following organizations for the purposes of pharmacist continuing education:

- The Board of Pharmacy Specialties (<https://www.bpsweb.org/>)
 - The Specialty Pharmacy Certification Board (<https://naspnet.org/>)
-

11:03 a.m.

Mr. McNamee presented a resolution titled OBOT Licensure Extension to the Board for consideration/approval.

R-2023-0006

Mr. George moved that the Board approve the resolution. The motion was seconded by Mr. Huston and approved by the Board: Yes-7, No-0. The following resolution was adopted by the Board:

The Board hereby suspends the licensure requirements pursuant to OAC 4729:5-18-01 (A)(1)(b) & (c) until December 31, 2022.

11:04 a.m.

Mr. McNamee presented a resolution titled Naloxone Vending Machine – MetroHealth to the Board for consideration/approval. The matter was tabled for the August 2022 Board Meeting.

11:18 a.m.

Mr. McNamee presented a resolution titled Home Medical Equipment Change of Address Clarification to the Board for consideration/approval.

R-2023-0007

Mr. Grimm moved that the Board approve the resolution. The motion was seconded by Mr. Huston and approved by the Board: Yes-7, No-0. The following resolution was adopted by the Board:

Home Medical Equipment Change of Address Clarification

If an HME services provider is undergoing a change of address (location) and all business ownership and operations are remaining the same, an application and fee are not required. The licensed or registered HME services provider shall submit notification to the Board for the purposes

of updating the license or registration as determined by the Board's Executive Director or the Director's designee.

11:21 a.m. Mr. Wilt recused from the following matter and left the room during discussion.

11:21 a.m. Mr. McNamee presented a resolution titled Positive Identification Extension Requests to the Board for consideration/approval.

R-2023-0008 Mr. Grimm moved that the Board approve the resolution. The motion was seconded by Mr. Huston and approved by the Board: Yes-7, No-0. The following resolution was adopted by the Board:

3) Positive Identification Extension Requests*

The Board hereby grants the following extensions to the requirements of OAC 4729:5-5-04 (A)(1) for the following companies holding a TDDD license:

Licensee	Extension	Extension Expires
Genoa Healthcare	2 months	August 1, 2022
Kroger	6 months	December 1, 2022
Meijer	6 months	December 1, 2022

11:26 a.m. Mr. Wilt returned to the Board Meeting.

R-2023-0009 Ms. Buettner moved that the Board go into Executive Session to consider the investigation of charges or complaints against a licensee, confer with Board counsel regarding a pending or imminent court action and to discuss matters required to be confidential by law pursuant to Section 121.22(G)(1), (3) & (5) of the Ohio Revised. The motion was seconded by Ms. Rudell and a roll-call vote was conducted by President Wilt as follows: Buettner-yes; George-yes; Goodman-yes; Grimm-yes; Huston-yes; Miller-yes; and Rudell-yes.

1:02 p.m. The Board returned to Public Session. Ms. Gilbert presented the Standard Terms and Conditions of Probation/Suspension to the Board for review.

R-2023-0010 Mr. George moved that the Board approve the Standard Terms and Conditions of Probation/Suspension. The motion was seconded by Mr. Miller and approved by the Board: Yes-7, No-0.

1:14 p.m. Mr. McNamee and Ms. Wai led a discussion on Covid-19 Waivers.

R-2023-0011 Mr. Miller moved that the Board Maintain or Rescind the Covid-19 Waivers listed below. The motion was seconded by Ms. Buettner and approved by the Board: Yes-7, No-0.

