MINUTES OF THE DECEMBER 8-9, 2025
MEETING OF THE OHIO BOARD OF PHARMACY

Monday, December 8, 2025

12:45 p.m. The Ohio Board of Pharmacy convened in the Hearing Room, 17th Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, for a public meeting, with the following members present:

Jeff Huston, RPh, *President*; Jason George, RPh, *Vice President*; RPh; Trina Buettner, RPh; Mindy Ferris, RPh; TJ Grimm, RPh; Leonard Hubert, *Public Member*; Rich Miller, RPh; and Tom Whiston, RPh.

Absent: Anthony Buchta, Sr., RPh

Also present were Steven Schierholt, *Executive Director*; Sharon Maerten-Moore, *Chief Legal Counsel*; Jennifer Nelson, *Legal Administrator* and Rikki Johnson, *Legal Administrative Assistant*.

12:47 p.m. Ms. DeFiore-Hyrmer provided the OARRS Report.

12:53 p.m. Ms. Maerten-Moore provided the Legal Report.

12:55 p.m. Ms. Southard provided the Licensing Report.

12:58 p.m. Mr. Schierholt provided the Executive Director Report.

12:59 p.m. Mr. McNamee provided the Legislative Report.

1:02 p.m. Mr. McNamee presented rules *4729:2-2-07 | Successful completion of the Test of English as a Foreign Language, Internet-based Test (AMEND), 4729:1-2-04 | Successful completion of the Test of English as a Foreign Language, Internet-based Test (AMEND), 4729:1-3-04 | Dispensing of naloxone overdose reversal drugs by pharmacists (AMEND), 4729:1-3-06 | Dispensing of epinephrine autoinjectors by pharmacists (AMEND), 4729:1-3-07 | Dispensing nicotine replacement therapy by pharmacists (AMEND), 4729:1-6-01 | Definitions - consult agreements (AMEND), 4729:1-6-02 | Consult agreements (AMEND), 4729:1-6-03 | Standards for managing drug therapy (AMEND), 4729:2-3-04 | Dispensing of naloxone overdose reversal drugs by pharmacy interns (AMEND), 4729:2-3-06 | Dispensing of epinephrine autoinjectors by pharmacy interns (AMEND), 4729:5-3-12 | Protocols and pre-printed orders for medication administration (AMEND), 4729:5-3-14 | General security requirements (AMENDMENT), 4729:5-3-15 | Use of hospital and other institution D.E.A. registrations (AMEND), 4729:5-3-16 | Returned drugs (AMEND), 4729:5-5-03 | Filing and storage of prescriptions (NO CHANGE), 4729:5-5-05 | Prescription format requirements (AMEND), 4729:5-5-07 | Patient profiles (AMEND), 4729:5-5-08 | Prospective Drug utilization review (AMEND), 4729:5-5-09 | Patient counseling (NO CHANGE), 4729:5-5-10 | Manner of*

processing a prescription (AMEND), 4729:5-5-11 | Prescription transfers (NEW) (RESCIND CURRENT), 4729:5-5-12 | Partial dispensing of schedule II of controlled substances (RESCIND CURRENT RULE), 4729:5-5-13 | Serial numbering of prescriptions (NO CHANGE), 4729:5-5-16 | Pharmacist modifications to a prescription (AMEND), 4729:5-5-17 | Drugs repackaged or relabeled by a pharmacy (NO CHANGE), 4729:5-5-22 | Return to stock in an outpatient pharmacy (AMEND), 4729:5-5-23 | Security, control, and storage of dangerous drugs in an outpatient pharmacy (AMEND), 4729:5-5-24 | Drug inventory records and other record keeping provisions (AMEND), 4729:3-3-01 | Pharmacy Technician Trainees (AMEND), 4729:5-3-13 | Temporary removal of dangerous drugs from a licensed location (AMEND), 4729:6-3-02 | Report of theft or significant loss of dangerous drugs, controlled substances, and drug documents (AMEND), 4729:5-3-02 | Report of theft or significant loss of dangerous drugs, controlled substances, and drug documents (AMEND), 4729:5-4-02 | Duty to Report (AMEND), 4729:11-1-01 | Definitions - home medical equipment, 4729:3-5-01 | Continuing Education - definitions, 4729:5-5-15 | Manner of issuance of a prescription (AMEND) to the Board for approval.

R-2026-0216

Ms. Ferris moved that the Board approve rules *4729:2-2-07 | Successful completion of the Test of English as a Foreign Language, Internet-based Test (AMEND), 4729:1-2-04 | Successful completion of the Test of English as a Foreign Language, Internet-based Test (AMEND), 4729:1-3-04 | Dispensing of naloxone overdose reversal drugs by pharmacists (AMEND), 4729:1-3-06 | Dispensing of epinephrine autoinjectors by pharmacists (AMEND), 4729:1-3-07 | Dispensing nicotine replacement therapy by pharmacists (AMEND), 4729:1-6-01 | Definitions - consult agreements (AMEND), 4729:1-6-02 | Consult agreements (AMEND), 4729:1-6-03 | Standards for managing drug therapy (AMEND), 4729:2-3-04 | Dispensing of naloxone overdose reversal drugs by pharmacy interns (AMEND), 4729:2-3-06 | Dispensing of epinephrine autoinjectors by pharmacy interns (AMEND), 4729:5-3-12 | Protocols and pre-printed orders for medication administration (AMEND), 4729:5-3-14 | General security requirements (AMENDMENT), 4729:5-3-15 | Use of hospital and other institution D.E.A. registrations (AMEND), 4729:5-3-16 | Returned drugs (AMEND), 4729:5-5-03 | Filing and storage of prescriptions (NO CHANGE), 4729:5-5-05 | Prescription format requirements (AMEND), 4729:5-5-07 | Patient profiles (AMEND), 4729:5-5-08 | Prospective Drug utilization review (AMEND), 4729:5-5-09 | Patient counseling (NO CHANGE), 4729:5-5-10 | Manner of processing a prescription (AMEND), 4729:5-5-11 | Prescription transfers (NEW) (RESCIND CURRENT), 4729:5-5-12 | Partial dispensing of schedule II of controlled substances (RESCIND CURRENT RULE), 4729:5-5-13 | Serial numbering of prescriptions (NO CHANGE), 4729:5-5-16 | Pharmacist modifications to a prescription (AMEND), 4729:5-5-17 | Drugs repackaged or relabeled by a pharmacy (NO CHANGE), 4729:5-5-22 | Return to stock in an outpatient pharmacy (AMEND), 4729:5-5-23 | Security, control, and storage of dangerous drugs in an outpatient pharmacy (AMEND), 4729:5-5-24 | Drug inventory records and other record keeping provisions (AMEND), 4729:3-3-01 | Pharmacy Technician Trainees (AMEND), 4729:5-3-13 | Temporary removal of dangerous drugs from a licensed location (AMEND), 4729:6-3-02 | Report of theft or significant loss of dangerous drugs, controlled substances, and drug documents (AMEND), 4729:5-3-02 | Report of theft or significant loss of dangerous drugs, controlled substances, and drug documents (AMEND), 4729:5-4-02 | Duty to Report (AMEND), 4729:11-1-01 | Definitions - home medical equipment, 4729:3-5-01 | Continuing Education - definitions, 4729:5-5-15 | Manner of issuance of a prescription (AMEND)* for

filing with CSI and JCARR. The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0.

1:40 p.m. Mr. McNamee announced that rules for Virtual Verification would be going out for stakeholder comment.

1:40 p.m. Mr. McNamee announced that the Ohio Board of Pharmacy released a Medical Spa guidance document titled "Ten Common Prescriber Clinic and Medical Spa Violations."

1:41 p.m. Mr. Griffin provided the Compliance and Enforcement Report.

R-2026-0217 Mr. George moved that the November 3, 2025, Probation Committee Meeting Minutes be approved as written. The motion was seconded by Mr. Whiston and approved by the Board: Yes-7, No-0.

R-2026-0218 Mr. George moved that the November 3-4, 2025, Board Meeting Minutes be approved as written. The motion was seconded by Mr. Whiston and approved by the Board: Yes-7, No-0.

R-2026-0219 Mr. George moved that the November 12, 2025, Conference Call Minutes be approved as written. The motion was seconded by Mr. Whiston and approved by the Board: Yes-7, No-0.

R-2026-0220 Mr. George moved that the November 17, 2025, Special Meeting Minutes be approved as written. The motion was seconded by Mr. Whiston and approved by the Board: Yes-7, No-0.

R-2026-0221 Mr. Huston announced the following Settlement Agreement has been signed by all parties and is now effective:

IN THE MATTER OF:
CASE NOS. A-2023-0294 & A-2023-0486

Miller's Pharmacy and Gifts
License No. 02-0395000
101 S. Broad Street
Kalida, OH 45853

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Miller's Pharmacy and Gifts for the purpose of resolving all issues between the parties related to the controlled substance inventory not being completed, vaccine

administration violations, and record keeping issues. Together, the Board and Miller's Pharmacy and Gifts are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.

2. Miller's Pharmacy and Gifts is a licensed Terminal Distributor of Dangerous Drugs under license number 02-80000095.

FACTS

1. The Board initiated an investigation of Miller's Pharmacy and Gifts, Terminal Distributor of Dangerous Drugs license number 02-0395000, related to Miller's Pharmacy and Gifts' controlled substance inventory not being completed, vaccine administration violations, and record keeping issues.

2. On or about August 14, 2024 the Board sent a Notice of Opportunity for Hearing to Miller's Pharmacy and Gifts, 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. Miller's Pharmacy and Gifts neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated August 14, 2024; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.

3. Miller's Pharmacy and Gifts agrees to pay to the Board a monetary penalty the amount of $5,000. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.

4. The Board hereby imposes a written reprimand on Miller's Pharmacy and Gifts's TDDD license, number 02-0395000.

5. Miller's Pharmacy and Gifts 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. Miller's Pharmacy and Gifts agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Miller's Pharmacy and Gifts 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 Miller's Pharmacy and Gifts by the Board and will NOT discharge Miller's Pharmacy and Gifts from any obligation under the terms of this Agreement.

7. Miller's Pharmacy and Gifts agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

8. Miller's Pharmacy and Gifts 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 Miller's Pharmacy and Gifts will operate.

10. Miller's Pharmacy and Gifts explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.

11. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

12. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.

13. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.

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

R-2026-0222

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

IN THE MATTER OF:
CASE NO. A-2023-0295

Miriam Miller, RPh
License No. 03-211358
13970 Road 14
Ottawa, OH 45875

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Miriam Miller, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of the controlled substance inventory not being completed, vaccine administration violations, and record keeping issues at Miller's Pharmacy and Gifts. Together, the Board and Miriam 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. Miriam Miller is a licensed pharmacist in the state of Ohio under license number 03-211358.

3. Miriam Miller is the Responsible Person and owner of Miller's Pharmacy and Gifts, located at 101 S. Broad Street, Kalida, Ohio.

FACTS

1. The Board initiated an investigation of Miriam Miller, pharmacist license number 03-211358, and Miller's Pharmacy and Gifts, related to the controlled substance inventory not being completed, vaccine administration violations, and record keeping issues.

2. On or about August 14, 2024, the Board sent a Notice of Opportunity for Hearing to Miriam 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.

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. Miriam Miller neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated August 14, 2024; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.

3. Miriam Miller must obtain six hours of approved continuing pharmacy education (0.6 CEUs) which may not also be used for license renewal. The 0.6 CEUs must be completed within six months from the effective date of this Agreement. Copies of completed CEUs must be e-mailed to legal@pharmacy.ohio.gov.

4. The Board hereby imposes a written reprimand on Miriam Miller's pharmacist license, number 03-211358.

5. Miriam Miller agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

6. Miriam Miller understands that she has the right to be represented by counsel for review and execution of this agreement.

7. Miriam Miller agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which she currently holds a professional license, including the Board on renewal applications or applications for a new license.

8. Miriam 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.

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.

R-2026-0223

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

IN THE MATTER OF:
CASE NO. A-2025-0306

Ageless Medica LLC DBA
Ageless Integrated Medicine
License No. 02-64000579
4872 Socialville-Foster Road
Mason, Ohio 45040

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Ageless Medica LLC DBA Ageless Integrated Medicine for the purpose of resolving all issues between the parties relating to the Board investigation of Ageless Medica LLC DBA Ageless Integrated Medicine's possession and administration of non-FDA approved dangerous drugs obtained from unlicensed entities. Together, the Board and Ageless Medica LLC DBA Ageless Integrated Medicine are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.

2. Ageless Medica LLC DBA Ageless Integrated Medicine (AIM), located at 4872 Socialville-Foster Road, Mason, Ohio 45040, is a licensed TDDD under license number 02-64000579 and lists Shri K. Rao, [Ohio Medical Board license number 35.085099] as the Responsible Person and owner.

FACTS

1. The Board initiated an investigation of AIM, Terminal Distributor of Dangerous Drugs license number 02-64000579, related to AIM's possession and administration of non-FDA approved dangerous drugs obtained from unlicensed entities.

2. On or about October 8, 2025, the Board sent a Summary Suspension/Notice of Opportunity for Hearing to AIM, which outlined the allegations and provided notice of its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.

3. On or about October 22, 2025, AIM, through counsel, Gregory Tapocsi, timely requested an administrative hearing. This matter was settled via this Agreement in lieu of hearing.

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

TERMS

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

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

2. AIM admits the allegations stated in the Summary Suspension/Notice of Opportunity for Hearing letter dated October 8, 2025, and the Board finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.

3. The Board will lift the summary suspension imposed on AIM's TDDD license, number 02-64000579, and reinstate the license upon the effective date of this Agreement.

4. AIM agrees to pay to the Board a monetary penalty in the amount of $25,000. This monetary penalty will be attached to the license record for AIM and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine, a representative for AIM must login to www.elicense.ohio.gov and process the items in the cart of the Responsible Person.

5. The Board hereby imposes a written reprimand on AIM's TDDD license, number 02-64000579.

6. AIM agrees that the current Responsible Person must complete the Board sponsored Responsible Person 101 Roundtable (1 hour) and six hours of approved continuing education (0.6 CEUs) in the topics of regulatory compliance and/or law/ethics. The Roundtable and 0.6 CEUs must be completed within six months from the effective date of this Agreement. Copies of completed CEUs must be e-mailed to legal@pharmacy.ohio.gov.

7. AIM agrees that it will notify each patient, who has not already been notified, who was prescribed and/or received any medication(s) from AIM that were not approved by the U.S. Food and Drug Administration (FDA), of the following: The medication is not a Food and Drug Administration (FDA) approved medication and it is not permitted to be prescribed, purchased, administered or shipped into Ohio.

8. AIM 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.

9. AIM agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by AIM 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 AIM by the Board and will NOT discharge AIM from any obligation under the terms of this Agreement.

10. AIM agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

11. AIM understands that it has the right to be represented by counsel for review and execution of this agreement.

12. 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 AIM will operate.

13. AIM explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.

14. 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.

15. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.

16. 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.

17. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those

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

R-2026-0224

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

IN THE MATTER OF:
CASE NO. A-2025-0299

Ree's Bar of Beauty LLC
License No. 02-60003000
c/o Sherrie Rey, RN
2339 Broadview Road
Cleveland, OH 44109

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Ree's Bar of Beauty (Ree's Beauty) for the purpose of resolving all issues between the parties relating to the Board investigation of Ree's Beauty's possession and administration of unapproved dangerous drugs obtained from an unlicensed source, and drug storage, compounding, and recordkeeping violations. Together, the Board and Ree's Beauty are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.

2. Ree's Beauty is a licensed Terminal Distributor of Dangerous Drugs under license number 02-60003000.

FACTS

1. The Board initiated an investigation of Ree's Beauty, Terminal Distributor of Dangerous Drugs license number 02-60003000, related to Ree's Beauty's possession and administration of unapproved dangerous drugs obtained from an unlicensed source, and drug storage, compounding, and recordkeeping violations.

2. On or about September 30, 2025, the Board sent a Summary Suspension/Notice of Opportunity for Hearing to Ree's Beauty, which outlined the allegations and

provided notice of its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.

3. On or about October 9, 2025, Ree's Beauty, through counsel Shirin Adelman, timely requested an administrative hearing, which was subsequently scheduled for January 6, 2025.

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. Ree's Beauty admits allegations stated in the Summary Suspension/Notice of Opportunity for Hearing letter dated August 22, 2025, and the Board finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.

3. The Board will lift the summary suspension imposed on Ree's Beauty's TDDD license number 02-60003000 and reinstate the license immediately upon the effective date of this Agreement.

4. Ree's Beauty agrees to pay to the Board a monetary penalty in the amount of $25,000. This fine will be attached to your license record and must be paid no later than one year from the effective date of this Agreement. To pay this fine you must login to www.elicense.ohio.gov and process the items in the cart of the Responsible Person.

5. The Board hereby imposes a written reprimand on Ree's Beauty's TDDD license, number 02-60003000.

6. Ree's Beauty agrees that the Responsible Person will (1) attend and successfully complete the Board sponsored Responsible Person 101 Roundtable (one hour) and (2) obtain six hours professional continuing education, to be pre-approved by the Board and which may not also be used for license renewal, and must be in the following topic areas: drug storage and handling, regulatory compliance and/or law/ethics. The continuing education must be completed within six months from the effective date of this Agreement. Copies of completed CEs must be e-mailed to legal@pharmacy.ohio.gov.

7. Ree's Beauty 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.

8. Ree's Beauty agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Ree's Beauty 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 Ree's Beauty by the Board and will NOT discharge Ree's Beauty from any obligation under the terms of this Agreement.

9. Ree's Beauty agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

10. Ree's Beauty understands that it has the right to be represented by counsel for review and execution of this agreement.

11. 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 Ree's Beauty will operate.

12. Ree's Beauty explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.

13. 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.

14. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.

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

R-2026-0225 Mr. Huston announced the following Settlement Agreement has been signed by all parties and is now effective:

IN THE MATTER OF:
CASE NOS. A-2025-0295

YiWellness dba Yi Wellness
License No. 02-60002596
1194 Old Henderson Road, Suite A
Columbus, OH 43220

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and YiWellness dba Yi Wellness for the purpose of resolving all issues between the parties relating to the Board investigation of YiWellness dba Yi Wellness' possession and administration of non-FDA approved dangerous drugs obtained from an unlicensed entity. Together, the Board and YiWellness dba Yi Wellness are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.

2. YiWellness dba Yi Wellness (Yi Wellness), located at 1194 Old Henderson Road, Suite A, Columbus, Ohio 43220, is a licensed TDDD under license number 02-60002596 and lists Stacey Yi Guan, MD [Ohio Medical Board license number 35.120145] as the owner and Responsible Person.

FACTS

1. The Board initiated an investigation of Yi Wellness, located at 1194 Old Henderson Road, Suite A, Columbus, Ohio, Terminal Distributor of Dangerous Drugs license number 02-60002596, related to Yi Wellness' possession and administration of non-FDA approved dangerous drugs obtained from an unlicensed entity.

2. On or about September 30, 2025, the Board sent a Summary Suspension/Notice of Opportunity for Hearing to Yi Wellness, which outlined the allegations and provided notice of its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.

3. On or about October 30, 2025, Yi Wellness, through counsel, Douglas Graff, timely requested an administrative hearing. This matter was settled via this Agreement in lieu of hearing.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Yi Wellness admits the allegations stated in the Summary Suspension/Notice of Opportunity for Hearing letter dated September 30, 2025, and the Board finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.

3. The Board will lift the summary suspension imposed on Yi Wellness' TDDD license, number 02-60002596, and reinstate the license upon the effective date of this Agreement.

4. Yi Wellness agrees to pay to the Board a monetary penalty in the amount of $25,000. This monetary penalty will be attached to the license record for Yi Wellness and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine, a representative for Yi Wellness must login to www.elicense.ohio.gov and process the items in the cart of the Responsible Person.

5. The Board hereby imposes a written reprimand on Yi Wellness' TDDD license, number 02-64000579.

6. Yi Wellness agrees that the current Responsible Person must complete the Board sponsored Responsible Person 101 Roundtable (one hour) and six hours of approved continuing education (0.6 CEUs) in the topics of drug storage and handling, regulatory compliance, and/or law/ethics. The Roundtable and 0.6 CEUs must be completed within six months from the effective date of this Agreement. Copies of completed CEUs must be e-mailed to legal@pharmacy.ohio.gov.

7. Yi Wellness 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.

8. Yi Wellness agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Yi Wellness 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 Yi Wellness by the Board and will NOT discharge Yi Wellness from any obligation under the terms of this Agreement.

9. Yi Wellness agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

10. Yi Wellness understands that it has the right to be represented by counsel for review and execution of this agreement.

11. 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 Yi Wellness will operate.

12. Yi Wellness explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.

13. 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.

14. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.

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

R-2026-0226

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

IN THE MATTER OF:
CASE NO. A-2025-0348

Low T Center
License No. 02-62001432
c/o Dr. Brian Seifferth, MD
6275 Emerald Pkwy.
Dublin, OH 43016

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Low T Center for the purpose of resolving all issues between the parties relating to the Board investigation of the prescribing and possession of non-FDA approved dangerous drugs and various inspection violations. Together, the Board and Low T Center are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.

2. Low T Center is a licensed Terminal Distributor of Dangerous Drugs under license number 02-62001432 and lists Dr. Brian Seifferth, MD, as the Responsible Person.

FACTS

1. The Board initiated an investigation of Low T Center, Terminal Distributor of Dangerous Drugs license number 02-62001432, related to Low T Center's prescribing and possession of non-FDA approved dangerous drugs and various inspection violations.

2. On or about November 6, 2025, the Board sent a Notice of Opportunity for Hearing to Low T Center, which outlined the allegations and provided notice of its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.

3. On or about November 10, 2025, Low T Center, through counsel Jamie Levin, timely requested an administrative hearing.

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

TERMS

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

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

2. Low T Center admits the allegations stated in the Notice of Opportunity for Hearing letter dated November 6, 2025, and the Board finds them to violate Ohio's pharmacy law as set forth in the Notice and hereby adjudicates the same.

3. Low T Center agrees to pay to the Board a monetary penalty in the amount of $25,000. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.

4. The Board hereby imposes a written reprimand on Low T Center's TDDD license, number 02-62001432.

5. The Board will lift the summary suspension imposed on Low T Center's TDDD license number 02-62001432 and reinstate the license upon the effective date of this Agreement.

6. Low T Center's Responsible Person must obtain six hours of approved continuing pharmacy education (0.6 CEUs), which may not also be used for their license renewal. The 0.6 CEUs must be completed within six months from the effective date of this Agreement. Copies of completed CEUs must be e-mailed to legal@pharmacy.ohio.gov.

7. Low T Center's Responsible Person will attend the RP 101 Responsible Person Roundtable within six months from the effective date of this Agreement. Proof of completion must be submitted to legal@pharmacy.ohio.gov.

8. Low T Center agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which it currently holds a professional license, including the Board on renewal applications or applications for a new license.

9. Low T Center agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Low T Center of the terms of one or more federal or state requirements may constitute sufficient grounds for further enforcement action related to any licenses granted to Low T Center by the Board and will NOT discharge Low T Center from any obligation under the terms of this Agreement.

10. Low T Center agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

11. Low T Center understands that it has the right to be represented by counsel for review and execution of this agreement.

12. 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 Low T Center will operate.

13. Low T Center explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.

14. 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.

15. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.

16. 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.

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

R-2026-0227 Mr. Huston announced the following Settlement Agreement has been signed by all parties and is now effective:

IN THE MATTER OF:
CASE NO. A-2025-0272

Synergy Primary Care and Wellness
License No. 02-2888100
c/o Bushra Ali, M.D.
4895 Monroe St. #203
Toledo, Ohio 43623

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Synergy Primary Care and Wellness (Synergy) for the purpose of resolving all issues between the parties relating to the Board investigation of Synergy's possession of non-FDA approved foreign-sourced dangerous drugs obtained from an unlicensed source, drug storage and handling and recordkeeping violations. Together, the Board and Synergy are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.

2. Synergy is a licensed Terminal Distributor of Dangerous Drugs under license number 02-2888100.

FACTS

1. The Board initiated an investigation of Synergy, Terminal Distributor of Dangerous Drugs license number 02-2888100, related to Synergy's possession of non-FDA approved foreign-sourced dangerous drugs obtained from an unlicensed source, drug storage and handling and recordkeeping violations.

2. On or about September 10, 2025, the Board sent a Summary Suspension/Notice of Opportunity for Hearing to Synergy, which outlined the allegations and provided notice of its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.

3. On or about September 22, 2025, Synergy, through counsel David Abromowitz, timely requested an administrative hearing, which was subsequently scheduled for December 8, 2025.

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. Synergy admits allegations stated in the Summary Suspension/Notice of Opportunity for Hearing letter dated September 10, 2025, and the Board finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.

3. The Board will lift the summary suspension imposed on Synergy's TDDD license number 02-2888100 and reinstate the license immediately upon the effective date of this Agreement.

4. Synergy agrees to pay to the Board a monetary penalty in the amount of $25,000. This fine will be attached to your license record and must be paid no later than one year from the effective date of this Agreement. To pay this fine you must login to www.elicense.ohio.gov and process the items in the cart of the Responsible Person.

5. The Board hereby imposes a written reprimand on Synergy's TDDD license, number 02-2888100.

6. Synergy agrees that the Responsible Person will (1) attend and successfully complete the Board sponsored Responsible Person 101 Roundtable (one hour) and

(2) obtain six hours professional continuing education, to be pre-approved by the Board and which may not also be used for license renewal, and must be in the following topic areas: drug storage and handling, regulatory compliance and/or law/ethics. The continuing education must be completed within six months from the effective date of this Agreement. Copies of completed CEs must be e-mailed to legal@pharmacy.ohio.gov.

7. Synergy 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.

8. Synergy agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Synergy 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 Synergy by the Board and will NOT discharge Synergy from any obligation under the terms of this Agreement.

9. Synergy agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

10. Synergy understands that it has the right to be represented by counsel for review and execution of this agreement.

11. 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 Synergy will operate.

12. Synergy explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.

13. 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.

14. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.

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

R-2026-0228 Mr. Huston announced the following Settlement Agreement has been signed by all parties and is now effective:

IN THE MATTER OF:
CASE NO. A-2025-0349

Portage Lakes Aesthetics
License No. 02-64000513
c/o Katherine McKinney, APRN
442 W. Turkeyfoot Lake Rd.
New Franklin, OH 44319

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Portage Lakes Aesthetics for the purpose of resolving all issues between the parties relating to the Board investigation of the purchase and possession of dangerous drugs from an unlicensed entity that are not approved by the Federal Drug Administration (FDA). Together, the Board and Portage Lakes Aesthetics are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.

2. Portage Lakes Aesthetics is a licensed Terminal Distributor of Dangerous Drugs under license number 02-64000513.

FACTS

1. The Board initiated an investigation of Portage Lakes Aesthetics, Terminal Distributor of Dangerous Drugs license number 02-64000513, related to Portage Lakes Aesthetics' purchase and possession of dangerous drugs from an unlicensed entity that are not approved by the Federal Drug Administration (FDA).

2. On or about November 5, 2025, the Board sent a Notice of Opportunity for Hearing to Portage Lakes Aesthetics which outlined the allegations and provided notice of

its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.

3. On or about November 7, 2025, Portage Lakes Aesthetics, through counsel Scott P. Sandrock, timely requested an administrative hearing.

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

TERMS

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

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

2. Portage Lakes Aesthetics admits the allegations stated in the Summary Suspension/Notice of Opportunity for Hearing letter dated November 5, 2025, and the Board finds them to violate Ohio's pharmacy law as set forth in the Notice and hereby adjudicates the same.

3. Portage Lakes Aesthetics agrees to pay to the Board a monetary penalty in the amount of $25,000. $20,000 of this monetary penalty shall be stayed upon the following conditions:

    a. Portage Lakes Aesthetics pays $5,000 to the Board no later than twelve (12) months from the effective date of this Agreement; and

    b. Portage Lakes Aesthetics does not have any additional violations of rule or law, as listed in Term 9 of this Agreement, for no less than twelve (12) months from the effective date of this Agreement.

    c. The remaining balance will be due immediately if Portage Lakes Aesthetics does not meet conditions 3(a) and 3(b), as outlined above.

    d. This monetary penalty will be attached to the license record for Portage Lakes Aesthetics. To pay this fine, a representative for Portage Lakes Aesthetics must login to www.elicense.ohio.gov and process the items in the cart.

4. The Board hereby imposes a written reprimand on Portage Lakes Aesthetics' TDDD license, number 02-64000513.

5. The Board will lift the summary suspension imposed on Portage Lakes Aesthetics' TDDD license number 02-64000513 and reinstate the license upon the effective date of this Agreement.

6. Portage Lake Aesthetics' Responsible Person must obtain six hours of approved continuing pharmacy education (0.6 CEUs), which may not also be used for their license renewal. The 0.6 CEUs must be completed within six months from the

effective date of this Agreement. Copies of completed CEUs must be e-mailed to legal@pharmacy.ohio.gov.

7. Portage Lakes Aesthetics' Responsible Person will attend the RP 101 Responsible Person Roundtable within six months from the effective date of this Agreement. Proof of completion must be submitted to legal@pharmacy.ohio.gov.

8. Portage Lakes Aesthetics 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.

9. Portage Lakes Aesthetics agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Portage Lakes Aesthetics 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 Portage Lakes Aesthetics by the Board and will NOT discharge Portage Lakes Aesthetics from any obligation under the terms of this Agreement.

10. Portage Lakes Aesthetics agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

11. Portage Lakes Aesthetics understands that it has the right to be represented by counsel for review and execution of this agreement.

12. 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 Portage Lakes Aesthetics will operate.

13. Portage Lakes Aesthetics explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.

14. 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.

15. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.

16. 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.

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

R-2026-0229

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

IN THE MATTER OF:
Case No. A-2025-0361

Lori Parent, RPhT
SUSPENDED Registration No. 09-220656
9107 Lake Overlook Drive
Mentor, OH 44060

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Lori Parent, for the purpose of resolving all issues between the parties relating to the theft of controlled substances. Together, the Board and Lori Parent 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, or refuse to grant or renew any license issued pursuant to Sections 4729.90 of the Ohio Revised Code to perform the duties of a registered pharmacy technician in the state of Ohio.

2. Lori Parent is an Ohio registered pharmacy technician under suspended registration number 09-220656.

FACTS

1. The Board initiated an investigation of Lori Parent, registered pharmacy technician, registration number 09-220656, related to Lori Parent's theft of controlled substances.

2. On or about November 13, 2025, the Board sent a Summary Suspension/Notice of Opportunity for Hearing to Lori Parent, 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. Any criminal proceedings resulting from this investigation are not affected by this Agreement.

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. Lori Parent neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated November 13, 2025; 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. **LORI PARENT VOLUNTARILY SURRENDERS TO THE OHIO BOARD OF PHARMACY HER REGISTRATION AS A CERTIFIED PHARMACY TECHNICIAN, REGISTRATION NO. 09-220656, WITH DISCIPLINE PENDING.**

4. **Lori Parent may only apply for any license or registration over which the Ohio Board of Pharmacy has jurisdiction, including those set forth in Chapters 3719., 3796., 4729. or 4752. of the Revised Code, if she provides satisfactory proof to the Board that she is no longer addicted to or abusing liquor or drugs or impaired physically or mentally to such a degree as to render her unfit to practice pharmacy, to include at minimum, unless otherwise approved by the Board:**

    a. **Successful completion of a Board-approved or court-ordered treatment program; and**

    b. **Continuous participation in a Board-approved monitoring program for no less than 24 months, to include all components set forth in OAC 4729:4-1-04.**

5. Lori Parent agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

6. Lori Parent understands that she has the right to be represented by counsel for review and execution of this agreement.

7. Lori Parent 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. Lori Parent waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and specifically withdraws her request for a hearing in this matter 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.

R-2026-0230 Mr. Huston announced the following Settlement Agreement has been signed by all parties and is now effective:

IN THE MATTER OF:
CASE NO. A-2025-0051

Kroger Pharmacy N-313
License No. 02-1215350
610 Carrol St.
New Lexington, OH 43764

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Kroger Pharmacy N-313 for the purpose of resolving all issues between the parties relating to the Board investigation of Kroger Pharmacy N-313's drug security. Together, the Board and Kroger Pharmacy N-313 are referred to hereinafter as "the parties."

JURISDICTION

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

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

2. Kroger Pharmacy N-313 is a licensed Terminal Distributor of Dangerous Drugs under license number 02-1215350.

FACTS

1. The Board initiated an investigation of Kroger Pharmacy N-313, Terminal Distributor of Dangerous Drugs license number 02-1215350 related to Kroger Pharmacy N-313's drug security.

2. On or about May 19, 2025, the Board sent a Notice of Opportunity for Hearing to Kroger Pharmacy N-313, which outlined the allegations and provided notice of its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.

3. On or about July 30, 2025, Kroger Pharmacy N-313, through counsel Mary Barley-McBride, timely requested an administrative hearing, which was subsequently scheduled for December 9, 2025.

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. Kroger Pharmacy N-313 neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated July 30, 2025; 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. Kroger Pharmacy N-313 agrees to pay to the Board a monetary penalty the amount of $2,000.00. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine you must login to www.elicense.ohio.gov and process the items in the cart of the Responsible Person.

4. The Board hereby imposes a written reprimand on Kroger Pharmacy N-313's TDDD license, number 02-1215350.

5. Kroger Pharmacy N-313 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. Kroger Pharmacy N-313 agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Kroger Pharmacy N-313 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 Kroger Pharmacy N-313 by the Board and will NOT discharge Kroger Pharmacy N-313 from any obligation under the terms of this Agreement.

7. Kroger Pharmacy N-313 agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

8. Kroger Pharmacy N-313 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 Kroger Pharmacy N-313 will operate.

10. Kroger Pharmacy N-313 explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.

11. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

12. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.

13. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.

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

R-2026-0231 Mr. Huston announced the following Settlement Agreement has been signed by all parties and is now effective:

IN THE MATTER OF:
CASE NO. A-2023-0495

Alan Jaffe, RPh
License No. 03-215186
25025 Maidstone Lane
Beachwood, OH 44122

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Alan Jaffe, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of an error in dispensing. Together, the Board and Alan Jaffe 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. Alan Jaffe is a licensed pharmacist in the state of Ohio under license number 03-215186.

3. Alan Jaffe is a licensed pharmacist in the state of Ohio under license number 03-215186. who is listed as the Responsible Person of Dave's Pharmacy, located at 3628 Mayfield Road Cleveland, Ohio.

FACTS

1. The Board initiated an investigation of Alan Jaffe, pharmacist license number 03-215186, and Dave's Pharmacy #16, related to an error in dispensing.

2. On or about July 21, 2025, the Board sent a Notice of Opportunity for Hearing to Alan Jaffe, 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 July 31, 2025, Alan Jaffe, through counsel Gregory Tapocsi, timely requested an administrative hearing, which was subsequently scheduled for January 8, 2026. This matter was settled via this Agreement in lieu of hearing.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Alan Jaffe neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated July 21, 2025; 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. Alan Jaffe agrees to pay to the Board a monetary penalty in the amount of $1,500.00. This fine will be attached to Alan Jaffe's license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.

4. Alan Jaffe must obtain six hours of approved continuing pharmacy education (0.6 CEUs) which may not also be used for license renewal. Alan Jaffee must complete the Board sponsored Responsible Person 101 Roundtable (1 hour) in addition to the 0.6 CEUs. The 0.6 CEUs and Roundtable 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 Alan Jaffe's pharmacist license, number 03-215186.

6. Alan Jaffe agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

7. Alan Jaffe understands that he has the right to be represented by counsel for review and execution of this agreement.

8. Alan Jaffe agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which he currently holds a professional license, including the Board on renewal applications or applications for a new license.

9. Alan Jaffe explicitly withdraws his request for a hearing, waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.

10. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

11. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.

12. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.

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

R-2026-0232 Mr. Huston announced the following Settlement Agreement has been signed by all parties and is now effective:

IN THE MATTER OF:
CASE NO. A-2023-0494

Dave's Pharmacy #16
License No. 02-1712950
3628 Mayfield Rd.
Cleveland, OH 44118

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Dave's Pharmacy #16 for the purpose of resolving all issues between the parties relating to the Board investigation of an error in dispensing and subsequent inspection. Together, the Board and Dave's Pharmacy #16 are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.

2. Dave's Pharmacy #16, located at 3628 Mayfield Rd. Cleveland, Ohio, has an active TDDD license with the Board under license number 02-1712950, which lists Alan Jaffe as the Responsible Person.

FACTS

1. The Board initiated an investigation of Dave's Pharmacy #16, Terminal Distributor of Dangerous Drugs license number 02-1712950, related to Dave's Pharmacy #16's error in dispensing and subsequent inspection.

2. On or about July 21, 2025, the Board sent a Notice of Opportunity for Hearing to Dave's Pharmacy #16, which outlined the allegations and provided notice of its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.

3. On or about August 7, 2025, Dave's Pharmacy #16, through counsel Kate Hickner, timely requested an administrative hearing, which was subsequently scheduled for January 8, 2026. This matter was settled via this Agreement in lieu of hearing.

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

TERMS

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

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

2. Dave's Pharmacy #16 neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated July 21, 2025; 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. Dave's Pharmacy #16 agrees to pay to the Board a monetary penalty the amount of $4,000.00. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.

4. The Board hereby imposes a written reprimand on Dave's Pharmacy #16's TDDD license, number 02-1712950.

5. Dave's Pharmacy #16 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. Dave's Pharmacy #16 agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Dave's Pharmacy #16 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 Dave's Pharmacy #16 by the Board and will NOT discharge Dave's Pharmacy #16 from any obligation under the terms of this Agreement.

7. Dave's Pharmacy #16 agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

8. Dave's Pharmacy #16 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 Dave's Pharmacy #16 will operate.

10. Dave's Pharmacy #16 explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.

11. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

12. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.

13. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.

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

R-2026-0233

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

IN THE MATTER OF:
CASE NO. A-2024-0423

Pillpack by Amazon Pharmacy
License No. 02-2362400
250 Commercial Street, Suite 2012
Manchester, NH 03101

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Pillpack by Amazon Pharmacy (Pillpack) for the purpose of resolving all issues between the parties relating to the Board investigation of a settlement agreement between Pillpack and the Office of the Inspector General (OIG) of the U.S. Department of Health and Human Services (HHS) involving the dispensation of medication in excess of the prescribed quantity. Together, the Board and Pillpack are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.