Waiver Issue Date	Description	Expiration of the Guidance
3/16/2020 – UPDATED 6/8/2020	Authorized the extension of emergency refills.	RESCINDED – EFFECTIVE 8/10/22 (see new law regarding emergency refills: www.pharmacy.ohio.gov/emergency)
3/18/2020	Authorized prescribers working in an opioid treatment program licensed as a terminal distributor of dangerous drugs to temporarily delegate personally furnishing of buprenorphine products to nurses licensed under Chapter 4723. of the Revised Code.	RESCINDED – EFFECTIVE 8/10/22 – This resolution has been incorporated into rule (see OAC 4729:5-21-02).
3/18/2020 – UPDATED 4/14/2020	Authorized prescribers to delegate personally furnishing non-controlled drugs to nurses licensed in accordance with Chapter 4723. of the Revised Code.	RESCINDED – EFFECTIVE 8/10/22
3/31/2020 - UPDATED 4/30/2020	Authorized the use of temporary satellite locations for the storage and use of dangerous drugs during COVID-19.	RESCINDED – EFFECTIVE 8/10/22
4/17/2020	Authorized the temporary waiver of the 5 percent limit on the occasional wholesale sales of dangerous drugs by a licensed pharmacy set forth in rule 4729:5-3-09 of the Administrative Code.	RESCINDED – EFFECTIVE 8/10/22
6/8/2020	Authorizes a licensed terminal distributor of dangerous drugs (TDDD) to mail or deliver non-controlled drugs to patients that have been personally furnished by a prescriber that is employed or contracted by the terminal distributor.	RESCINDED – EFFECTIVE 8/10/22
12/17/2020	Temporarily suspends in-person training requirements for obtaining BLS in paragraph	RESCINDED – EFFECTIVE 8/10/22

	<p>(M) of rule 4729:1-3-02 and (A)(3) of rule 4729:2-3-03 of the Administrative Code. For more information review the following guidance documents:</p> <ul style="list-style-type: none">▪ www.pharmacy.ohio.gov/CV2020▪ www.pharmacy.ohio.gov/COVIDvaccine	
2/16/2021	<p>Temporarily expands the pharmacy intern supervision requirements in OAC 4729:2-1-01 for interns administering COVID-19 vaccine. For more information see Q17 of this guidance document: www.pharmacy.ohio.gov/COVIDvaccine</p>	RESCINDED – EFFECTIVE 8/10/22
1/3/2022	<p>National Guard personnel assigned to any Ohio-licensed pharmacy may perform technician trainee activities pursuant to rule 4729:3-3-01 of the Ohio Administrative Code and any other COVID-19 wairs issued by the Board under the direct supervision of a pharmacist without registration by the Board: www.pharmacy.ohio.gov/GuardTech</p>	RESCINDED – EFFECTIVE 8/10/22

-
- 1:29 p.m.** Mr. McNamee led a discussion of the Pharmacist Workload Advisory Committee.
- 1:29 p.m.** The Board recessed for a break.
- 2:05 p.m.** The Board went back on the record and continued the discussion on the Pharmacist Workload Advisory Committee.
- 3:50 p.m.** The Board recessed for the day.

Tuesday, July 12, 2022

9:14 a.m. The State of Ohio Board of Pharmacy convened in the Hearing Room, 17th Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, for a public meeting, which was also broadcast via Microsoft Teams audio/visual conference call, with the following members present:

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

Also present were Steven Schierholt, *Executive Director*; Sharon Maerten-Moore, *Chief Legal Counsel*; Joseph Koltak, *Senior Legal Counsel*; Kathryn Lewis, *Legal Administrator*.

9:14 a.m. Mr. Sheridan provided an update on the Medical Marijuana Control Program.

9:48 a.m. Mr. Sheridan proposed amendments of rule 3796:6-3-02.

R-2023-0012 Mr. Goodman moved that the Board amend rule 3796:6-3-02 for filing with CSI and JCARR. The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0.

R-2023-0013 Ms. Buettner moved that the Board go into Executive Session to consider the investigation of charges or complaints against a licensee, confer with Board counsel regarding a pending or imminent court action and to discuss matters required to be confidential by law pursuant to Section 121.22(G)(1), (3) & (5) of the Ohio Revised. The motion was seconded by Ms. Rudell and a roll-call vote was conducted by President Wilt as follows: Buettner-yes; George-yes; Goodman-yes; Grimm-yes; Huston-yes; Miller-yes; and Rudell-yes.

R-2023-0014 After hearing Mr. Flaharty discuss the significant facts regarding the activities of Registered Pharmacy Technician Melissa Sisson, Cleveland, Ohio, Mr. Huston moved that the Board summarily suspend the Registered Pharmacy Technician license belonging to Melissa Sisson, Cleveland, Ohio. The motion was seconded by Mr. George and approved by the Board: Yes-7, No-0.