2. Pillpack by Amazon Pharmacy is a licensed Terminal Distributor of Dangerous Drugs under license number 02-2362400.

FACTS

1. The Board initiated an investigation of Pillpack by Amazon Pharmacy, Terminal Distributor of Dangerous Drugs license number 02-2362400, related to Pillpack's settlement agreement with the OIG of HHS involving the dispensation of medication in excess of the prescribed quantity.

2. On or about February 20, 2025, the Board sent a Notice of Opportunity for Hearing to Pillpack, which outlined the allegations and provided notice of its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.

3. On or about March 21, 2025, Pillpack, through counsel Hunter G. DeKoninck, timely requested an administrative hearing, which was subsequently scheduled for August 5, 2025.

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. Pillpack neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated February 20, 2025; 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. Pillpack agrees to pay to the Board a monetary penalty the amount of $5,000. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.

4. The Board hereby imposes a written reprimand on Pillpack's TDDD license, number 02-2362400.

5. Pillpack agrees and acknowledges that this Board 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. Pillpack agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Pillpack of the terms of one or more federal or state requirements may constitute sufficient grounds for further enforcement action related to any licenses granted Pillpack by the Board and will NOT discharge Pillpack from any obligation under the terms of this Agreement.

7. Pillpack agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

8. Pillpack 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 Pillpack will operate.

10. Pillpack explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.

11. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

12. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.

13. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.

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

R-2026-0234 Mr. George 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. Ferris and a roll-call vote was conducted by *President* Huston as follows: Buettner-yes; George-yes; Grimm-yes; Ferris-yes; Hubert-yes; Miller-yes, and Whiston-yes.

3:40 p.m. The Board meeting ended for the day.

Tuesday, December 9, 2025

9:00 a.m. The Ohio Board of Pharmacy convened in the Hearing Room, 17th Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, for a public meeting, with the following members present:

Jeff Huston, RPh, *President*; Jason George, RPh, *Vice President*; RPh; Trina Buettner, RPh; Mindy Ferris, RPh; TJ Grimm, RPh; Leonard Hubert, *Public Member*; Rich Miller, RPh; and Tom Whiston, RPh.

Absent: Anthony Buchta, Sr., RPh

Also present were Steven Schierholt, *Executive Director*; Sharon Maerten-Moore, *Chief Legal Counsel*; Ashley Gilbert, *Senior Legal Counsel*; Jennifer Nelson, *Legal Administrator* and Rikki Johnson, *Legal Administrative Assistant*.

R-2026-0235 After votes were taken in public session, the Board adopted the following order in the Matter of Patrick DeLess, North Canton, Ohio.

ORDER OF THE OHIO BOARD OF PHARMACY
CONFIRMING AND APPROVING IN PART AND MODIFYING IN PART
REPORT AND RECOMMENDATION OF HEARING EXAMINER

Case Number A-2025-0096

In The Matter Of:

Patrick DeLess
6600 Hillfield St. NW
North Canton, OH 44720
Pending Registration No. APP-000919449

INTRODUCTION

Patrick DeLess (Respondent) submitted an application for registration as a pharmacy technician trainee, APP-000919449, on or about January 30, 2025. The Board issued a Notice of Opportunity for Hearing Proposal to Deny Application for Technician Registration on August 12, 2025. Respondent timely requested a hearing. The Matter of Patrick DeLess came for hearing before Hearing Examiner Rhonda Shamansky on October 1, 2025. Respondent attended the hearing virtually and appeared pro se. The State of Ohio was represented by Henry Appel, Assistant Attorney General. The Hearing Examiner's Report and Recommendations was issued to Petitioner via email, confirmation of receipt requested, on or about October 31, 2025. The Board received confirmation of receipt via an electronic mail receipt. The matter subsequently came for consideration by the Board on December 9, 2025, before the following members: Jeff Huston, RPh, *Presiding*; Jason George, RPh, *Vice President*; Trina Buettner, RPh; Mindy Ferris, RPh; T.J. Grimm, RPh; Leonard Hubert, *Public Member*; Rich Miller, RPh.; Tom Whiston, RPh; Anthony Buchta, Sr., RPh was absent.

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items: the State's Exhibits, Respondent's Exhibits, the hearing transcript, and Hearing Examiner Shamansky's Report and Recommendations.

DECISION OF THE BOARD

1. Based on a thorough review of the entire administrative record in this matter, the Board hereby confirms and approves the Findings of Fact as set forth in Hearing Examiner Shamansky's Report and Recommendations.

2. Based on a thorough review of the entire administrative record in this matter, the Board hereby amends and adopts the Conclusions of Law as set forth in Hearing Examiner Shamansky's Report and Recommendations and modifies the Conclusions of Law to include Violations of Law (1)(a), (1)(c), (1)(e), (2)(a), and (2)(b), as set forth in the August 12, 2025, Notice Letter.

This matter came before the Board pursuant to Section 4729.96 of the Ohio Revised Code and Rule 4729:3-4-01 of the Ohio Administrative Code. The Board has considered the record as a whole, including all admitted Exhibits, Findings of Fact, Conclusions of Law, and the factors listed in Section 9.79(D)(1)(a)-(e) of the Ohio Revised Code, as set forth with particularity in the Notice of Opportunity for Hearing Proposal to Deny

Application for Technician Registration, the Board hereby adopts the recommendation of the Hearing Examiner and orders the following:

1. The Board hereby Denys Respondent's Pharmacy Technician Trainee Application, APP-000919449, submitted on January 30, 2025.

Mindy Ferris moved for Findings of Fact; Jason George seconded the motion. Motion passed (Aye-7/Nay-0).

Mindy Ferris moved for Conclusions of Law; Jason George seconded the motion. Motion passed (Aye-7/Nay-0).

Mindy Ferris moved for Action of the Board; Jason George seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

R-2026-0236 After votes were taken in public session, the Board adopted the following order in the Matter of Katherine Kacsandi, Westerville, Ohio.

ORDER OF THE STATE OF OHIO BOARD OF PHARMACY
CONFIRMING AND APPROVING IN PART AND MODIFYING IN PART
REPORT AND RECOMMENDATION OF HEARING EXAMINER
Case Number A-2025-0173

In The Matter Of:

Katherine Kacsandi
500 Radcliff Dr
Westerville, OH 43082
Registration No. 09-316701

INTRODUCTION

Katherine Kacsandi (Respondent) maintains a Certified Pharmacy Technician Registration (No. 09-316701) with the Ohio Board of Pharmacy (Board). The Board issued a Summary Suspension/Notice of Opportunity for Hearing on July 17, 2025. Respondent timely requested a hearing and the Matter of Katherine Kacsandi came for hearing before Hearing Examiner Michelle Riske-Morris on September 23, 2025. Respondent was present at the hearing and appeared pro se. The State of Ohio was represented by Henry Appel, Assistant Attorney General. The Hearing Examiner's Report and Recommendation was issued to Respondent via email, confirmation of receipt requested, on or about November 19, 2025. The Board received confirmation of receipt

via electronic delivery receipt. The matter subsequently came for consideration by the Board on December 8, 2025, before the following members: Jeff Huston, RPh, *Presiding*; Jason George, RPh, *Vice President*; Trina Buettner, RPh; Mindy Ferris, RPh; T.J. Grimm, RPh; Leonard Hubert, *Public Member*; Rich Miller, RPh; and Tom Whiston, RPh.

Absent: Anthony Buchta, Sr., RPh.

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items: the State's Exhibits, the hearing transcript, and Hearing Examiner Riske-Morris' Report and Recommendation.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Based on a thorough review of the entire administrative record in this matter, the Board hereby confirms and approves Findings of Fact 1 through 10, inclusive, as set forth in Hearing Examiner Riske-Morris' Report and Recommendation, including the Findings of Fact regarding the Allegations in the Summary Suspension/Notice of Opportunity for Hearing issued on June 17, 2025.

2. Based on a thorough review of the entire administrative record in this matter, the Board hereby confirms and approves Conclusions of Law, 1 and 2, inclusive, as set forth in Hearing Examiner Riske-Morris' Report and Recommendation as the Board's Conclusions of Law.

DECISION OF THE BOARD

Pursuant to Section 4729.96 of the Ohio Revised Code and Rule 4729:3-4-01 of the Ohio Administrative Code, and after consideration of the record as a whole, the Board hereby adopts the recommendation of Hearing Examiner Riske-Morris in part and modifies in part.

Pursuant to Section 3719.121 of the Ohio Revised Code, the State Board of Pharmacy hereby removes the Summary Suspension Order issued to Katherine Kacsandi on June 17, 2025.

Pursuant to Section 4729.96 of the Ohio Revised Code, and after consideration of the record as a whole, the State Board of Pharmacy hereby suspends indefinitely certified pharmacy technician registration no. 09-316701 held by Katherine Kacsandi and such suspension is effective as of the date of the issuance of this Order.

Katherine Kacsandi, pursuant to Rule 4729:3-4-01(D) of the Ohio Administrative Code, may not be employed by or work in a facility licensed by the Ohio Board of Pharmacy to possess or distribute dangerous drugs during such period of suspension.

Further, beginning twelve (12) months from the date of this Order, the Board will consider any petition filed by Katherine Kacsandi for a hearing, pursuant to Ohio

Revised Code Chapter 119., for reinstatement. The Board will only consider reinstatement of the technician registration if the following conditions have been met:

1. Katherine Kacsandi must maintain a current address with the Board throughout the duration of the suspension.

2. During Katherine Kacsandi 's suspension, terms and conditions apply including:

    a. Katherine Kacsandi must engage in mental health treatment and medication management with Board-approved treatment provider(s) and comply with all recommendations of the treatment provider(s).

    b. Proof of compliance with treatment, medication management, and recommendations of the provider(s) must be submitted to the Board quarterly. The quarterly reporting dates are January 10, April 10, July 10, and October 10.

3. The Board will only consider reinstatement of Katherine Kacsandi's technician registration if she provides documentation of the following in her reinstatement petition:

    a. Compliance with the mental health treatment, medication management, and all recommendations of the Board-approved treatment provider(s), as required above;

    b. Proof of her ability to practice pharmacy as a technician with the requisite skill, safety, and competence to the public, and to herself.

    c. Compliance with the terms of this Order.

4. Katherine Kacsandi must provide continuing authorization for disclosure by the treatment provider(s) to the Board, to treating and monitoring physicians, and to others involved in the monitoring process, of information necessary for those individuals to fulfill their duties.

5. Katherine Kacsandi must immediately report any violation of the terms of this suspension to the Board by contacting legal@pharmacy.ohio.gov. Failure to self-report any violation shall be treated as a violation of this Board's Order and will subject Katherine Kacsandi to possible additional sanctions, including and up to revocation of license.

6. Violation of any term of suspension, including but not limited to any violation of recommendations from an approved treatment provider may result in additional action before the Board up to and including revocation of your pharmacy technician registration.

7. Any violation of Chapters 2925., 3715., 3719., 4729., of the Ohio Revised Code, any administrative code violation or a violation of any other state, federal, or local law will be considered a violation of this Order resulting in a hearing before the Board and may also result in criminal and/or administrative charges.

8. Periods during which Katherine Kacsandi is not in compliance with all terms of suspension shall toll the length of time of suspension during which Katherine Kacsandi was out of compliance. The minimum length of time each violation will toll the suspension term is available on the Board's website, www.pharmacy.ohio.gov. The Board may implement additional disciplinary action in addition to or instead of tolling suspension.

9. If Katherine Kacsandi's employment is related to the practice of pharmacy, Katherine Kacsandi must provide copies of the board order or settlement agreement to all employers or prospective employers, all licensing authorities in which Katherine Kacsandi holds a professional license or applies for a professional license, all persons who provide Katherine Kacsandi chemical dependency treatment monitoring, and law enforcement and court personnel if Katherine Kacsandi has court involvement, such as ILC, drug court or diversion, related the suspension, during the effective period of this Order.

10. Failure to complete the terms set forth in this Board's Order, or to petition for reinstatement within five years of the date of this Order, may result in the Board issuing a notice of opportunity for hearing to consider additional disciplinary action, including and up to revocation of Katherine Kacsandi's registration.

Ms. Ferris moved for Findings of Fact; Mr. George seconded the motion. Motion passed (Aye-7/Nay-0).

Ms. Ferris moved for Conclusions of Law; Mr. George seconded the motion. Motion passed (Aye-7/Nay-0).

Ms. Ferris moved for Decision of the Board; Mr. George seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

R-2026-0237 After votes were taken in public session, the Board adopted the following order in the Matter of Rashad Green, Cleveland, Ohio.

ORDER OF THE OHIO BOARD OF PHARMACY
CONFIRMING AND APPROVING
REPORT AND RECOMMENDATION OF HEARING EXAMINER

Case Number A-2025-0113

In The Matter Of:

Rashad Green
1226 Norwood Road
Cleveland, OH 44103
Pending Registration No. APP-000930568

INTRODUCTION

Rashad Green (Respondent) submitted an application for registration as a pharmacy technician trainee, APP-000930568, on or about March 4, 2025. The Board issued a Notice of Opportunity for Hearing Proposal to Deny Application for Technician Registration on August 13, 2025. Respondent timely requested a hearing. The Matter of Rashad Green came for hearing before Hearing Examiner Keith Golden on September 29, 2025. Respondent attended the hearing virtually and appeared pro se. The State of Ohio was represented by Henry Appel, Assistant Attorney General. The Hearing Examiner's Report and Recommendation was issued to Petitioner via email, confirmation of receipt requested, on or about November 17, 2025. The Board received confirmation of receipt via an electronic delivery receipt. The matter subsequently came for consideration by the Board on December 9, 2025, before the following members: Jeff Huston, RPh, *Presiding*; Jason George, RPh, *Vice President*; Trina Buettner, RPh; Mindy Ferris, RPh; T.J. Grimm, RPh; Leonard Hubert, *Public Member*; Rich Miller, RPh.; Tom Whiston, RPh; Anthony Buchta, Sr., RPh was absent.

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items: the State's Exhibits, the hearing transcript, and Hearing Examiner Golden's Report and Recommendation.

DECISION OF THE BOARD

1. Based on a thorough review of the entire administrative record in this matter, the Board hereby confirms and approves the Findings of Fact as set forth in Hearing Examiner Golden's Report and Recommendations.

2. Based on a thorough review of the entire administrative record in this matter, the Board hereby confirms and approves the Conclusions of Law as set forth in Hearing Examiner Golden's Report and Recommendation, as set forth in the August 13, 2025, Notice Letter.

This matter came before the Board pursuant to Section 4729.96 of the Ohio Revised Code and Rule 4729:3-4-01 of the Ohio Administrative Code. The Board has considered the record as a whole, including all admitted Exhibits, Findings of Fact, Conclusions of Law, and the factors listed in Section 9.79(D)(1)(a)-(e) of the Ohio Revised Code, as set forth with particularity in the Notice of Opportunity for Hearing Proposal to Deny

Application for Technician Registration, the Board hereby adopts the recommendation of the Hearing Examiner and orders the following:

1. The Board hereby Denys Respondent's Pharmacy Technician Trainee Application, APP-000930568, submitted on March 4, 2025.

Mindy Ferris moved for Findings of Fact; Jason George seconded the motion. Motion passed (Aye-7/Nay-0).

Mindy Ferris moved for Conclusions of Law; Jason George seconded the motion. Motion passed (Aye-7/Nay-0).

Mindy Ferris moved for Action of the Board; Jason George seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

R-2026-0238 Mr. George 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. Ferris and a roll-call vote was conducted by *President* Huston as follows: Buettner-yes; George-yes; Grimm-yes; Ferris-yes; Hubert-yes; Miller-yes, and Whiston-yes.

9:16 a.m. The Board returned to public session and Mr. Buchta joined the meeting.

9:16 a.m. The Board was joined by Assistant Attorney General Henry Appel to conduct an adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. In the Matter of Slimbolic DBA Slimbolic Weight Loss & Med Spa, Beavercreek, Ohio.

10:21 a.m. The adjudication hearing for Slimbolic DBA Slimbolic Weight Loss & Med Spa, Beavercreek, Ohio concluded and the Board took a brief recess.

10:31 a.m. The Board returned to public session and was joined by Assistant Attorney General Henry Appel to conduct an adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. In the Matter of Schwieterman's Drug Stores, Coldwater, New Bremen & Minster, Ohio and Dale Bertke, Minster, Ohio.

10:54 a.m. The adjudication hearing for Schwieterman's Drug Stores, Coldwater, New Bremen & Minster, Ohio and Dale Bertke, Minster, Ohio concluded.

10:54 a.m. The Board was joined by Assistant Attorney General Henry Appel to conduct an adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. In the Matter of Walk In Urgent Care, Mansfield, Ohio.

R-2026-0239 Mr. Grimm moved that the Board recess in order to consider the quasi-judicial matters in accordance with Chapter 119. of the Revised Code and the case precedent of

Angerman v. State Medical Bd. (1990) 70 Ohio App.3d 346 and TBC Westlake Inc. v. Hamilton Cty Bd of Revision, et al. (1998) 81 Ohio St.3d 58. The motion was seconded by Mr. Buchta and approved by the Board: Yes-8, No-0.

1:03 p.m. The deliberation ended and the hearing opened to the public.

R-2026-0240 After votes were taken in public session, the Board adopted the following order in the Matter of Slimbolic DBA Slimbolic Weight Loss & Med Spa, Beavercreek, Ohio.

ORDER OF THE OHIO BOARD OF PHARMACY
Case Numbers A-2024-0469 & A-2025-0105

In The Matter Of:
Slimbolic DBA Slimbolic Weight Loss & Med Spa
c/o Matt Elam
67 Marydale Drive, Ste. B
Beavercreek, Ohio 45440
Revoked License No. 02-60002573

INTRODUCTION

On April 21, 2025, the Ohio Board of Pharmacy (Board) issued a Notice of Opportunity for Hearing/Summary Suspension (Notice) to Slimbolic DBA Slimbolic Weight Loss & Med Spa (Slimbolic/Respondent) via registered email to Slimbolic's email of record with the Board. The Certified Record of Opening confirmed the Notice was delivered and opened and Slimbolic timely requested a hearing. On December 2, 2025, Slimbolic withdrew its hearing request. Accordingly, the matter proceeded as if no hearing was requested and came before the Board under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996). On December 9, 2025, this matter came before the following members of the Board: Jeff Huston, RPh, *Presiding*; Jason George, RPh, *Vice President*; Anthony Buchta, Sr., RPh; Trina Buettner, RPh; T.J. Grimm, RPh; Mindy Ferris, RPh; Rich Miller, RPh; Thomas Whiston, RPh; and Leonard Hubert, *Public Member*.

A representative from Slimbolic was not present and not represented by counsel. The State of Ohio was represented by Henry Appel, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witnesses:

1. Sarah Nash, PharmD, RPh – Board Compliance Specialist

Respondent's Witnesses:

1. None

State's Exhibits:

1. Notice Letter

2a. Request for Hearing
2b. Withdrawal of Request for Hearing
3. Initial Scheduling Order
4. Current Scheduling Order
5. First Inspection -- March 27, 2024
6. Response to First Inspection
7. Second Inspection -- May 1, 2024
8. Response to Second Inspection
9. Third Inspection -- May 7, 2024
10. Response to Third Inspection
11. Fourth Inspection -- April 11, 2025
12. Response to Fourth Inspection
13. Alpha BioMed Orders
14. Alpha BioMed Patient Orders (*to be filed under seal)
15. Photos of GLP-1, GLP-2 and GLP-3
16. Photos of Patient Specific Medications (*to be filed under seal)
17. Photos of 2x Blend
18. Purchase Order -- March 25, 2025
19. Receipt for Items Seized
20. Dr. Order for Patient ME (*to be filed under seal)
21. Documentation re Patient FM (*to be filed under seal)
22. E-mail from Matt Elam
23. Text Messages Provided by Matt Elam
24. Advertisements from Alpha BioMed
25. Dosing Instructions
26. Disclaimer Form
27. Notice of Discontinuation
28. Photo of Rx for Patient ME (*to be filed under seal)
29. Injection Records for Patients CS and TB (*to be filed under seal)
30. Patient Record for Patient CS (*to be filed under seal)
31. Patient Record for Patient TB (*to be filed under seal)
32. Proof of Service
33. September 2025 Inspection

Respondent's Exhibits:

A. None

FINDINGS OF FACT

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

1. On or about March 27, 2024, a Board Inspector and a Board Specialist (Board inspectors) conducted an inspection at Slimbolic, located at 67 Marydale Drive, Suite B, Dayton, Ohio. Due to the nature of the violations, the March 27, 2024 inspection led to three follow-up inspections in 2024. A fifth inspection was conducted on April 11, 2025. The results of the fifth inspection, coupled with Slimbolic's blatant and ongoing disregard for regulatory law, as detailed below, resulted in the Board issuing a summary suspension to Slimbolic.

2. The inspection conducted on March 27, 2024 resulted in 14 warnings requiring written responses and multiple additional warnings that did not require response, including but not limited to:

    a. The Responsible Person is not physically present at the clinic for a sufficient amount of time.

        i. It was reported that the Responsible Person, Dr. Katherine Russell, resides in Maine. She did not treat clinic patients, and she had never been physically present at the clinic. Staff indicated they were working on finding a replacement Responsible Person.

    b. Personally furnished dangerous drugs: lack of United States Pharmacopeia (USP) Chapter 797 compliance, non-compliant labels, lack of personal supervision to prepare drugs for personally furnishing, and lack of supervision to distribute personally furnished drugs.

        i. There was no prescriber supervising the compounding, preparation and/or distribution of the drugs that were personally furnished. There was no prescriber performing the "final check" of the compounded drug.

        ii. Four insulin syringes were drawn up with translucent liquid inside and non-compliant labeling. Staff explained these were awaiting patient pickup as "take home doses" of injectable semaglutide and had been prepared from multi-dose vials in the hallway of the clinic. The hallway was not sterile; therefore, this process was not compliant with USP Chapter 797.

        iii. Matt Elam, the clinic owner, was told to immediately cease personally furnishing due to the lack of supervision by a prescriber and the lack of appropriate facilities to do so.

    c. Non-hazardous drugs compounded by a prescriber.

i. There was no prescriber oversight.

ii. The clinic received non-patient specific semaglutide, tirzepetide, lipo mino, and tri-immunity boost from outsourcers. From there, the nurses would draw-up doses into syringes for personal furnishing. This compounding was not performed in a sterile environment.

iii. Staff had not received any specific training from the Responsible Person for compounding. There were no policies and no training records.

iv. Board inspectors observed 2 ml and 5 ml empty sterile vials in the medication cabinet. A nurse and Mr. Elam indicated they were not sure why the clinic had the vials. The inspector was concerned these vials were used for repackaging sterile drugs into patient-specific vials for personal furnishing. Staff denied this occurred at the clinic.

d. Pre-printed orders – the clinic was using non-compliant pre-printed orders for drug administration and non-compliant electronic prescription ordering.

i. Pre-printed orders were observed for semaglutide, tirzepetide, Zofran, and IV hydration.

1. There were only specific doses and frequencies for semaglutide and tirzepetide.
2. The pre-printed order also indicated injections of vitamins up to 1 ml/week were authorized, but did not contain specifics.

3. The orders did not indicate a specific drug, dose, quantity, or frequency, as required.

4. The prescriber's signature was electronic, not manual (this is not compliant with positive identification (ID)).

e. Records of personally furnishing were not compliant.

i. Inspectors observed a binder containing records of personally furnished medication pick up. There was no record of preparing drugs to be personally furnished, as required. There was only a record of the pick-up transaction. The medication strength, quantity, and dose were not clearly marked on the form.

ii. Records observed to be missing altogether: patient address and date of birth and positive ID of the prescriber personally furnishing.

iii. The clinic was told to cease personally furnishing drugs effective immediately. If the clinic obtains a prescriber who will provide prescriber oversight, the clinic was told to obtain a new form that is compliant.

f. Records of in-office drug administration were not compliant.

i. The records were missing drug strength, dose, and date of birth of the patient.

ii. The records did not clearly delineate whether the drug was administered or personally furnished.

iii. Observed a binder labeled with tabs for injection Medication Administration Records (MARs). Of note, due to staff turnover, the process for documenting is inconsistent. Prior staff were documenting administration in the MAR binder; newer staff have documented personally furnishing and administration all in one location.

iv. Records observed to be missing altogether: drug strength and date of birth for the patient being administered the drug.

g. The clinic did not retain all required records. The records that were retained were not stored at the clinic, and notice had not been submitted to the Board for off-site storage.

i. There were no records of drug disposal for non-controlled dangerous drugs. Staff stated disposal was performed without documentation.

ii. Mr. Elam stated he does not always keep records of packing slips or receipts of drugs. His wife keeps track of billing and stores some documents at home.

iii. The clinic stated records would be moved to the clinic by the end of April 2024.

h. Adulterated drug stock was comingled with the active drug stock.

i. Board inspectors observed expired insulin syringes containing a translucent liquid (likely injectable semaglutide prepared from multi-dose vials in the hallway) that were adulterated since they were not in compliance with multiple rules.

i. The clinic did not complete an annual query of the board's online roster prior to purchase of dangerous drugs at wholesale.

j. Refrigerators and/or freezers used for storage of drugs and devices did not record temperatures daily. There were no temperature logs maintained after December 29, 2023. There were no temperatures recorded on weekends or days the clinic was closed.

3. The second inspection was conducted on May 1, 2024. This inspection resulted in five warnings requiring written responses and multiple additional warnings that did not require responses, including but not limited to:

a. The Responsible Person is not physically present at the clinic for a sufficient amount of time.

    i. Mr. Elam explained that he was not a licensed healthcare professional, stated that Dr. Russell was still the Responsible Person; a replacement Responsible Person had not been chosen. He confirmed that she was still never physically onsite.

b. Pre-printed orders – the clinic was using non-compliant pre-printed orders for drug administration and non-compliant electronic prescription ordering.

    i. Pre-printed orders with patient protected health information (PHI) were emailed between the clinic and Dr. Whitaker Smith (license no. 35.069231), who prescribed from Tennessee. Dr. Smith was the only prescriber who prescribed for the clinic's weight loss patients (semaglutide or tirzepatide). Dr. Smith and Mr. Elam corresponded and sent/received orders to the clinic via Gmail email accounts because Dr. Smith did not have access to Slimbolic's electronic medical record (EMR) system. The orders did not have positive ID.

    ii. Once Mr. Elam received Dr. Smith's email with a signed pre-printed order (containing PHI), he entered the prescription into the pharmacy's website account for Slimbolic which was pre-populated with various drugs/strengths/doses/directions. The information entered by Mr. Elam did not match Dr. Smith's prescription, rather Mr. Elam stated he made selections on the website he felt were closest to Dr. Smith's order. Once the prescription arrived at the clinic, Mr. Elam affixed a clinic-made label over the top of the pharmacy label to revert the drug dose and directions back to Dr. Smith's prescribed amount. This was altering the prescription dispensed by the pharmacy and was done without the pharmacy's permission and/or Dr. Smith's knowledge. This constitutes misbranding.

    iii. Mr. Elam was told to cease using the ordering website. Education was provided regarding compliant methods of oral, facsimile, and electronic prescription transmission.

c. Records relating to the practice of pharmacy, the administration of drugs, or any patient specific drug were not kept confidential.

    i. Records provided to the Board as written responses to the 3/27/2024 inspection included pickup station logs, where patients sign to indicate their medication was picked up. The log is a continuous list and displays other patient names, dates of birth, drug names/strengths/dosages.

d. The clinic did not retain all required records. The records that were retained were (still) not stored at the clinic.

i. After the first inspection, the clinic stated records would be moved to the clinic by the end of April 2024. The records had not been relocated to the clinic.

ii. Mr. Elam was relying on the online wholesaler accounts to store the required information; however, when Board inspectors asked to see the account(s), the required information was not present.

4. The third inspection was conducted on May 7, 2024. This inspection resulted in two warnings requiring written responses and multiple additional warnings that did not require response, including but not limited to:

a. The Responsible Person is not physically present at the clinic for a sufficient amount of time.

i. Mr. Elam explained that Dr. Russell had still never been onsite and Dr. Smith- a doctor Mr. Elam had asked to be the Responsible Person- had declined the role. Mr. Elam stated he would continue his search for a Responsible Person.

ii. On or about May 8, 2024, a Board inspector spoke with Dr. Russell who explained Mr. Elam approached her to fulfill the role of Responsible Person and told her she would be utilized for guidance and advice. She would not have accepted the role if she was made aware of the responsibilities. She removed herself as Responsible Person later that day.

iii. Mr. Elam submitted a Change of Responsible Person form on or about May 22, 2024 naming Sarah Bristow, APRN, as Responsible Person of Slimbolic.

b. Pre-printed orders and electronic prescribing– the clinic was still using non-compliant pre-printed orders for drug administration and non-compliant electronic prescription ordering.

i. Mr. Elam and Dr. Smith continued to email pre-printed orders containing PHI because Dr. Smith still did not have access to Slimbolic's EMR.

ii. Once received by the clinic, nurses were transcribing the pre-printed orders onto another written pre-printed order form which was sent via facsimile without a prescriber's wet-ink signature.

iii. Mr. Elam was told to stop emailing PHI and stop the use of nurse-transcribed facsimile order forms. Education was once again provided.

c. Records and protocol of in-office drug administration. Nurses administered doses of semaglutide and tirzepatide in the clinic without a documented order from a prescriber. The only documented prescriber orders were sent to the pharmacy for dispensing.

i. Dr. Smith would send one set of orders. However, clinic staff would sometimes administer the first dose on site from clinic stock and then also

send the entire order (from Dr. Smith) to the pharmacy as a prescription (this would include the already administered dose). This is not compliant. Two sets of orders would be required in this situation.

ii. Other times, the on-site administration would begin when the clinic received the patient-specific prescription from the pharmacy and the initial dose was administered from the patient specific prescription.

d. Pick-up station violations.

i. The clinic was acting as a pick-up station- the patient's prescription was sent to an out of state pharmacy then mailed to the clinic for patient pickup (instead of the patient's address). This occurred despite no clear and convincing evidence that delivery of the prescription to the patient would result in danger to the public health or safety or result in danger to the patient, as required by rule to act as a pick-up station.

ii. Slimbolic was "upcharging" patients at the time of pickup for the medications dispensed by the pharmacy. The clinic was charged $107 by the pharmacy, but Slimbolic charged the patient $199 with no itemized bill explaining the charges. Staff stated a new itemized bill would be implemented by June 2024.

e. Drug storage while unlicensed by the Board. A review of records requested as part of the May 7, 2024 inspection showed Slimbolic served as a pick-up station for at least 374 prescriptions while not licensed as a TDDD with the Board from on or about March 2023 until issuance of the license on August 26, 2023. Mr. Elam explained the clinic did not retain all records of prescriptions received, so the number of prescriptions could not be confirmed.

5. The fourth inspection was conducted on September 25, 2024. This inspection resulted in five warnings requiring written responses and multiple additional warnings that did not require response, including but not limited to:

a. Responsible Person – APRN Bristow was still the Responsible Person. It was reported that she was physically on site every couple of weeks and she was last there about two weeks before the inspection.

i. Board inspectors were unable to report whether APRN Bristow was present a sufficient amount of time; however, due to the multiple warnings issued- many of them repeat violations- it appeared there was not enough supervision provided.

b. Pre-printed orders – the clinic was still using non-compliant pre-printed orders for drug administration and non-compliant electronic prescription ordering.

i. Despite written warnings and education provided at two inspections, Mr. Elam and Dr. Smith continued to exchange PHI, including signed prescriber orders, via email.

ii. Dr. Smith was never granted access to Slimbolic's EMR and electronic prescribing was never implemented despite the clinic's plan to do so in June 2024.

iii. The process was outlined by Mr. Elam. He explained the out of state prescriber would print the pre-printed order form, evaluate the patient via telehealth, complete the pre-printed prescription, scan the form, and email it back to the clinic where clinic staff would transcribe the prescriber's order into the pharmacy's website account, to be dispensed patient-specific for either patient delivery or clinic delivery.

iv. Mr. Elam- who is not a licensed healthcare professional- transmitted prescriptions electronically to pharmacies without providing his name. Mr. Elam, and nurses, would log into Dr. Smith's account as "Dr. Smith" and would not use their own profiles. Therefore, it appeared as if Dr. Smith had transmitted the prescriptions himself.

c. Records and protocol of in-office drug administration. Despite previous warnings and education provided, nurses continued to administer doses of semaglutide and trizepatide at the clinic without a documented order from a prescriber. The only documented prescriber orders were sent to the pharmacy for dispensing.

i. Clinic staff would administer the first dose on site, on the day of the patient's appointment. There was no documented prescriber order for this initial dose, and the clinic was creating an "extra" order which was not approved by Dr. Smith.

d. Pick-up station violations.

i. Despite the previous warning and education provided in May 2024, Slimbolic continued to "upcharge" patients who received pharmacy-dispensed prescriptions. The clinic was charged $55 by the pharmacy for a prescription, but Slimbolic charged the patient $267. There was no itemized bill explaining the charges, despite a response provided to the Board explain an itemized bill would be provided beginning in June 2024.

e. Adulterated drug stock was comingled with the active drug stock.

i. Board inspectors observed patient-specific pickup station multi-dose vials were administered at the clinic, but the vials did not include a date opened or beyond-use date (BUD) applied. A clinic stock multi-dose vial of semaglutide had a sticker to indicate the date to discard, but the writing was smeared and illegible. These vials were adulterated.

f. The clinic did not complete an annual query of the Board's online roster prior to purchase of dangerous drugs at wholesale, from a new wholesaler, despite being warned during the first inspection.

6. On or about May 8, 2024, a Board inspector spoke with Dr. Katherine Russell, the clinic's Responsible Person. She stated she became medical director at Slimbloic in September 2023 through a company called Doctors for Providers. It was advertised as a "side job" where she would be contacted for advice and guidance. She had not been in contact with Mr. Elam between September 2023 and May 1, 2024, after the second Board inspection. She had never been onsite at the clinic. Dr. Russell submitted her removal as Slimbolic's Responsible Person that day.

7. On or about May 8, 2024, a Board inspector spoke with Dr. Whitaker Smith. He stated he connected with Slimbolic through a staffing agency. He began treating Slimbolic patients in approximately August 2023 and estimated he saw between three and eight Slimbolic patients per day. He was not aware of prescriptions being sent to the pharmacy with different doses and instructions than he prescribed. He was not aware of clinic staff altering the pharmacy's label by placing a different label on the vials.

8. On or about April 11, 2025, a fifth inspection was conducted at Slimbolic by a Board inspector and Board specialist (Board inspectors). Upon arrival, the Board inspectors were greeted in the front lobby area by Matt Elam, owner of Slimbolic. Mr. Elam was the only employee present. A Board agent arrived after the inspection started. The following was discovered by the Board inspectors during the inspection:

    a. Vials for injection use from "Alpha BioMed" were observed in a refrigerator. Alpha BioMed is not a legitimate wholesale drug distributor or drug manufacturer and is not licensed in Ohio. Investigation revealed Alpha BioMed does not have an FDA manufacturer registration.

    b. The Alpha BioMed vials observed included:

        i. Two vials in a bag labeled for "Mr. Elam" as personally furnished from Slimbolic, including: one vial labeled "Reta GLP-3" and one vial labeled "2X blend (tesamorelin/ipamorelin)".

        ii. One vial labeled "Sema GLP-1" was not labeled for a patient and not in a bag.

        iii. A bag containing prepared drug to be personally furnished was labeled for patient GW.

            1. The labels were non-compliant and did not include the date furnished or the address of the prescriber.

            2. Mr. Elam's "Reta", later discovered to be retatrutide, labeled dose contradicted the dose documented in his chart.

                a. These are repeat violations from previous inspections.

c. When questioned about the Alpha BioMed products, Mr. Elam explained they were biologics and peptides, not compounded products.

    i. He could not provide an eLicense query for Alpha BioMed but stated they are a manufacturer. He said Slimbolic purchased directly from Alpha BioMed to avoid Eli Lilly lawsuits.

d. Mr. Elam explained the Alpha BioMed drugs were all powders (vs. liquids) and pointed to several bacteriostatic water vials on his desk. He explained he reconstitutes the powders prior to use or personally furnishing.

    i. He removed a vial of Alpha BioMed drug in powder form from his desk drawer.

    ii. When asked to provide all medication products at the clinic, he produced 20 additional vials from his desk and five bags of patient-labeled drugs prepared to be personally furnished.

e. After all drugs were produced by Mr. Elam, drugs purported to be the following were removed from the clinic by Board inspectors:

    i. 6 retatrutide vials

    ii. 13 semaglutide vials
    iii. 3 tirzepatide vials

    iv. 7 “2X blend (tesamorelin/ipamorelin)” vials

        1. Note: Retatrutide is not a Food and Drug Administration-approved medication. During the time of use at Slimbolic it was undergoing Phase III trials. Slimbolic was not part of these Phase III trials.

        2. Each of these vials were labeled as “physician use only” but were not labeled as dietary supplements nor prescription drugs.

f. It was learned that these drugs were being administered at the clinic as well as personally furnished to patients.

9. The inspection of Slimbolic conducted by Board inspectors on April 11, 2025, resulted in 12 warnings requiring a written response and an additional warning that did not require a written response, including:

    a. The clinic did not have a Responsible Person present a sufficient amount of time. The Responsible Person, Sarah Bristow, APRN, has been the Responsible Person since May 23, 2024. She is at the clinic once every three weeks for a few hours each visit. While at the clinic, she does not see patients. This is a repeat violation from previous inspections.

b. The clinic did not complete an eLicense query when ordering dangerous drugs- including drugs for injection labeled Reta, Sema, Tirz, and 2x Blend- at wholesale from Alpha BioMed. This is a repeat violation from previous inspections.

c. Personally furnished drug labels did not contain the required information. Personally furnished drugs were observed to be missing the date furnished and the address of the prescriber. One drug was observed with the incorrect dose/directions.

d. Plastic caps were observed in a medication supply closet. Mr. Elam explained the caps were to cap syringes of Lipo-Mino-Mix so patients could take them home for injection use. Slimbolic had no record of personally furnishing signed by a prescriber. Mr. Elam confirmed the syringes were furnished without a prescriber providing supervision. Note: Lipo-Mino-Mix is a compounded dangerous drug when pre-filled into syringes in a clinic setting.

e. Prescriber orders documented in patient charts did not match the dose documented as either administered or personally furnished. Additionally, there was not always an order or protocol for drugs administered by a health care professional who is not a prescriber. Board inspectors observed the following:

    i. Patient TB had an order for 1 mg semaglutide, weekly.