R-2023-0015 Mr. Wilt announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE NO. A-2022-0128**

Brieann Dyer, RPh
Suspended License No. 03-237391
8717 Ramblewood Court
Pickerington, OH 43147

**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 Brieann Dyer, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of purchasing and consuming shots of alcohol while on duty, working as a pharmacist. Together, the Board and Brieann Dyer 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. Brieann Dyer is a licensed pharmacist in the state of Ohio under suspended license number 03-237391.

FACTS

1. The Board initiated an investigation of Brieann Dyer, pharmacist license number 03-237391, related to purchasing and consuming shots of alcohol while on duty, working as a pharmacist.
2. On or about March 8, 2022, the Board sent a Summary Suspension/Notice of Opportunity for Hearing to Brieann Dyer, 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 April 5, 2022, Brieann Dyer, through counsel Brandon Smith, timely requested an administrative hearing, which was subsequently scheduled for June 8, 2022 and continued to July 11, 2022. 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. Briann Dyer neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated March 8, 2022; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. Briann Dyer agrees to pay to the Board a monetary penalty in the amount of \$1,200.00. This fine will be attached to Briann Dyer's license record and must be paid no later than 180 days from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. Briann Dyer must obtain fifteen hours of approved continuing pharmacy education (1.5 CEUs) which may not also be used for license renewal. The 1.5 CEUs must be in the topics of professionalism, ethics, and/or substance abuse, and 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 Briann Dyer's pharmacist license, number 03-237391.
6. Upon execution of this Agreement, subject to the completion of the proper licensure paperwork, the Board hereby lifts the summary suspension issued on March 8, 2022 and approves the reinstatement of Briann Dyer's license to practice pharmacy in Ohio, license number 03-237391.
7. Briann Dyer agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
8. Briann Dyer understands that she has the right to be represented by counsel for review and execution of this agreement.
9. Briann Dyer agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which she currently holds a professional license, including to the Board on renewal applications or applications for a new license.

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

R-2023-0016

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

**IN THE MATTER OF:
CASE NO. A-2020-0211**

Dana Miller, RPh
License No. 03-228362
1110 Fox Chase Court
Centerville, Ohio 45459

**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 Dana Miller, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of Dana Miller accessing Ohio Automated Rx Reporting System (OARRS) patient profiles for two individuals without a legitimate reason to do so and in violation of the OARRS Acceptable Use Policy.

Together, the Board and Dana 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. Dana Miller is a licensed pharmacist in the state of Ohio under license number 03-228362.

FACTS

1. The Board initiated an investigation of Dana Miller, pharmacist license number 03-228362, related to Dana Miller accessing Ohio Automated Rx Reporting System (OARRS) patient profiles for two individuals without a legitimate reason to do so and in violation of the OARRS Acceptable Use Policy.
2. On or about March 29, 2022, the Board sent a Notice of Opportunity for Hearing to Dana Miller, 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 April 11, 2022, Dana Miller, through counsel Todd Collis, timely requested an administrative hearing, which was subsequently scheduled for September 14, 2022. Settlement of this matter was reached 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. Dana Miller neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated March 29, 2022; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. Dana Miller agrees to pay to the Board a monetary penalty in the amount of \$500.00 This fine will be attached to Dana Miller 's license

record and must be paid no later than 180 days from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.

4. Dana Miller must obtain ten hours of approved continuing pharmacy education (1.0 CEUs) which may not also be used for license renewal. The 1.0 CEUs must be in ethics, proper use of OARRS, and/or professionalism, and 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 Dana Miller 's pharmacist license, number 03-228362.
 6. Dana 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. Dana Miller understands that she has the right to be represented by counsel for review and execution of this agreement.
 8. Dana Miller agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which she currently holds a professional license, including to the Board on renewal applications or applications for a new license.
 9. Dana Miller 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.
 14. This Agreement shall become effective upon the date of the Board President's signature below.
-

R-2023-0017

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

**IN THE MATTER OF:
CASE NO. A-2021-0390
501-4974**

**Accurate Healthcare Inc.
License No. 01-30000245**
c/o George Collins
5127 West 140th Street
Brook Park, Ohio 44142

**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 Accurate Healthcare Inc., for the purpose of resolving all issues between the parties relating to the Board investigation of illegal sales of medical oxygen, a dangerous drug, to an unlicensed entity. Together, the Board and Accurate Healthcare Inc. are referred to hereinafter as "the parties."