        1. The dose documented as administered on 3/28/2025 was 2.5 mg.

    ii. Patient CS had an electronic chart order for 2.5 mg (50 units) semaglutide weekly.

        1. The dose documented as administered on 3/28/2025 was 2.5 mg (100 units).

        2. Neither the order nor the administration log had the drug concentration documented.

    iii. Prescriber order stated “Retatrutide starting dose SQ weekly x 4 weeks" and “"Will start retatrutide and titrate as per schedule".

    iv. Mr. Elam was unable to retrieve medication orders from prescribers in the electronic medical record (EMR) when asked to do so. He demonstrated a lack of knowledge of the EMR system and repeatedly stated “I am not sure where to find that.”

    v. Due to his inability to locate prescriber orders in the EMR system(s), Mr. Elam was asked how he or Slimbolic’s nursing staff knew to prepare drugs to be personally furnished. He was unable to provide an answer. There was no explanation provided for the dose discrepancy.

f. A prescriber is not personally furnishing drugs; non-prescriber clinic staff is conducting all aspects of the personally furnishing. A prescriber is not providing oversight for the compounding of personally furnished drugs and although a prescriber may delegate an individual(s) to distribute the drugs (while providing supervision), the drugs must be personally furnished by the prescriber. There is no prescriber involved in any of these processes at the clinic and there is no prescriber providing the medication validation, or “final check.”

   i. The clinic is drawing up syringes of Lipo-Mino and sending them home with patients for at-home injection. Nurses are preparing syringes when there is no prescriber is on site. There is no prescriber verifying the immediate-use compounded products and the clinic does not have facilities to allow the pre-filling of syringes.

   ii. This is a repeat violation from previous inspections.

   iii. The clinic is also personally furnishing vials of "sema GLP-1," "tirz GLP-2," "Reta GLP-3," and "2x blend" without a prescriber.

g. Records of personally furnishing did not contain the required information.

   i. Records of personally furnished drugs did not contain the positive identification of the prescriber who personally furnished the drug.

      1. The clinic maintained a pick-up log that contained the initials of the nurse who provided the personally furnished drug to the patient and (sometimes) the signature of the patient picking up the drug.

h. Refrigerators used for storage of drugs and devices did not record temperatures daily.

   i. The paper temperature logs were incomplete, beginning April 20, 2024. There were no temperatures recorded during long periods of time. For example, there were no entries recorded from August 15, 2024 to August 31, 2024. This was a repeat violation from previous inspections.

i. Observed patient specific medications that were packaged for personally furnishing stored in a refrigerator with food.

CONCLUSIONS OF LAW

1. Such conduct as set forth in the Findings of Fact, constitutes a violation of section 3715.52 of the ORC, prohibited acts, each, a misdemeanor of the fourth degree: The following acts and causing them are prohibited:

a. The manufacture, sale, or delivery, holding or offering for sale of any food, drug, device, or cosmetic that is adulterated[1] or misbranded,[2] ORC Section 3715.52(A)(1); and

b. The adulteration or misbranding of any food, drug, device, or cosmetic, ORC Section 3715.52(A)(2); and

c. The receipt in commerce of any food, drug, device, or cosmetic that is adulterated or misbranded, and the delivery or proffered delivery thereof for pay or otherwise, ORC Section 3715.52(A)(3); and

d. The sale, delivery for sale, holding for sale, or offering for sale of any article in violation of section 3715.61 or 3715.65 of the Revised Code, ORC Section 3715.52(A)(4); and

e. The dissemination of any false advertisement, ORC Section 3715.52(A)(5).

2. Such conduct as set forth in the Findings of Fact, constitutes a violation of section 3715.68(A) of the ORC, An advertisement of food, drug, device, or cosmetic is false if it is false or misleading in any particular.

3. Such conduct as set forth in the Findings of Fact constitutes a violation of sections 2925.23(A) of the ORC, illegal processing, each, a felony of the fourth degree.
4. Such conduct as set forth in the Findings of Fact constitutes a violation of sections 2925.23(B) of the ORC, illegal processing, each, a felony of the fifth degree.

5. Such conduct as set forth in the Findings of Fact constitutes a violation of section 4729.291(A) of the ORC, Drugs personally furnished by prescriber- Except when provided under section 4731.97 of the Revised Code, when a licensed health professional authorized to prescribe drugs personally furnishes drugs to a patient pursuant to division (B) of section 4729.29 of the Revised Code, the prescriber shall ensure that the drugs are labeled and packaged in accordance with state and federal drug laws and any rules and regulations adopted pursuant to those laws. Records of purchase and disposition of all drugs personally furnished to patients shall be maintained by the prescriber in accordance with state and federal drug statutes and any rules adopted pursuant to those statutes.

6. Such conduct as set forth in the Findings of Fact constitutes a violation of Section 4729.51(F) of the ORC, effective September 29, 2017 and April 6, 2017, No licensed terminal distributor of dangerous drugs or person that is exempt from licensure under section 4729.541 of the Revised Code shall purchase dangerous drugs or investigational drugs or products from any person other than a licensed manufacturer, outsourcing facility, third-party logistics provider, repackager, or wholesale distributor, each violation is a misdemeanor of the first degree.

---

[1] ORC Section 3715.63 – When drug or device is adulterated.
[2] ORC Section 3715.64 – Misbranded drug or device.

7. Such conduct as set forth in the Findings of Fact constitutes a violation of Section 4729.60(B) of the ORC, Before a licensed terminal distributor of dangerous drugs may purchase dangerous drugs at wholesale, the terminal distributor shall query the roster established pursuant to section 4729.59 of the Revised Code to confirm the seller is licensed to engage in the sale or distribution of dangerous drugs at wholesale.

8. Such conduct as set forth in the Findings of Fact constitutes a violation of the following sections of Rule 4729:5-3-04 of the OAC, as effective March 1, 2019:

    a. Before a terminal distributor of dangerous drugs may purchase dangerous drugs at wholesale, the terminal distributor shall query the board's online roster (available on the board's website: www.pharmacy.ohio.gov) to confirm any of the following:

        i. The seller is licensed to engage in the sale of dangerous drugs in accordance with section 4729.52 of the Revised Code, OAC Rule 4729:5-3-04(A)(1); and

        ii. The seller is licensed to engage in the occasional sale or distribution of dangerous drugs at wholesale in accordance with rule 4729:5-3-09 of the Administrative Code, OAC Rule 4729:5-3-04(A)(2); and

    b. If no documented query is conducted before a purchase is made, it shall be presumed that the purchase of dangerous drugs by the terminal distributor is in violation of section 4729.51 of the Revised Code, OAC Rule 4729:5-3-04(B).

9. Such conduct as set forth in the Findings of Fact constitutes a violation of the following sections of Rule 4729:5-2-01 of the OAC, as effective April 25, 2022

    a. The responsible person to whom the terminal distributor of dangerous drugs license has been issued and all licensed health professionals on duty are responsible for compliance with all state and federal laws, regulations, and rules governing the distribution of dangerous drugs, OAC Rule 4729:5-2-01(E)(4); and

    b. A responsible person must be physically present at the location for a sufficient amount of time to provide supervision and control of dangerous drugs on-site, OAC Rule 4729:5-2-01(E)(5); and

    c. The responsible person shall be responsible for ensuring the terminal distributor of dangerous drugs requirements are met, including, but not limited to, the supervision and control of dangerous drugs as required in division (B) of section 4729.55 of the Revised Code, adequate safeguards as required in division (C) of section 4729.55 of the Revised Code, security and control of dangerous drugs and maintaining all drug records otherwise required, OAC Rule 4729:5-2-01(E)(6).

10. Such conduct as set forth in Findings of Fact constitutes a violation of each of the following divisions of Section 4729.55 of the ORC, as effective October 3, 2023, TDDD license requirements:

    a. The applicant is equipped as to land, buildings, and equipment to properly carry on the business of a terminal distributor of dangerous drugs within the category of licensure approved by the board, ORC 4729.55(A); and

    b. A… licensed health professional authorized to prescribe drugs… will maintain supervision and control over the possession and custody of dangerous drugs that may be acquired by or on behalf of the applicant, ORC 4729.55(B); and

    c. Adequate safeguards are assured to prevent the sale or other distribution of dangerous drugs by any person other than a pharmacist or licensed health professional authorized to prescribe drugs, ORC 4729.55(C).

11. Such conduct as set forth in Findings of Fact constitutes a violation of each of the following divisions of Section 4729.57(B) of the ORC, as effective April 4, 2023:

    a. Violating any rule of the board, ORC Section 4729.57(B)(2); and

    b. Violating any provision of this chapter, ORC Section 4729.57(B)(3); and

    c. Except as provided in section 4729.89 of the Revised Code, violating any provision of the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, or Chapter 3715. of the Revised Code, ORC Section 4729.57(B)(4); and

    d. Violating any provision of the federal drug abuse control laws or Chapter 2925. or 3719. of the Revised Code, ORC Section 4729.57(B)(5); and

    e. Falsely or fraudulently promoting to the public a dangerous drug, except that nothing in this division prohibits a terminal distributor of dangerous drugs from furnishing information concerning a dangerous drug to a health care provider or another licensed terminal distributor; ORC Section 4729.57(B)(6); and

    f. Ceasing to satisfy the qualifications of a terminal distributor of dangerous drugs set forth in section 4729.55 of the Revised Code, ORC Section 4729.57(B)(7); and

    g. Any other cause for which the board may impose discipline as set forth in rules adopted under section 4729.26 of the Revised Code, ORC Section 4729.57(B)(10).

12. Such conduct as set forth in Findings of Fact constitutes a violation of the following sections of Rule 4729:5-4-01 of the OAC, as effective April 25, 2022:

    a. Violating any rule of the board, OAC Rule 4729:5-4-01(B)(2); and

b. Violating any provision of Chapter 4729. of the Revised Code, OAC Rule 4729:5-4-01(B)(3); and

c. Except as provided in section 4729.89 of the Revised Code, violating any provision of the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, or Chapter 3715. of the Revised Code, OAC Rule 4729:5-4-01(B)(4); and

d. Violating any provision of the federal drug abuse control laws or Chapter 2925. or 3719. of the Revised Code, OAC Rule 4729:5-4-01(B)(5); and

e. Falsely or fraudulently promoting to the public a dangerous drug, except that nothing in this rule prohibits a terminal distributor of dangerous drugs from furnishing information concerning a dangerous drug to a health care provider or another licensed terminal distributor, OAC Rule 4729:5-4-01(B)(6); and

f. Ceasing to satisfy the qualifications of a terminal distributor of dangerous drugs set forth in section 4729.55 of the Revised Code, OAC Rule 4729:5-4-01(B)(7); and

g. Commission of an act that constitutes a disqualifying offense, regardless of the jurisdiction in which the act was committed, OAC Rule 4729:5-4-01(B)(14); and

h. Commission of an act that constitutes a misdemeanor that is related to, or committed in, the person's professional practice, OAC Rule 4729:5-4-01(B)(18); and

i. The method used by the terminal distributor to store, possess or distribute dangerous drugs poses serious harm to others, OAC Rule 4729:5-4-01(B)(23).

13. Such conduct as set forth in the Findings of Fact constitutes a violation of the following sections of Rule 4729:7-3-03 of the OAC, as effective March 31, 2021:

a. Except as provided in paragraph (C) of this rule, all non-hazardous, sterile compounded drug preparations, shall be prepared in accordance with United States pharmacopeia chapter <797>, OAC Rule 4729:7-3-03(B); and

b. For all immediate-use, non-hazardous sterile compounded drug preparations, a prescriber shall comply with either:

i. Rule 4729:7-3-04 of the Administrative Code, OAC Rule 4729:7-3-03(C)(1); or

ii. United States pharmacopeia chapter <797>, OAC Rule 4729:7-3-03(C)(2); and

c. For all hazardous non-sterile and sterile compounded drug preparations, a prescriber shall comply with rule 4729:7-3-05 of the Administrative Code, OAC Rule 4729:7-3-03(D); and

d. The responsible person of a facility where a prescriber is engaged in the compounding of dangerous drugs shall be responsible for all of the following:

i. Developing and implementing appropriate compounding procedures, OAC Rule 4729:7-3-03(E)(1); and

ii. Overseeing facility compliance with this rule, OAC Rule 4729:7-3-03(E)(2); and

iii. Compliance with Title 21 U.S. Code section 353a (November 27, 2013) and all other applicable federal and state laws, regulations and rules, OAC Rule 4729:7-3-03(E)(3); and

iv. Ensuring documented training and competency of compounding personnel, OAC Rule 4729:7-3-03(E)(4); and

v. Ensuring environmental control of the compounding areas, OAC Rule 4729:7-3-03(E)(5); and

vi. Ensuring compounded drug preparations maintain quality and sterility until administered or personally furnished, OAC Rule 4729:7-3-03(E)(6); and

vii. Maintaining drug compounding records pursuant to rule 4729:7-3-06 of the Administrative Code, OAC Rule 4729:7-3-03(E)(7); an

viii. The proper maintenance, cleanliness, and use of all equipment used in compounding, OAC Rule 4729:7-3-03(E)(8); and

ix. Ensuring aseptic technique for the preparation of all sterile compounded drugs, OAC Rule 4729:7-3-03(E)(9); and

e. A prescriber may designate an appropriately trained agent to prepare compounded drug preparations, OAC Rule 4729:7-3-03(F); and

f. For all compounded drugs prepared pursuant to this rule, a prescriber shall:

i. Inspect and approve the compounding process, OAC Rule 4729:7-3-03(G)(1); and

ii. Except as provided in paragraph (H) of this rule, perform medication validation ("final check") prior to the medication being administered, OAC Rule 4729:7-3-03(G)(2); and

g. All the following are required to administer a compounded drug preparation in accordance with paragraphs (H)(1) and (H)(2) of this rule:

i. Verify the accuracy of:

1. Drug name, OAC Rule 4729:7-3-03(I)(3)(a); and
2. Drug strength and dosage form, OAC Rule 4729:7-3-03(I)(3)(b); and
3. Drug volume, OAC Rule 4729:7-3-03(I)(3)(c); and
4. Rate of administration, OAC Rule 4729:7-3-03(I)(3)(d); and
5. Route of administration, OAC Rule 4729:7-3-03(I)(3)(e); and
6. Expiration dates/times, OAC Rule 4729:7-3-03(I)(3)(f); and
7. Appearance and physical integrity of the drugs, OAC Rule 4729:7-3-03(I)(3)(g); and

ii. Indicate in the compounding record verification was completed, OAC Rule 4729:7-3-03(I)(4); and

iii. A licensed prescriber is on-site and immediately available, OAC Rule 4729:7-3-03(I)(5).

14. Such conduct as set forth in the Findings of Fact constitutes a violation of the following sections of Rule 4729:7-3-04 of the OAC, as effective April 2, 2021:

a. The responsible person of a facility where a prescriber is engaged in the compounding of immediate-use, sterile non-hazardous dangerous drug preparations in accordance with paragraph (B) of this rule shall be responsible for all the following:

i. Developing and implementing appropriate compounding procedures, OAC Rule 4729:7-3-04(A)(1); and

ii. Overseeing facility compliance with this rule, OAC Rule 4729:7-3-04(A)(2); and

iii. Compliance with Title 21 U.S.C. section 353a (11/27/2013) and all other applicable federal and state laws, regulations and rules, OAC Rule 4729:7-3-04(A)(3); and

iv. Ensuring training and competency of compounding personnel, OAC Rule 4729:7-3-04(A)(4); and

v. Ensuring that compounded drug preparations maintain quality and sterility until administered, OAC Rule 4729:7-3-04(A)(5); and

vi. Maintaining drug compounding records pursuant to rule 4729:7-3-06 of the Administrative Code, OAC Rule 4729:7-3-04(A)(6); and

vii. The proper maintenance, cleanliness, and use of all equipment used in compounding, OAC Rule 4729:7-3-04(A)(7); and

viii. Ensuring aseptic technique for the preparation of all sterile compounded drugs, OAC Rule 4729:7-3-04(A)(8); and

b. Immediate-use, sterile compounded drug preparations are exempt from the requirements in rule 4729:7-3-03 of the Administrative Code if all the following criteria are met:

i. The compounding process involves the simple transfer of not more than three commercially manufactured packages of sterile, non-hazardous drugs from the manufacturers' original containers and not more than two entries into any one container or package (e.g., bag, vial) of sterile infusion solution or administration container/device, OAC Rule 4729:7-3-04(B)(1); and

ii. Personnel shall adhere to appropriate aseptic technique, including all the following:

1. Before beginning compounding activities, personnel shall perform a thorough hand-hygiene procedure, OAC Rule 4729:7-3-04(B)(2)(a); and

2. Compounding personnel shall don gloves prior to engaging in compounding activities, OAC Rule 4729:7-3-04(B)(2)(b); and

iii. If not immediately administered, the finished compounded drug preparation shall be regularly monitored by compounding personnel to minimize the potential for contact with non-sterile surfaces, introduction of particulate matter or biological fluids, mix-ups with other compounded drug preparations, and direct contact of outside surfaces, OAC Rule 4729:7-3-04(B)(3); and

iv. The beyond-use date for an immediate-use compounded drug preparation is as follows:

1. Except as provided in paragraph (B)(4)(b) of this rule, no later than six-hours following preparation of the drug, OAC Rule 4729:7-3-04(B)(4)(a); and

2. For preparations of buffered lidocaine containing antimicrobial preservatives, no later than twelve-hours following preparation of the drug, OAC Rule 4729:7-3-04(B)(4)(b); and

v. If administration has not begun within the beyond-use dating described in paragraph (B)(4) of this rule, the drug shall be promptly, properly, and safely disposed. Records of disposal shall be maintained in accordance with rule 4729:7-3-06 of the Administrative Code, OAC Rule 4729:7-3-04(B)(5); and

vi. Unless administered immediately, the compounded drug preparation shall bear a label listing all the following:

1. Except for preparations compounded in accordance with paragraph (G)(2) of this rule, patient identification information, including the patient's first and last name, OAC Rule 4729:7-3-04(B)(6)(a); and

2. The name and quantity of each ingredient, OAC Rule 4729:7-3-04(B)(6)(b); and

3. The beyond-use date and time prepared, OAC Rule 4729:7-3-04(B)(6)(c); and

4. The name or initials of the person who prepared the compounded drug preparation, OAC Rule 4729:7-3-04(B)(6)(d); and

vii. Immediate-use compounded drug preparations are for administration only and shall not be personally furnished by a prescriber, OAC Rule 4729:7-3-04(B)(7); and

c. Unless administered within one-hour of preparation, sterile compounded drug preparations for immediate-use shall be prepared in a designated clean medication area that is not adjacent to areas where potentially contaminated or hazardous items are placed. Such an area shall be limited to compounding personnel and shall not be in a location that has unsealed windows or doors that connect to the outdoors or high traffic flow, or that is adjacent to construction sites, warehouses, or food preparation. Cleaning and disinfection agents must be selected and used with careful consideration of compatibility, effectiveness, and inappropriate or toxic residues. Cleaning and disinfecting shall occur before compounding is performed. This shall be followed by wiping with a residue-free disinfecting agent, such as sterile seventy per cent isopropyl alcohol, which is allowed to dry before compounding begins, OAC Rule 4729:7-3-04(C); and

d. Preparations that do not meet all the requirements listed in paragraph (B) of this rule shall comply with the requirements in rule 4729:7-3-03 of the Administrative Code, OAC Rule 4729:7-3-04(E); and

e. Immediate-use compounded drug preparations shall be prepared in accordance with this rule except in an emergency, as documented in the medical record, when the product is required to treat the immediate needs of a patient whose health would otherwise be jeopardized, OAC Rule 4729:7-3-04(F); and

f. Except as provided in paragraph (G)(2) of this rule, compounding for anticipated needs or engaging in compounding practices where multiple non-patient specific doses are produced in a single activity is prohibited, OAC Rule 4729:7-3-04(G)(1); and

g. Records of drug compounding shall be maintained pursuant to rule 4729:7-3-06 of the Administrative Code, OAC Rule 4729:7-3-04(H); and

h. A prescriber may designate an appropriately trained agent to prepare compounded drug preparations, OAC Rule 4729:7-3-04(K); and

i. For all compounded drugs prepared pursuant to this rule, a prescriber shall:

i. Inspect and approve the compounding process, OAC Rule 4729:7-3-04(L)(1); and

ii. Except as provided in paragraph (M) of this rule, perform medication validation ("final check") prior to the medication being administered, OAC Rule 4729:7-3-04(L)(2); and

j. The requirements of paragraph (M)(2) of this rule do not apply to either of the following:

i. A compounded drug preparation is being administered to a patient in the facility by a nurse licensed under Chapter 4723. of the Revised Code pursuant to a prescriber's order and, prior to administration, at least two nurses that are approved by the responsible person to prepare or administer compounded drugs comply with the requirements in paragraph (N) of this rule, OAC Rule 4729:7-3-04(M)(1); or

ii. A compounded drug preparation is prepared and administered to a patient in the facility by a nurse licensed under Chapter 4723. of the Revised Code pursuant to a prescriber's order and, prior to administration, the same nurse complies with paragraph (N) of this rule, OAC Rule 4729:7-3-04(M)(2); and

k. All the following are required to administer a compounded drug preparation in accordance with paragraphs (M)(1) and (M)(2) of this rule:

i. Verify the accuracy of:

1. Drug strength and dosage form, OAC Rule 4729:7-3-04(N)(3)(b); and
2. Expiration dates/times, OAC Rule 4729:7-3-04(N)(3)(f); and
3. Appearance and physical integrity of the drugs, OAC Rule 4729:7-3-04(N)(3)(g); and

ii. Indicate in the compounding record verification was completed, OAC Rule 4729:7-3-04(N)(4); and

iii. A licensed prescriber is on-site and immediately available, OAC Rule 4729:7-3-04(N)(5).

15. Such conduct as set forth in the Findings of Fact constitutes a violation of the following sections of Rule 4729:7-3-06 of the OAC, as effective March 31, 2021:

a. The responsible person shall maintain the following records relating to the compounding of dangerous drugs:

i. All drug orders and records, including logs, relating to the compounding of drugs. Such drug orders and records may be retained by any process providing an exact duplicate of the original order or prescription, OAC Rule 4729:7-3-06(A)(1); and

ii. All records maintained pursuant to this rule may be electronically created and maintained, provided that the system that creates and maintains the electronic record does so in accordance with the following:

1. Complies with the requirements of this rule, OAC Rule 4729:7-3-06(A)(2)(a); and

2. All paper records shall be scanned in full color via technology designed to capture information and reproduce it in an electronic medium presentable and usable to an end user, OAC Rule 4729:7-3-06(A)(2)(b); and

3. Contains security features, such as unique user names and passwords, to prevent unauthorized access, OAC Rule 4729:7-3-06(A)(2)(c); and

4. Contains daily back-up functionality to protect against record loss, OAC Rule 4729:7-3-06(A)(2)(d); and

iii. Records of each drug compounded shall, at a minimum, include all the following:

1. The full name of the patient, unless compounded in accordance with paragraph (G)(2) of rule 4729:7-3-04 of the Administrative Code, OAC Rule 4729:7-3-06(A)(3)(a); and

2. Name, strength, and dosage form of the compounded drug, Rule 4729:7-3-06(A)(3)(b); and

3. Name and quantity of each ingredient, Rule 4729:7-3-06(A)(3)(c); and

4. If a controlled substance, the disposition of unused drug(s) and amount, Rule 4729:7-3-06(A)(3)(d); and

5. Date and time of preparation, Rule 4729:7-3-06(A)(3)(e); and

6. Beyond-use date of the compounded drug, Rule 4729:7-3-06(A)(3)(f); and

7. The positive identification of the personnel responsible for compounding the drug, Rule 4729:7-3-06(A)(3)(g); and

8. The positive identification of either of the following:

a. Person or persons performing medication validation prior to the compounded drug being administered, Rule 4729:7-3-06(A)(3)(h)(i); and

b. The prescriber personally furnishing the compounded drug, Rule 4729:7-3-06(A)(3)(h)(ii); and

b. Records of disposal of compounded drugs, other than controlled substances, shall contain the name, strength, dosage form, and quantity of the dangerous drug disposed, the date of disposal, the method of disposal, the identification of the licensed health care professional that performed the disposal, OAC Rule 4729:7-3-06(B); and

c. All records maintained in accordance with this rule shall be readily retrievable and shall be kept on-site for a period of three years.

i. A terminal distributor intending to maintain records at a location other than the location licensed by the state board of pharmacy must notify the board in a manner determined by the board, OAC Rule 4729:7-3-06(E)(1); and

ii. Any such alternate location shall be secured and accessible only to authorized representatives or contractors of the terminal distributor of dangerous drugs, OAC Rule 4729:7-3-06(E)(2).

16. Such conduct as set forth in the Findings of Fact constitutes a violation of the following sections of Rule 4729:5-3-06 of the OAC, as effective July 1, 2024:
a. To prevent their use, adulterated drugs, as defined in agency 4729 of the Administrative Code, shall be stored in a separate and secure area apart from the storage of drugs used for dispensing, personally furnishing, compounding, and administration.

i. Dangerous drugs, other than controlled substances, may be destroyed utilizing proper methods of disposal and following the record keeping requirements noted in agency 4729 of the Administrative Code, or may be donated to a pharmacy school pursuant to sections 3715.88 to 3715.92 of the Revised Code. Methods of disposal of non-controlled dangerous drugs shall prevent the possession or use of the drugs by unauthorized persons, OAC Rule 4729:5-3-06(B).

17. Such conduct as set forth in Findings of Fact constitutes a violation of the following sections of Rule 4729:5-3-14(A) of the OAC, as effective March 1, 2020. All terminal distributors of dangerous drugs shall provide effective controls and procedures to: Ensure supervision and control of dangerous drugs, as required in division (B) of

section 4729.55 of the Revised Code, and adequate safeguards to ensure that dangerous drugs are being distributed in accordance with all state and federal laws, as required in section 4729.55 of the Revised Code, OAC Rule 4729:5-3-14(A)(2).

18. Such conduct as set forth in Findings of Fact, if proven, each constitutes a violation of the following sections of Rule 4729:5-19-02 of the OAC, as effective March 1, 2020:

    a. A prescriber who personally furnishes a dangerous drug, other than a sample drug pursuant to section 3719.81 of the Revised Code, shall affix to the container a label showing:

        i. The name and address of the prescriber, OAC Rule 4729:5-19-02(A)(1); and

        ii. Directions for use, OAC Rule 4729:5-19-02(A)(4); and

        iii. Date furnished, OAC Rule 4729:5-19-02(A)(5); and

        iv. If a compounded drug, the statement "Compounded Drug" or other similar statement shall also be displayed prominently on the label, OAC Rule 4729:5-19-02(A)(6); and

    b. Except as provided in paragraph (E)(2) of this rule, only a prescriber shall personally furnish a drug. The act of personally furnishing shall be documented using positive identification, OAC Rule 4729:5-19-02(E)(1); and

    c. A prescriber may designate a licensed health care professional acting within the scope of the professional's practice and, under the personal supervision of a prescriber or pharmacist, to prepare and package a dangerous drug that will be personally furnished by the prescriber or a pharmacist in accordance with paragraph (E)(2) of this rule, OAC Rule 4729:5-19-02(F)(1); and

    d. A prescriber may designate an unlicensed person, under the personal supervision of a prescriber or pharmacist, to prepare and package a dangerous drug that will be personally furnished by the prescriber or a pharmacist in accordance with paragraph (E)(2) of this rule, OAC Rule 4729:5-19-02(F)(2);

    e. Provision of dangerous drugs. A prescriber may delegate an individual or individuals to distribute dangerous drugs personally furnished by a prescriber or pharmacist if all the following apply:

        i. A prescriber or pharmacist provides personal supervision, OAC Rule 4729:5-19-02(H)(1)(a); and

        ii. Counseling is offered in accordance with paragraph (G) of this rule, OAC Rule 4729:5-19-02(H)(1)(b); and

        iii. This task may be delegated in accordance with applicable state laws and rules, OAC Rule 4729:5-19-02(H)(1)(c).

f. Any patient specific dangerous drug dispensed by a pharmacy that is provided to a patient by a prescriber pursuant to rule 4729:5-5-14 of the Administrative Code is the property of that patient and is not considered personally furnishing. No prescriber that provides a patient with a drug pursuant to rule 4729:5-5-14 of the Administrative Code shall charge any additional fees or require any additional monetary compensation for the dangerous drug, OAC Rule 4729:5-19-02(K).

19. Such conduct as set forth in Findings of Fact constitutes a violation of the following sections of Rule 4729:5-19-03 of the OAC, as effective February 4, 2021:

a. Only a prescriber shall have access to uncompleted prescription blanks used for writing a prescription. Uncompleted prescription blanks shall be secured when not in use, OAC Rule 4729:5-19-03(D); and

b. All records relating to the receipt, administration, distribution, personal furnishing and sale of dangerous drugs shall be maintained under appropriate supervision and control to restrict unauthorized access, OAC Rule 4729:5-19-03(J); and

c. All areas where dangerous drugs and devices are stored shall be dry, well-lit, well-ventilated, and maintained in a clean and orderly condition. Storage areas shall be maintained at temperatures and conditions which will ensure the integrity of the drugs prior to use as stipulated by the USP/NF and/or the manufacturer's or distributor's labeling. Refrigerators and freezers used for the storage of drugs and devices shall comply with the following:

i. Maintain either of the following to ensure proper refrigeration and/or freezer temperatures are maintained:

1. Temperature logs with, at a minimum, daily observations, OAC Rule 4729:5-19-03(K)(1)(a); or

2. A temperature monitoring system capable of detecting and alerting staff of a temperature excursion, OAC Rule 4729:5-19-03(K)(1)(b); and

ii. The terminal distributor shall develop and implement policies and procedures to respond to any out of range individual temperature readings or excursions to ensure the integrity of stored drugs, OAC Rule 4729:5-19-03(K)(2); and

iii. The terminal distributor shall develop and implement a policy that no food or beverage products are permitted to be stored in refrigerators or freezers used to store drugs, OAC Rule 4729:5-19-03(K)(3); and

d. Upon the initial puncture of a multiple-dose vial containing a drug, the vial shall be labeled with a beyond-use date or date opened. The beyond-use date for an opened or entered (e.g., needle punctured) multiple-dose container with antimicrobial preservatives is twenty-eight days, unless otherwise specified by

the manufacturer. A multiple-dose vial that exceeds its beyond-use date shall be deemed adulterated, OAC Rule 4729:5-19-03(L); and

e. Adulterated drugs, including expired drugs, shall be stored in accordance with rule 4729:5-3-06 of the Administrative Code, OAC Rule 4729:5-19-03(M); and

f. Disposal of non-controlled dangerous drugs shall be conducted in accordance with rule 4729:5-3-06 of the Administrative Code, OAC Rule 4729:5-19-03(O).

20. Such conduct as set forth in Findings of Fact constitutes a violation of the following sections of Rule 4729:5-19-04 of the OAC, as effective February 4, 2021:

a. A clinic or prescriber office shall keep a record of all dangerous drugs received, administered, personally furnished, disposed, sold or transferred, OAC Rule 4729:5-19-04(A); and

b. Records of receipt shall contain the name, strength, dosage form, and quantity of the dangerous drugs received, the name and address of the seller, the name and address of the recipient, and the date of receipt. An invoice from a drug distributor licensed in accordance with division 4729:6 of the Administrative Code containing the required information may be used to meet this requirement, OAC Rule 4729:5-19-04(B); and

c. Records of temperature control monitoring described in paragraph (K)(1) of rule 4729:5-19-03 of the Administrative Code shall include any of the following:

i. For temperature logs, either:

1. The date and time of observation, the full name or the initials of the individual performing the check, and the temperature recorded, OAC Rule 4729:5-19-04(C)(1)(a); and

2. For systems that provide automated temperature monitoring, maintain a report that provides, at a minimum, the date and time of observation and the temperature recorded, OAC Rule 4729:5-19-04(C)(1)(b); and

ii. For temperature monitoring systems capable of detecting and alerting staff of a temperature excursion, maintain reports that provide information on any temperature excursion that includes the date, time, temperature recorded, and length of each excursion, OAC Rule 4729:5-19-04(C)(2); and

d. Records of personally furnishing shall contain the name, strength, dosage form, and quantity of the dangerous drugs personally furnished, the name, address and date of birth of the person to whom or for whose use the dangerous drugs were personally furnished, the positive identification of the prescriber personally furnishing the drug, the date the drug is personally

furnished and, if applicable, the date the drug is received by the patient or patient's caregiver, OAC Rule 4729:5-19-04(D); and

e. Records of administration shall contain the name, strength, dosage form, and quantity of the dangerous drugs administered, the name and date of birth of the person to whom or for whose use the dangerous drugs were administered, the date of administration, and either:

i. For non-controlled substance dangerous drugs: the identification of the health care professional administering the drug, OAC Rule 4729:5-19-04(E)(1)(a); an

ii. Records of dangerous drugs administered which become a permanent part of the patient's medical record shall be deemed to meet the requirements of this paragraph, OAC Rule 4729:5-19-04(E)(2); and

iii. Records of dangerous drugs administered by a health care professional, acting within the professional's scope of practice, who is not a prescriber shall include documentation of an order issued by a prescriber or protocol authorizing the administration of the drug. An order that is a permanent part of the patient's medical record shall be deemed to meet the requirements of this paragraph. Orders for the administration of controlled substances shall be documented using positive identification, OAC Rule 4729:5-19-04(E)(3); and

f. Records of disposal of dangerous drugs from inventory, other than controlled substances, shall contain the name, strength, dosage form, and quantity of the dangerous drug disposed, the date of disposal, the method of disposal, and the identification of the licensed health care professional that performed the disposal, OAC Rule 4729:5-19-04(F); and

g. All records maintained in accordance with this rule and rule 4729:5-19-03 of the Administrative Code shall be readily retrievable and shall be kept on-site for a period of three years.

i. A terminal distributor intending to maintain records at a location other than the location licensed by the state board of pharmacy must notify the board in a manner determined by the board, OAC Rule 4729:5-19-04(J)(1); and

ii. Any such alternate location shall be secured and accessible only to authorized representatives or contractors of the terminal distributor of dangerous drugs, OAC Rule 4729:5-19-04(J)(2).

21. Such conduct as set forth in Findings of Fact constitutes a violation of the following sections of Rule 4729:5-5-14 of the OAC, as effective December 1, 2020: The state board of pharmacy may restrict a site from acting as a pick-up station if it has clear and convincing evidence that the activities of the pick-up station present the following:

a. Danger to public health or safety, OAC Rule 4729:5-5-14(C)(1); or

b. Danger to the patient, OAC Rule 4729:5-5-14(C)(1).

DECISION OF THE BOARD

Pursuant to Section 4729.57 of the Ohio Revised Code and Ohio Administrative Code 4729:5-1-01(U), and after consideration of the record as a whole, the findings of fact and violations of law, the pattern of violations and judgment shown by Slimbolic and Slimbolic's owner, Matt Elam, the Board hereby adjudicates the matter of Slimbolic as follows:

On the basis of the Findings of Fact and Sections (1) through (21) of the Conclusions of Law, taken collectively or as individual violations, the Ohio Board of Pharmacy hereby revokes permanently the Terminal Distributor of Dangerous Drugs (TDDD) license, No. 02-60002573, held by Slimbolic DBA Slimbolic Weight Loss & Med Spa, effective the date of this Order.

The Board finds Slimbolic may not reapply for a Terminal Distributor of Dangerous Drugs License over which the Board has jurisdiction.

Pursuant to 4729.57 of the Ohio Revised Code, the State of Ohio Board of Pharmacy imposes a monetary penalty in the amount of $90,00.00 on the revoked license. This fine will be attached to the license record for Slimbolic DBA Slimbolic Weight Loss & Med Spa and must be paid no later than 180 days from the effective date of this Order. To pay this fine a representative of Slimbolic must log in to www.elicense.ohio.gov and process the items in the cart.
If Slimbolic and/or Matt Elam are in possession of dangerous drugs, Slimbolic and/or Matt Elam must immediately and lawfully destroy or lawfully transfer such drugs.

Further, the Board hereby grants the State's Motion to Seal portions of the Record in this matter including, but not limited to, all confidential patient health information contained in the record, specifically State's exhibits: 14, 16, 20, 21, 28, 29, 30, and 31.

Ms. Ferris moved for Findings of Fact; Mr. Grimm seconded the motion. Motion passed (Yes-8/No-0).

Ms. Ferris moved for Conclusions of Law; Mr. Grimm seconded the motion. Motion passed (Yes-8/No-0).

Ms. Ferris moved for Action of the Board; Mr. Grimm seconded the motion. Motion passed (Yes-8/No-0).

SO ORDERED

R-2026-0241 After votes were taken in public session, the Board adopted the following order in the Matter of Schwieterman's Drug Store, Inc., Coldwater, Ohio.

ORDER OF THE OHIO BOARD OF PHARMACY
Case Numbers A-2024-0014; A-2024-0023

In The Matter Of:

Schwieterman's Drug Store, Inc.
404 W. North St.
Coldwater, OH 45828
License No. 02-0165150

INTRODUCTION

On December 23, 2024, the Ohio Board of Pharmacy ("Board") issued a Notice of Opportunity for Hearing to Schwieterman's Drug Store (Coldwater) ("Respondent"). The Notice was served on Respondent's owner Dale Bertke via traceable electronic mail on or about March 14, 2025. Pursuant to Ohio Revised Code Section 119.07, Respondent had a right to a hearing if requested within thirty days of service of the Notice. Respondent failed to request a hearing by the thirtieth and final day. Accordingly, as no hearing was requested, the matter came before the Board under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996) on December 9, 2025, before the following members of the Ohio Board of Pharmacy (Board): Jeff Huston, RPh, *Presiding*; Jason George, RPh, *Vice President*; Anthony Buchta, Sr., RPh; Trina Buettner, RPh; Mindy Ferris, RPh; T.J. Grimm, RPh; Leonard Hubert, *Public Member*; Rich Miller, RPh; and Thomas Whiston, RPh.