JURISDICTION

2. 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.
3. Accurate Healthcare Inc. is a licensed Wholesaler Distributor of Dangerous Drug, License No. 01-30000245, which lists George Collins, as the Responsible Person.

FACTS

4. The Board initiated an investigation of Accurate Healthcare Inc., Wholesaler Distributor of Dangerous Drugs License No. 01-30000245, related to Accurate Healthcare Inc. illegal sales of medical oxygen, a dangerous drug, to an unlicensed entity.
5. On or about March 3, 2022, the Board sent a Notice of Opportunity for Hearing to Accurate Healthcare Inc., which outlined the allegations and provided notice of its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Accurate Healthcare Inc. neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated March 3, 2022; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. Accurate Healthcare Inc. agrees to pay to the Board a monetary penalty in the amount of \$450.00. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Order. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.
4. The Board hereby imposes a written reprimand on Accurate Healthcare Inc.'s WDDD license, number 01-30000245.
5. Accurate Healthcare Inc. agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which it currently holds a professional license, including the Board on renewal applications or applications for a new license.
6. Accurate Healthcare Inc. 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 Accurate Healthcare Inc. of the terms of one or more federal or state requirements may constitute sufficient grounds for further enforcement action related to any licenses granted to Accurate Healthcare Inc. by the Board and will NOT discharge Accurate Healthcare Inc. from any obligation under the terms of this Agreement.
7. Accurate Healthcare Inc. agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

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

R-2023-0018

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

**IN THE MATTER OF:
Case No. A-2021-0470**

Jackie Allen
Registration No. 09-311814
P-324 State Route 65
McClure, OH 43534

**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 Jackie Allen for the purpose of resolving all issues between the parties relating to the Board investigation of working at Jak's Pharmacy, located at 970 W. Wooster #121, Bowling Green, Ohio, without a valid registration as a Certified pharmacy technician. Together, the Board and Jackie Allen are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.96 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 4729.90 and 4729.92 of the Ohio Revised Code to perform the duties of a Certified pharmacy technician in the state of Ohio.
2. Jackie Allen is a Certified pharmacy technician in the state of Ohio under registration number 09-311814.

FACTS

1. The Board initiated an investigation of Jackie Allen, Certified pharmacy technician registration number 09-311814, related to Jackie Allen working as a pharmacy technician at Jak's Pharmacy without maintaining a valid registration as a pharmacy technician.
2. On or about April 6, 2022, the Board sent a Notice of Opportunity for Hearing to Jackie Allen which outlined the allegations and provided notice of her right to a hearing, her rights in such hearing, and her right to submit contentions in writing.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Jackie Allen neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated April 6, 2022, however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.

3. Jackie Allen agrees to pay to the OSBP the amount of 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, login to www.elicense.ohio.gov and process the items in the cart.
4. The Board hereby imposes a written reprimand on Jackie Allen's technician registration, number 09-311814.
5. Jackie Allen agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
6. Jackie Allen understands that she has the right to be represented by counsel for review and execution of this agreement.
7. Jackie Allen agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which she currently holds a professional license, including to the Board on renewal applications or applications for a new license.
8. Jackie Allen waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.
9. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
10. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
11. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
12. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.
13. This Agreement shall become effective upon the date of the Board President's signature below.

R-2023-0019

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

**IN THE MATTER OF:
CASE NO. A-2020-0532**

Craig Maurer
License No. MME.05100010
5544 Dublin Road
Dublin, OH 43017

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

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Craig Maurer, for the purpose of resolving all issues between the parties relating to the Board investigation of Craig Maurer violating Medical Marijuana Control Program regulations. Together, the Board and Craig Maurer are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 3796.14 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, suspend without prior hearing, revoke, or refuse to renew a license or registration it issued under Chapter 3796. of the Revised Code.
2. Craig Maurer is a licensed Medical Marijuana Associated Key Employee under license number MME.05100010.