Respondent was not present. The State of Ohio was represented by Henry Appel, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witnesses:

1. Sarah Nash, Board Compliance Specialist

Respondent's Witnesses:

1. None.

State's Exhibits:

1a. Notice Letter #1 -- Schwieterman's Drug Store (Coldwater)

1b. Confidential Patient Key (*filed under seal)

1c. Notice Letter #2 -- Dale Bertke

1d. Confidential Patient Key (*filed under seal)

2. First Inspection (June 2023)

3. Records for Patients 1 and 2 (*filed under seal)

4. Email -- 8-8-2023
5. Email -- 8-24-2023
6. Second Inspection (August 2023)
7. Third Inspection (October 2023)
8. Response to Third Inspection
9. Records for Patient 3 (*filed under seal)
10. Records for Patient 4 (*filed under seal)
11. Records for Patient 5 (*filed under seal)
12. Records for Patient 6 (*filed under seal)
13. Fourth Inspection (August 2024)
14. Fifth Inspection (September 2024)
15. Sixth Inspection (October 2024)
16. E-mail 9/6/2023
17. Omitted
18. Omitted
19. Omitted

20a. Notice Letter #3 -- Dale Bertke

20b. Notice Letter #4 -- Schwieterman's Drug Store (Coldwater)

20c. Notice Letter #5 -- Schwieterman's Drug Store (Minster)

20d. Notice Letter #6 -- Schwieterman's Drug Store (New Bremen)

20e. Service for Notice Letters #3-#6

21. Facebook Post -- 12-17-2024
22. Facebook Post -- 12-25-2024
23. Discontinuation of Business Notice (New Bremen)
24. Discontinuation of Business Notice (Minster)
25. E-mail -- 12-26-2024.

Respondent's Exhibits:

A. None.

FINDINGS OF FACT

After hearing the testimony, observing the demeanor of the witnesses, considering the evidence, and weighing the credibility of each, the Board finds and adopts as its Findings of Fact, Allegations 1 through 13, inclusive, as set forth in the Notice of Opportunity for Hearing, dated December 23, 2024, in Case Nos. A-2024-0014 and A-2024-0023.

CONCLUSIONS OF LAW

After hearing the testimony, observing the demeanor of the witnesses, considering the evidence, and weighing the credibility of each, the Board finds and adopts as its Conclusions of Law, violations of law 1 through 20, inclusive, as set forth in the Notice of Opportunity for Hearing, dated Dec. 23, 2024, in Case Nos. A-2024-0014 and A-2024-0023.

DECISION OF THE BOARD

Pursuant to Section 4729.57 of the Ohio Revised Code, and after consideration of the record as a whole, the Ohio Board of Pharmacy imposes a written reprimand and a monetary penalty in the amount of $500.00 on Respondent's TDDD license. This fine will be attached to Respondent's license record and must be paid no later than six months from the effective date of this Order. To pay this fine Respondent must login to www.elicense.ohio.gov and process the items in the cart of the owner, Dale Bertke.

Ms. Ferris moved for Findings of Fact; Mr. Grimm seconded the motion. Motion passed (Yes-8/No-0).

Ms. Ferris moved for Conclusions of Law; Mr. Grimm seconded the motion. Motion passed (Yes-8/No-0).

Ms. Ferris moved for Action of the Board; Mr. Grimm seconded the motion. Motion passed (Yes-8/No-0).

SO ORDERED.

R-2026-0242 After votes were taken in public session, the Board adopted the following order in the Matter of Schwieterman's Drug Store, Inc, Coldwater, New Bremen & Minster, Ohio.

ORDER OF THE OHIO BOARD OF PHARMACY

Case Numbers A-2025-0032; A-2025-0034; A-2025-0036

In The Matter Of:

Schwieterman's Drug Store, Inc. (Coldwater)
Case No. A-2025-0032
404 W. North St.
Coldwater, OH 45828
License No. 02-0165150

Schwieterman's Drug Store, Inc. (New Bremen)
Case No. A-2025-0034
2 North Washington St.
New Bremen, OH 45869
License No. 02-0125900

Schwieterman's Drug Store, Inc. (Minster)
Case No. A-2025-0036
324 N. Main St.
Minster, OH 45865
License No. 02-0598000

INTRODUCTION

On April 28, 2025, the Ohio Board of Pharmacy ("Board") issued Notices of Opportunity for Hearing to Schwieterman's Drug Store (Coldwater), Schwieterman's Drug Store (New Bremen, and Schwieterman's Drug Store (Minster) ("Respondents"). The Notice was served on Respondents' owner Dale Bertke via traceable electronic mail on or about May 22, 2025. Pursuant to Ohio Revised Code Section 119.07, Respondent had a right to a hearing if requested within thirty days of service of the Notice. Respondent failed to request a hearing by the thirtieth and final day. Accordingly, as no hearing was requested, the matter came before the Board under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996) on December 9, 2025, before the following members of the Ohio Board of Pharmacy (Board): Jeff Huston, RPh, *Presiding*; Jason George, RPh, *Vice President*; Anthony Buchta, Sr., RPh; Trina Buettner, RPh; Mindy Ferris, RPh; T.J. Grimm, RPh; Leonard Hubert, *Public Member*; Rich Miller, RPh; and Thomas Whiston, RPh.

Respondent was not present. The State of Ohio was represented by Henry Appel, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witnesses:

1. Sarah Nash, Board Compliance Specialist

Respondent's Witnesses:

1. None.

State's Exhibits:

1a. Notice Letter #1 -- Schwieterman's Drug Store (Coldwater)

1b. Confidential Patient Key (*filed under seal)

1c. Notice Letter #2 -- Dale Bertke

1d. Confidential Patient Key (*filed under seal)

2. First Inspection (June 2023)

3. Records for Patients 1 and 2 (*filed under seal)

4. Email -- 8-8-2023

5. Email -- 8-24-2023

6. Second Inspection (August 2023)

7. Third Inspection (October 2023)

8. Response to Third Inspection
9. Records for Patient 3 (*filed under seal)
10. Records for Patient 4 (*filed under seal)
11. Records for Patient 5 (*filed under seal)
12. Records for Patient 6 (*filed under seal)
13. Fourth Inspection (August 2024)
14. Fifth Inspection (September 2024)
15. Sixth Inspection (October 2024)
16. E-mail 9/6/2023
17. Omitted
18. Omitted
19. Omitted

20a. Notice Letter #3 -- Dale Bertke

20b. Notice Letter #4 -- Schwieterman's Drug Store (Coldwater)

20c. Notice Letter #5 -- Schwieterman's Drug Store (Minster)

20d. Notice Letter #6 -- Schwieterman's Drug Store (New Bremen)

20e. Service for Notice Letters #3-#6

21. Facebook Post -- 12-17-2024

22. Facebook Post -- 12-25-2024

23. Discontinuation of Business Notice (New Bremen)

24. Discontinuation of Business Notice (Minster)

25. E-mail -- 12-26-2024.

Respondent's Exhibits:

A. None.

FINDINGS OF FACT

After hearing the testimony, observing the demeanor of the witnesses, considering the evidence, and weighing the credibility of each, the Board finds and adopts as its Findings of Fact:

1. Allegations 1 through 3, inclusive, as set forth in the Notice of Opportunity for Hearing, dated April 28, 2025, in Case No. A-2025-0032;

2. Allegation 1, as set forth in the Notice of Opportunity for Hearing, dated April 28, 2025, in Case No. A-2025-0034;

3. Allegation 1, as set forth in the Notice of Opportunity for Hearing, dated April 28, 2025, in Case No. A-2025-0036.

CONCLUSIONS OF LAW

After hearing the testimony, observing the demeanor of the witnesses, considering the evidence, and weighing the credibility of each, the Board finds and adopts as its Conclusions of Law:

1. Violations of law 1 through 4, inclusive, as set forth in the Notice of Opportunity for Hearing, dated April 28, 2025, in Case No. A-2025-0032;

2. Violations of law 1 through 4, inclusive, as set forth in the Notice of Opportunity for Hearing, dated April 28, 2025, in Case No. A-2025-0034;

3. Violations of law 1 through 4, inclusive, as set forth in the Notice of Opportunity for Hearing, dated April 28, 2025, in Case No. A-2025-0036.

DECISION OF THE BOARD

Pursuant to Section 4729.57 of the Ohio Revised Code, and after consideration of the record as a whole, the Ohio Board of Pharmacy imposes a written reprimand and a monetary penalty in the amount of $500.00 on each of Respondent TDDD license nos. 02-0165150 (Coldwater), 02-0125900 (New Bremen), and 02-0598000 (Minster).
These fines will be attached to Respondents' license record and must be paid no later than six months from the effective date of this Order. To pay this fine Respondents must login to www.elicense.ohio.gov and process the items in the cart of the owner, Dale Bertke.

Ms. Ferris moved for Findings of Fact; Mr. Grimm seconded the motion. Motion passed (Yes-8/No-0).

Ms. Ferris moved for Conclusions of Law; Mr. Grimm seconded the motion. Motion passed (Yes-8/No-0).

Ms. Ferris moved for Action of the Board; Mr. Grimm seconded the motion. Motion passed (Yes-8/No-0).

SO ORDERED.

R-2026-0243 After votes were taken in public session, the Board adopted the following order in the Matter of Dale Bertke, Minster, Ohio.

ORDER OF THE OHIO BOARD OF PHARMACY

Case Numbers A-2024-0015; A-2024-0024

In The Matter Of:

Dale Bertke, RPh
15203 Schmitmeyer-Baker Rd.
Minster, OH 45865
License No. 03-315995

INTRODUCTION

On December 23, 2024, the Ohio Board of Pharmacy ("Board") issued a Notice of Opportunity for Hearing to Dale Bertke, RPh ("Respondent"). The Notice was served on Respondent via traceable electronic mail on or about March 14, 2025. Pursuant to Ohio Revised Code Section 119.07, Respondent had a right to a hearing if requested within thirty days of service of the Notice. Respondent failed to request a hearing by the thirtieth and final day. Accordingly, as no hearing was requested, the matter came before the Board under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996) on December 9, 2025, before the following members of the Ohio Board of Pharmacy (Board): Jeff Huston, RPh, *Presiding*; Jason George, RPh, *Vice President*; Anthony Buchta, Sr., RPh; Trina Buettner, RPh; Mindy Ferris, RPh; T.J. Grimm, RPh; Leonard Hubert, *Public Member*; Rich Miller, RPh; and Thomas Whiston, RPh.

Respondent was not present. The State of Ohio was represented by Henry Appel, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witnesses:

1. Sarah Nash, Board Compliance Specialist

Respondent's Witnesses:

1. None.

State's Exhibits:

1a. Notice Letter #1 -- Schwieterman's Drug Store (Coldwater)

1b. Confidential Patient Key (*filed under seal)

1c. Notice Letter #2 -- Dale Bertke

1d. Confidential Patient Key (*filed under seal)

2. First Inspection (June 2023)

3. Records for Patients 1 and 2 (*filed under seal)

4. Email -- 8-8-2023

5. Email -- 8-24-2023

6. Second Inspection (August 2023)
7. Third Inspection (October 2023)
8. Response to Third Inspection
9. Records for Patient 3 (*filed under seal)
10. Records for Patient 4 (*filed under seal)
11. Records for Patient 5 (*filed under seal)
12. Records for Patient 6 (*filed under seal)
13. Fourth Inspection (August 2024)
14. Fifth Inspection (September 2024)
15. Sixth Inspection (October 2024)
16. E-mail 9/6/2023
17. Omitted
18. Omitted
19. Omitted

20a. Notice Letter #3 -- Dale Bertke

20b. Notice Letter #4 -- Schwieterman's Drug Store (Coldwater)

20c. Notice Letter #5 -- Schwieterman's Drug Store (Minster)

20d. Notice Letter #6 -- Schwieterman's Drug Store (New Bremen)

20e. Service for Notice Letters #3-#6

21. Facebook Post -- 12-17-2024

22. Facebook Post -- 12-25-2024

23. Discontinuation of Business Notice (New Bremen)

24. Discontinuation of Business Notice (Minster)

25. E-mail -- 12-26-2024.

Respondent's Exhibits:

A. None.

FINDINGS OF FACT

After hearing the testimony, observing the demeanor of the witnesses, considering the evidence, and weighing the credibility of each, the Board finds and adopts as its Findings of Fact, Allegations 1 through 14, inclusive, as set forth in the Notice of Opportunity for Hearing, dated December 23, 2024, in Case Nos. A-2024-0015 and A-2024-0024.

CONCLUSIONS OF LAW

After hearing the testimony, observing the demeanor of the witnesses, considering the evidence, and weighing the credibility of each, the Board finds and adopts as its Conclusions of Law, Violations of Law 1 through 19, inclusive, and 20a, 20b, 20d, and 20e, as set forth in the Notice of Opportunity for Hearing, dated December 23, 2024, in Case Nos. A-2024-0015 and A-2024-0024.

DECISION OF THE BOARD

Pursuant to Section 4729.16 of the Ohio Revised Code, and after consideration of the record as a whole, the Ohio Board of Pharmacy imposes a written reprimand and a monetary penalty in the amount of $500.00 on Respondent's license to practice pharmacy. This fine will be attached to Respondent's license record and must be paid no later than six months from the effective date of this Order. To pay this fine, Respondent must login to www.elicense.ohio.gov and process the items in his cart.

Mr. Bertke shall not serve as a Responsible Person without prior approval of the Board.

Ms. Ferris moved for Findings of Fact; Mr. Grimm seconded the motion. Motion passed (Yes-8/No-0).

Ms. Ferris moved for Conclusions of Law; Mr. Grimm seconded the motion. Motion passed (Yes-8/No-0).

Ms. Ferris moved for Action of the Board; Mr. Grimm seconded the motion. Motion passed (Yes-8/No-0).

SO ORDERED.

R-2026-0244 After votes were taken in public session, the Board adopted the following order in the Matter of Dale Bertke, Minster, Ohio.

ORDER OF THE OHIO BOARD OF PHARMACY
Case Numbers A-2025-0033; A-2025-0035; A-2025-0037

In The Matter Of:

Dale Bertke, RPh
15203 Schmitmeyer-Baker Rd.
Minster, OH 45865
License No. 03-315995

INTRODUCTION

On April 28, 2025, the Ohio Board of Pharmacy ("Board") issued a Notice of Opportunity for Hearing to Dale Bertke, RPh ("Respondent"). The Notice was served on Respondent's owner Dale Bertke via traceable electronic mail on or about May 22, 2025. Pursuant to Ohio Revised Code Section 119.07, Respondent had a right to a hearing if requested within thirty days of service of the Notice. Respondent failed to request a hearing by the thirtieth and final day. Accordingly, as no hearing was requested, the matter came before the Board under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996) on December 9, 2025, before the following members of the Ohio Board of Pharmacy (Board): Jeff Huston, RPh, *Presiding*; Jason George, RPh, *Vice President*; Anthony Buchta, Sr., RPh; Trina Buettner, RPh; Mindy Ferris, RPh; T.J. Grimm, RPh; Leonard Hubert, *Public Member*; Rich Miller, RPh; and Thomas Whiston, RPh.

Respondent was not present. The State of Ohio was represented by Henry Appel, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witnesses:

1. Sarah Nash, Board Compliance Specialist

Respondent's Witnesses:

1. None.

State's Exhibits:

1a. Notice Letter #1 -- Schwieterman's Drug Store (Coldwater)

1b. Confidential Patient Key (*filed under seal)

1c. Notice Letter #2 -- Dale Bertke

1d. Confidential Patient Key (*filed under seal)

2. First Inspection (June 2023)

3. Records for Patients 1 and 2 (*filed under seal)

4. Email -- 8-8-2023

5. Email -- 8-24-2023

6. Second Inspection (August 2023)

7. Third Inspection (October 2023)

8. Response to Third Inspection

9. Records for Patient 3 (*filed under seal)

10. Records for Patient 4 (*filed under seal)

11. Records for Patient 5 (*filed under seal)

12. Records for Patient 6 (*filed under seal)

13. Fourth Inspection (August 2024)

14. Fifth Inspection (September 2024)

15. Sixth Inspection (October 2024)

16. E-mail 9/6/2023

17. Omitted

18. Omitted

19. Omitted

20a. Notice Letter #3 -- Dale Bertke

20b. Notice Letter #4 -- Schwieterman's Drug Store (Coldwater)

20c. Notice Letter #5 -- Schwieterman's Drug Store (Minster)

20d. Notice Letter #6 -- Schwieterman's Drug Store (New Bremen)

20e. Service for Notice Letters #3-#6

21. Facebook Post -- 12-17-2024

22. Facebook Post -- 12-25-2024

23. Discontinuation of Business Notice (New Bremen)

24. Discontinuation of Business Notice (Minster)

25. E-mail -- 12-26-2024.

Respondent's Exhibits:

A. None.

FINDINGS OF FACT

After hearing the testimony, observing the demeanor of the witnesses, considering the evidence, and weighing the credibility of each, the Board finds and adopts as its Findings of Fact, Allegations 1 through 3, inclusive, as set forth in the Notice of Opportunity for Hearing, dated April 28, 2025, in Case Nos. A-2025-0033, A-2025-0035, A-2025-0037.

CONCLUSIONS OF LAW

After hearing the testimony, observing the demeanor of the witnesses, considering the evidence, and weighing the credibility of each, the Board finds and adopts as its Conclusions of Law, Violations of Law 1 through 4, inclusive, as set forth in the Notice of Opportunity for Hearing, dated April 28, 2025, in Case Nos. A-2025-0033, A-2025-0035, A-2025-0037.

DECISION OF THE BOARD

Pursuant to Section 4729.16 of the Ohio Revised Code, and after consideration of the record as a whole, the Ohio Board of Pharmacy imposes a written reprimand and a monetary penalty in the amount of $1,500.00 on Respondent's license to practice

pharmacy. This fine will be attached to Respondent's license record and must be paid no later than six months from the effective date of this Order. To pay this fine, Respondent must login to www.elicense.ohio.gov and process the items in his cart.

Mr. Bertke shall not serve as a Responsible Person without prior approval of the Board.

Ms. Ferris moved for Findings of Fact; Mr. Grimm seconded the motion. Motion passed (Yes-8/No-0).

Ms. Ferris moved for Conclusions of Law; Mr. Grimm seconded the motion. Motion passed (Yes-8/No-0).

Ms. Ferris moved for Action of the Board; Mr. Grimm seconded the motion. Motion passed (Yes-8/No-0).

SO ORDERED.

R-2026-0245

After votes were taken in public session, the Board adopted the following order in the Matter of Walk In Urgent Care- Mansfield, Mansfield, Ohio.

ORDER OF THE OHIO BOARD OF PHARMACY

Case Numbers A-2023-0382 & A-2023-0472

In The Matter Of:

Walk In Urgent Care- Mansfield
c/o Mazhar Hussain, MD
1341 South Trimble Road
Mansfield, Ohio 44907
Suspended License No. 02-2245650

INTRODUCTION

On December 19, 2023, the Ohio Board of Pharmacy (Board) issued a Notice of Opportunity for Hearing (Notice) to Walk In Urgent Care- Mansfield (Respondent) via certified mail, return receipt requested, to Walk In Urgent Care- Mansfield's address of record with the Board. The certified mail receipt confirmed the Notice was delivered on January 17, 2024. Pursuant to Ohio Revised Code Section 119.07, Walk In Urgent Care- Mansfield had a right to a hearing if requested within thirty days of service. Walk In Urgent Care- Mansfield failed to request a hearing by the thirtieth and final day. Accordingly, as no hearing was requested, the matter came before the Board under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996) on December 9, 2025, before the following members of the Ohio Board of Pharmacy (Board): Jeff Huston, RPh, *Presiding*; Jason George, RPh, *Vice President*; Anthony Buchta, Sr., RPh; Trina Buettner, RPh; T.J. Grimm, RPh; Mindy Ferris, RPh; Rich Miller, RPh; Thomas Whiston, RPh; and Leonard Hubert, *Public Member*.

A representative from Walk In Urgent Care- Mansfield was not present and not represented by counsel. The State of Ohio was represented by Henry Appel, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witnesses:

1. Laura Fisk – Board Inspector

Respondent's Witnesses:

1. None

State's Exhibits:

1. Notice Letter
2. First Inspection -- June 2022
3. Response to First Inspection
4. Second Inspection -- December 2022
5. Response to Second Inspection
6. Third Inspection -- February 2023
7. Response to Third Inspection
8. Follow-Up to Third Inspection
9. Fourth Inspection -- November 2023
10. Response to Fourth Inspection
11. Refrigeration Policy (February 2023)
12. Temperature Logs 1
13. Temperature Logs 2
14. Fifth Inspection (November 2025)
15. Temperature Logs 3
16. Refrigeration Policy (December 2025)

Respondent's Exhibits:

A. None

FINDINGS OF FACT

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

1. On or about June 6, 2022, agents of the Board conducted an inspection at Walk In Urgent Care- Mansfield (Walk In Urgent Care), located at 1341 Trimble Road,

Mansfield, Ohio. The inspection was a result of a state-wide matter to ensure minimum standards were being met at all Walk In Urgent Care locations owned and operated by common ownership. As a result of the state-wide matter, the Responsible Person at this location was changed from owner and operator, Mazhar Hussain, MD, to Susan Strack, APRN.CNP, on or about June 1, 2022. During the inspection, on or about June 6, 2022, the following was observed:

a. A refrigerator used to store drug stock including vaccines was equipped with a digital thermometer which displayed current temperature and min/max temperatures. There was a manual temperature log but it was not adequately maintained.

b. From on or about January 2022 to May 2022, clinic staff failed to record the temperature of the refrigerator on 34 separate dates, even though the clinic was open daily.

c. The clinic was not resetting the digital thermometer daily, as recorded min/max temperatures remained unchanged.

d. The following temperature excursions were recorded for the refrigerator on the manual temperature log[3]:

   i. 48 °F prior to 1/1/2022
   ii. 54 °F on 3/6/2022
   iii. 58°F on 3/7/2022
   iv. 60°F on 5/19/2022
   v. 73°F on 5/20/2022
   vi. 75 °F on 5/26/2022

e. A note on the May 2022 temperature log stated Amin Mirza, COO of Walk In Urgent Care, was contacted regarding out of range temperatures on May 19, 2022 and June 1, 2022. Clinic staff reported Amin Mirza, who is not a licensed healthcare professional, had contacted drug manufacturers and told staff the vaccines and drug stock were safe to use. There was no stability information provided to staff for their records. The clinic was issued a written warning by the Board.

2. On or about December 28, 2022, a follow-up inspection was conducted. The following was observed:

   a. Temperatures were not recorded on the refrigerator temperature log on 12/23/2022, 12/24/2022 and 12/25/2022.

[3] Per the United States Pharmacopeial Convention, the temperature and storage for refrigerator is controlled between 36°F and 46 °F. Any temperature not exceeding 46°F is considered cold while any temperature between 46°F and 59°F would be considered cool. (Source: USP).

b. The refrigerator experienced a temperature excursion on 9/10/2022 of 86°F. Clinic staff contacted the new COO, Zafar Syed, however, staff stated that Mr. Syed did not get back to them so they continued to use the drug stock, including the vaccines. Mr. Syed is not a licensed healthcare professional.

c. On or about 10/16/2022, the refrigerator experienced excursions at 35°F and 53°F. It was observed that staff was not resetting the digital thermometer as evidenced by out-of-range recordings for multiple consecutive days.

d. Staff was instructed by a Board inspector to segregate affected drug stock until viability could be confirmed.

e. On or about January 31, 2023, Susan Strack, APRN.CNP notified the Board she was no longer the Responsible Person at the clinic.

3. On or about February 21, 2023, a Board inspector went to the clinic to ensure drug stock had been properly destroyed, as indicated by the clinic on 1/27/2023. It was observed:

a. Clinic staff were not resetting the min/max temperature functions on the monitoring device, which is required to ensure accurate temperatures are recorded.

b. There were two additional temperature excursions: 48°F on 8/21/2022 and 53°F on 10/16/2022.

c. Staff was unsure if the COO was notified (per their policy) or if manufacturers were contacted.

d. The following vaccines were administered in the clinic between the date of the initial temperature excursion on 8/21/2022 and 12/28/2022 (when records indicated the affected drugs were destroyed):

i. TDAP: 9 patients
ii. Flu vaccines: 4 patients
iii. Tetanus: 1 patient

e. Taffiney Adams, CNP was advised to contact drug manufacturers and ensure the vaccines administered to patients were viable. A written warning was issued.

f. A written response was not submitted within the required timeframe.

g. On or about February 24, 2023, Ms. Adams notified the Board that she contacted one of the manufacturers and confirmed the TDAP vaccine was not viable after the temperature excursion experienced on 9/10/2022.

h. The clinic was advised by the drug manufacturer to revaccinate patients who received that vaccine; however, Ms. Adams notified the Board they were waiting for directions from the COO, Mr. Syed.

4. On or about March 29, 2023, after multiple emails, Walk In Urgent Care submitted a written response to the February inspection. The response indicated it "is contacting the patients to revaccinate them who visited our facility from August 2022 to October 2022 for Tdap." The Board requested additional information and clarification several times. Specifically, the Board inquired as to whether the other two vaccine manufacturers were contacted and the outcome of those conversations. On or about May 10, 2023, Dr. Hussain submitted the following statement to the Board, "We did not contact manufacturers as we do not carry any product now which was exposed to any temperature excursions."

5. On or about November 29, 2023, a follow-up inspection was conducted at Walk In Urgent Care due to the inadequate written response and failure to confirm the proper steps were taken after temperature excursion of the refrigerator storing drug stock and vaccines.

   a. Upon arrival, clinic staff confirmed the Responsible Person, Dr. Mazhar Hussain, does not regularly practice at this location but he will do "pop up" visits based on business needs. The last time Dr. Hussain was seen at the clinic was during the summer for the installation of a new telehealth computer system.

   b. The following was observed at the inspection:

      i. The refrigerator used to store drug stock and vaccines was equipped with an electronic thermometer and a digital data logger (GOVEE) device. Per the posted policy, staff are to log the temperature twice per day. The following was observed on the manual temperature logs:

         1. Staff had failed to log temperatures on 29 days between March and November 2023.

         2. Temperatures exceeded temperature parameters (36°F to 46°F) on three dates: 10/6/23 (49°F), 10/30/23 (58°F) and 11/27/23 (54°F).

         3. Clinic staff was unsure if Dr. Hussain or anyone at corporate were notified of the temperature excursions.

         4. The posted policy and procedure stated medical assistants were to document the temperature of the refrigerator on the log and if it was above or below the range, staff were to contact the COO for corrective action, immediately.

         5. Staff did not have access to the electronic logs (from the GOVEE device). A records request was made for these records by an agent of the Board.

c. A written response required was issued for the Responsible Person requirements and temperature monitoring.

6. On or about November 30, 2023, an agent of the Board contacted staff to check on the status of the records requested on November 29, 2023. Staff indicated they did not have access to the electronic temperature logs. Staff also indicated they have had issues getting ahold of Dr. Hussain, he is often unavailable when needed, and corporate support is out of the country. Staff stated "good luck" getting ahold of Dr. Hussain.

7. On November 30, 2023, an agent of the Board spoke with Dr. Hussain, the owner and Responsible Person, via telephone. The following was discussed:

   a. Dr. Hussain did not agree with the Responsible Person requirements; he had installed a very expensive computer system to monitor activity and his ability to provide remote supervision should suffice.

   b. Dr. Hussain did not agree with the Board's rule that business records must be submitted upon request within three business days. He stated it would take several days to obtain the requested temperature records.

8. On or about November 30, 2023, the Board received the requested temperature records. The temperature records indicated there were 20 temperature excursions between March and November 2023. Nineteen of the 20 temperature excursions were documented below 36°F. One was above the maximum temperature of 46°F: 11/27/23 (48.2°F). There was no indication that if the system alerted Dr. Hussain, corporate staff, or anyone at the Walk In Urgent care about the temperature excursions reported by the electronic GOVEE device.

CONCLUSIONS OF LAW

1. Such conduct as set forth in the Findings of Fact, constitutes a violation of the following sections of Rule 4729:5-2-01 of the OAC, as effective March 1, 2019:

   a. The responsible person to whom the terminal distributor of dangerous drugs license has been issued and all licensed health professionals on duty are responsible for compliance with all state and federal laws, regulations, and rules governing the distribution of dangerous drugs, OAC Rule 4729:5-2-01(E)(4); and

   b. The responsible person shall be responsible for ensuring the terminal distributor of dangerous drugs requirements are met, including, but not limited to, the supervision and control of dangerous drugs as required in division (B) of section 4729.55 of the Revised Code, adequate safeguards as required in division (C) of section 4729.55 of the Revised Code, security and control of dangerous drugs and maintaining all drug records otherwise required, OAC Rule 4729:5-2-01(E)(6).

2. Such conduct as set forth in the Findings of Fact, constitutes a violation of Section 3715.63(A)(2) of the ORC, as effective September 12, 2008:

    a. A drug or device is adulterated within the meaning of sections 3715.01 and 3715.52 to 3715.72 of the Revised Code, if any of the following apply: It has been produced, processed, prepared, packed, or held under unsanitary conditions whereby it may have been contaminated with filth, or whereby it may have been rendered injurious to health.

3. Such conduct as set forth in Findings of Fact, constitutes a violation of each of the following divisions of Section 4729.55 of the ORC, as effective March 31, 2021, TDDD license requirements:

    a. The applicant is equipped as to land, buildings, and equipment to properly carry on the business of a terminal distributor of dangerous drugs within the category of licensure approved by the board, ORC 4729.55(A); and

    b. A pharmacist or licensed health professional authorized to prescribe drugs … will maintain supervision and control over the possession and custody of dangerous drugs that may be acquired by or on behalf of the applicant, ORC 4729.55(B); and

    c. Adequate safeguards are assured that the applicant will carry on the business of a terminal distributor of dangerous drugs in a manner that allows pharmacists and pharmacy interns employed by the terminal distributor to practice pharmacy in a safe and effective manner, ORC 4729.55(D).

4. Such conduct as set forth in Findings of Fact, constitutes a violation of each of the following divisions of Section 4729.57(B) of the ORC, as effective September 29, 2017:

    a. Violating any rule of the board, ORC Section 4729.57(B)(2); and

    b. Violating any provision of this chapter, ORC Section 4729.57(B)(3); and

    c. Except as provided in section 4729.89 of the Revised Code, violating any provision of the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, or Chapter 3715. of the Revised Code, ORC Section 4729.57(B)(4); and

    d. Ceasing to satisfy the qualifications of a terminal distributor of dangerous drugs set forth in section 4729.55 of the Revised Code, ORC Section 4729.57(B)(7); and

    e. Any other cause for which the board may impose discipline as set forth in rules adopted under section 4729.26 of the Revised Code, ORC Section 4729.57(B)(10).

5. Such conduct as set forth in Findings of Fact, constitutes a violation of the following sections of Rule 4729:5-2-01 of the OAC, as effective April 25, 2022, each violation punishable by a maximum penalty of $1,000: For all locations licensed as a terminal distributor of dangerous drugs:

    a. The responsible person to whom the terminal distributor of dangerous drugs license has been issued and all licensed health professionals on duty are responsible for compliance with all state and federal laws, regulations, and rules governing the distribution of dangerous drugs, OAC Rule 4729:5-2-01(E)(4); and

    b. A responsible person must be physically present at the location for a sufficient amount of time to provide supervision and control of dangerous drugs on-site, OAC Rule 4729:5-2-01(E)(5); and

    c. The responsible person shall be responsible for ensuring the terminal distributor of dangerous drugs requirements are met, including, but not limited to, the supervision and control of dangerous drugs as required in division (B) of section 4729.55 of the Revised Code, adequate safeguards as required in division (C) of section 4729.55 of the Revised Code, security and control of dangerous drugs and maintaining all drug records otherwise required, OAC Rule 4729:5-2-01(E)(6).

6. Such conduct as set forth in Findings of Fact, each constitutes a violation of the following sections of Rule 4729:5-19-03(K) of the OAC, as effective February 4, 2021: Refrigerators and freezers used for the storage of drugs and devices shall comply with the following:

    a. Maintain either of the following to ensure proper refrigeration and/or freezer temperatures are maintained:

        i. Temperature logs with, at a minimum, daily observations, OAC Rule 4729:5-19-03(K)(1)(a); and

        ii. A temperature monitoring system capable of detecting and alerting staff of a temperature excursion, OAC Rule 4729:5-19-03(K)(1)(b); and

    b. The terminal distributor shall develop and implement policies and procedures to respond to any out of range individual temperature readings or excursions to ensure the integrity of stored drugs, OAC Rule 4729:5-19-03(K)(2).

7. Such conduct as set forth in Findings of Fact, constitutes a violation of the following sections of Rule 4729:5-19-04 of the OAC, as effective March 1, 2020: Records of temperature control monitoring described in paragraph (K)(1) of rule 4729:5-19-03 of the Administrative Code shall include any of the following:

    a. For temperature logs, either:

i. The date and time of observation, the full name or the initials of the individual performing the check, and the temperature recorded, OAC Rule 4729:5-19-04(C)(1)(a); and

ii. For systems that provide automated temperature monitoring, maintain a report that provides, at a minimum, the date and time of observation and the temperature recorded, OAC Rule 4729:5-19-04(C)(1)(b); and

b. For temperature monitoring systems capable of detecting and alerting staff of a temperature excursion, maintain reports that provide information on any temperature excursion that includes the date, time, temperature recorded, and length of each excursion, OAC Rule 4729:5-19-04(C)(2).

8. Such conduct as set forth in Findings of Fact, constitutes a violation of Rule 4729:5-3-06 of the OAC, as effective March 1, 2019, To prevent their use, adulterated drugs, as defined in agency 4729 of the Administrative Code, shall be stored in a separate and secure area apart from the storage of drugs used for dispensing, personally furnishing, compounding and administration.

9. Such conduct as set forth in Findings of Fact, if proven, each constitutes a violation of the following sections of Rule 4729:5-3-03 of the OAC, as effective April 1, 2018: The licensee or applicant shall submit to the board within thirty days of a written notice provided in accordance with paragraph (C) of this rule, in a manner determined by the board, either of the following:

a. The action(s) the licensee or applicant has taken to correct the violation(s) and the date of implementation of the corrective action(s), OAC Rule 4729:5-3-03(E)(1); and

b. An explanation disputing the observed violations, OAC Rule 4729:5-3-03(E)(2).

10. Such conduct as set forth in Findings of Fact, constitutes a violation of the following sections of Rule 4729:5-4-01 of the OAC, as effective April 25, 2022:

a. Violating any rule of the board, OAC Rule 4729:5-4-01(B)(2); and

b. Violating any provision of Chapter 4729. of the Revised Code, OAC Rule 4729:5-4-01(B)(3); and

c. Except as provided in section 4729.89 of the Revised Code, violating any provision of the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, or Chapter 3715. of the Revised Code, OAC Rule 4729:5-4-01(B)(4); and

d. Ceasing to satisfy the qualifications of a terminal distributor of dangerous drugs set forth in section 4729.55 of the Revised Code, OAC Rule 4729:5-4-01(B)(7); and

e. The method used by the terminal distributor to store, possess or distribute dangerous drugs poses serious harm to others, OAC Rule 4729:5-4-01(B)(23).

DECISION OF THE BOARD

Pursuant to Section 4729.57 of the Ohio Revised Code and Ohio Administrative Code 4729:5-1-01(Y), and after consideration of the record as a whole, the findings of fact and violations of law, the pattern of violations and judgment shown by Walk In Urgent Care and Dr. Mazhar Hussain, the Board hereby suspends indefinitely Terminal Distributor of Dangerous Drugs (TDDD) License No. 02-2245650, held by Walk In Urgent Care-Mansfield, and such suspension is effective as of the date of the issuance of this Order.

Prior to reinstatement of the TDDD License, the Responsible Person and the owner, Dr. Mazhar Hussain, must appear before the Board and explain how policies and procedures have been implemented at the Urgent Care to ensure that proper temperatures will be maintained and monitored in accordance with rules and laws, and temperature excursions- if any- will be appropriately addressed to ensure patient safety. Further, equipment, including a medical grade refrigerator, must be purchased for the TDDD to ensure proper storage of dangerous drugs. The TDDD must confirm that temperature excursion notifications will be made to, among any others, the Responsible Person on the TDDD License.

Pursuant to 4729.57 of the Ohio Revised Code, the State of Ohio Board of Pharmacy imposes a monetary penalty in the amount of $23,000.00. This fine will be attached to the license record for Walk In Urgent Care- Mansfield and must be paid no later than 180 days from the effective date of this Order. To pay this fine a representative of Walk In Urgent Care- Mansfield must log in to www.elicense.ohio.gov and process the items in the cart.

Ms. Ferris moved for Findings of Fact; Mr. Grimm seconded the motion. Motion passed (Yes-8/No-0).

Ms. Ferris moved for Conclusions of Law; Mr. Grimm seconded the motion. Motion passed (Yes-8/No-0).

Ms. Ferris moved for Action of the Board; Mr. Grimm seconded the motion. Motion passed (Yes-8/No-0).

SO ORDERED.

R-2026-0246 After hearing Mr. Flaharty discuss the significant facts regarding the activities of Terminal Distributor of Dangerous Drugs licensee Kanodia MD dba Health and Wellness, Westerville, Ohio (0260000340), Mr. Grimm moved that the Board summarily suspend the Terminal Distributor of Dangerous Drugs license belonging to Kanodia MD dba Health and Wellness, Westerville, Ohio (0260000340). The motion was seconded by Mr. Buchta and approved by the Board: Yes-8, No-0.

R-2026-0247 After hearing Mr. Flaharty discuss the significant facts regarding the activities of Terminal Distributor of Dangerous Drugs licensee Dubos & Stewart DDS, Inc., Circleville, Ohio (0264000626), Mr. Grimm moved that the Board summarily suspend

the Terminal Distributor of Dangerous Drugs license belonging to Dubos & Stewart DDS, Inc., Circleville, Ohio (0264000626). The motion was seconded by Mr. Hubert and approved by the Board: Yes-8, No-0.

R-2026-0248 Mr. Hubert moved to adjourn the November 2025 Ohio Board of Pharmacy Meeting. The motion was seconded by Mr. Grimm and approved by the Board: Yes-8, No-0.

1:21 p.m. The Board Meeting Adjourned.

Date: 1.6.2026

Jeff Huston , RPh, President

Date: 1.6.2026

Steven W. Schierholt, Executive Director