FACTS

1. On or about June 4, 2019, the Board initiated an investigation of Craig Maurer, Medical Marijuana Associated Key Employee License Number MME.05100010, related to his attendance at a "420" event hosted by Ohio Green Team, whereby Craig Maurer distributed "Terrasana" T-Shirts at the event.
2. On or about November 25, 2019, the Board initiated an investigation of Craig Maurer related to his involvement in allowing a non-licensed individual to tour the Terrasana Labs medical marijuana dispensary, located at 656 Grandview Avenue, Columbus, OH 43215.
3. On or about August 23, 2021, the Board issued a Notice of Opportunity for Hearing to Craig Maurer, 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.
4. On or about September 7, 2021, Craig Maurer timely requested an administrative hearing, which was subsequently scheduled for September 22, 2021. The matter was subsequently continued while the parties engaged in settlement negotiations.

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. Craig Maurer does not contest the allegations stated in the Summary Suspension/Notice of Opportunity for Hearing (Notice) letter dated August 23, 2021; the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio law as set forth in the Notice, and hereby adjudicates the same.
3. Craig Maurer agrees to pay to the Board a monetary penalty in the amount of \$3,000.00 (the "Monetary Penalty"). This Monetary Penalty will be attached to Craig Maurer's license record and must be paid no later than 12 months from the effective date of this Agreement. To pay the Monetary Penalty, Craig Maurer must log in to www.elicense.ohio.gov and process the items in his cart.
4. Craig Maurer's Medical Marijuana Associated Key Employee License MME.05100010 will be suspended for a period of two years, to begin upon the effective date of this Agreement.
5. Craig Maurer agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
6. Craig Maurer understands that he has the right to be represented by counsel for review and execution of this agreement.
7. Craig Maurer agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which he currently holds a professional license, including to the Board on renewal applications or applications for a new license.
8. Craig Maurer 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.
9. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
10. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.

11. 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.
 12. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio.
 13. This Agreement has been negotiated and prepared by the Parties and their counsel. This Agreement shall be interpreted as though mutually drafted by the Parties hereto and their respective counsel.
 14. The Parties hereto represent and warrant to each other that each Party possesses the full requisite authority to enter into this Agreement and that the person signing this Agreement on behalf of each Party is fully and duly authorized to do so. The Parties confirm that they have reviewed and considered this Agreement and consulted with their attorneys regarding the terms and effect thereof.
 15. 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.
 16. This Agreement shall become effective upon the date of the Board President's signature below.
-

R-2023-0020

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

**IN THE MATTER OF:
CASE NO. A-2021-0352**

Thomas Glazier
License No. 03-319913
5981 Veto Road
Belpre, OH 45714

**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 Thomas Glazier, RPh, for the purpose of resolving all issues between the parties relating to the Board

investigation of Glazier's controlled substance ordering system account at White Oak Pharmacy, his former employer. Together, the Board and Thomas Glazier 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. Thomas Glazier is a licensed pharmacist in the state of Ohio under license number 03-319913.

FACTS

1. The Board initiated an investigation of Thomas Glazier, pharmacist license number 03-319913, related to Glazier's controlled substance ordering system account at White Oak Pharmacy, his former employer.
2. On or about January 27, 2022, the Board sent a Notice of Opportunity for Hearing to Thomas Glazier, which outlined the allegations and provided notice of him right to a hearing, his rights in such hearing, and his right to submit contentions in writing.
3. On or about February 18, 2022, Thomas Glazier, through counsel Amanda Waesch and Kevin Cripe, timely requested an administrative hearing, which was subsequently scheduled for June 8, 2022.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Thomas Glazier neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated January 27, 2022; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.

3. Thomas Glazier agrees to pay to the Board a monetary penalty in the amount of \$250.00. This fine will be attached to Thomas Glazier's license record and must be paid no later than 180 days from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
 4. Thomas Glazier must attend a session of the Board's "Responsible Person Roundtable" within one year from the effective date of this agreement, from which any continuing education units earned may not also be used for license renewal. Proof of attendance must be emailed to legal@pharmacy.ohio.gov.
 5. The Board hereby imposes a written reprimand on Thomas Glazier's pharmacist license, number 03-319913.
 6. Thomas Glazier agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
 7. Thomas Glazier understands that he has the right to be represented by counsel for review and execution of this agreement.
 8. Thomas Glazier agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which he currently holds a professional license, including to the Board on renewal applications or applications for a new license.
 9. Thomas Glazier explicitly withdraws his request for a hearing, waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.
 10. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
 11. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
 12. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
 13. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.
 14. This Agreement shall become effective upon the date of the Board President's signature below.
-

R-2023-0021

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

**IN THE MATTER OF:
CASE NO. A-2021-0338**

**Zachary Bailes, RPh
License No. 03-237231
1220 Morning Glory Drive
Amelia, Ohio 45102**

**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 Zachary Bailes, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of Zachary Bailes and CVS Pharmacy #6123 for failing to report a pharmacist for arriving to work his scheduled shift at CVS Pharmacy while impaired and under the influence of alcohol. Together, the Board and Zachary Bailes 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. Zachary Bailes is a licensed pharmacist in the state of Ohio under license number 03-237231.
3. Zach Bailes is a licensed pharmacist in the state of Ohio under license number 03-237231, who was listed as the Responsible Person of CVS Pharmacy #6123, located at 7500 Beechmont Avenue, Cincinnati, Ohio, at the time of the Allegations in the Notice of Opportunity for Hearing dated March 9, 2022.

FACTS

1. The Board initiated an investigation of Zachary Bailes, pharmacist license number 03-237231, and CVS Pharmacy #6123 for failing to report a pharmacist for arriving to work his scheduled shift at CVS Pharmacy while impaired and under the influence of alcohol.
2. On or about March 9, 2022, the Board sent a Notice of Opportunity for Hearing to Zachary Bailes, 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 March 31, 2022, Zachary Bailes, timely requested an administrative hearing, which was subsequently scheduled for August 10, 2022. Settlement of this matter was reached 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. Zachary Bailes neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated March 9, 2022; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. Zachary Bailes agrees to pay to the Board a monetary penalty in the amount of \$250.00. This fine will be attached to Zachary Bailes' license record and must be paid no later than 180 days from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. Zachary Bailes must obtain five hours of approved continuing pharmacy education (0.5 CEUs) which may not also be used for license renewal. The 0.5 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 Zachary Bailes' pharmacist license, number 03-237231.
6. Zachary Bailes agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
7. Zachary Bailes understands that he has the right to be represented by counsel for review and execution of this agreement.
8. Zachary Bailes agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which she currently holds a professional

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

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

R-2023-0022

The Board discussed Tentative 2023 Board Meeting Dates.

R-2023-0023

President Wilt announced the OAC Rule 4729-2-02 appointments to matters and other duties for Fiscal Year 2023.

R-2023-0024

Ms. Buettner moved that the June 6, 2022, Probation Meeting Minutes be approved as written. The motion was seconded by Ms. Rudell and approved by the Board: Yes-7, No-0.

R-2023-0025

Ms. Buettner moved that the June 6-7, 2022, Board Meeting Minutes be approved as written. The motion was seconded by Ms. Rudell and approved by the Board: Yes-7, No-0.

R-2023-0026

Ms. Buettner moved that the June 29, 2022, Conference Call Minutes be approved as written. The motion was seconded by Ms. Rudell and approved by the Board: Yes-7, No-0.

R-2023-0027

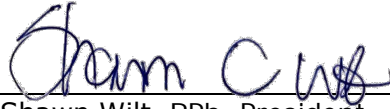
Ms. Buettner moved that the July 6, 2022, Conference Call Minutes be approved as written. The motion was seconded by Ms. Rudell and approved by the Board: Yes-7, No-0.

R-2023-0028

Mr. Miller moved to Adjourn the July 2022 State of Ohio Board of Pharmacy Meeting. The motion was seconded by Ms. Rudell and approved by the Board: Yes-7, No-0.

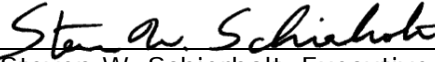
11:45 a.m.

The Board Meeting Adjourned.



Shawn Wilt, RPh, President

Date: 09.13.2022



Steven W. Schierholt, Executive Director

Date: 09.13.2022