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Minutes of the May 12-13, 2008

Meeting of the Ohio State Board of Pharmacy

Monday, May 12, 2008

10:00 a.m. The Ohio State Board of Pharmacy convened in room East B, 31st Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, with the following members present:

Gregory Braylock, R.Ph., *President*; Nathan S. Lipsyc, R.Ph., *Vice-President*; Elizabeth I. Gregg, R.Ph.; Richard F. Kolezynski, R.Ph.; Kevin J. Mitchell, R.Ph.; Dorothy S. Teater, Public Member; and James E. Turner, R.Ph.

Also present were William T. Winsley, *Executive Director*; Timothy Benedict, *Assistant Executive Director*; William McMillen, *Licensing Administrator*; David Rowland, *Legal Affairs Administrator*; and Sally Ann Steuk, *Assistant Attorney General*.

10:01 a.m. Mrs. Gregg moved that the Board go into Executive Session for the purpose of the investigation of complaints regarding licensees and registrants pursuant to Section 121.22(G)(1) of the Ohio Revised Code and to confer with an attorney for the Board regarding pending or imminent court action pursuant to Section 121.22(G)(3) of the Ohio Revised Code. The motion was seconded by Mr. Turner and a roll-call vote was conducted by President Braylock as follows: Gregg – *yes*; Kolezynski – *yes*; Lipsyc – *yes*; Mitchell – *yes*; Teater – *yes*; and Turner – *yes*.

10:33 a.m. The Executive Session ended and the meeting was opened to the public.

R-2008-184 The Board considered a request for an exemption to Ohio Administrative Code Rule 4729-5-10 (Prescription pick-up station) received for the following sites:

Riverside Medical Building Pharmacy, Columbus, Ohio (02-0721950)
Dublin Methodist Hospital, Dublin, Ohio (02-1764100)
Grady Memorial Hospital, Delaware, Ohio (02-0035800)

After discussion, Mr. Turner moved that the Board approve the request as long as the parties to the request comply with the requirements in the rule for such an exemption. The motion was seconded by Mrs. Teater and approved by the Board: *Aye* – 6.

R-2008-185 The Board considered a request for an exemption to Ohio Administrative Code Rule 4729-5-10 (Prescription pick-up station) received for the following sites:

Teregen Laboratories, Willoughby, Ohio (02-1235150)
Various Physician Offices on the letter of request

After discussion, Mrs. Gregg moved that the Board approve the request as long as the parties to the request comply with the requirements in the rule for such an exemption. The motion was seconded by Mr. Kolezynski and approved by the Board: *Aye* – 6.

R-2008-186

The Board considered a request for an exemption to Ohio Administrative Code Rule 4729-5-10 (Prescription pick-up station) received for the following sites:

Childrens Home Care Group Pharmacy, Akron, Ohio (02-0562700)
Central Admixture Pharmacy Services, Valley View, Ohio (02-1312700)

After discussion, Mr. Mitchell moved that the Board approve the request as long as the parties to the request comply with the requirements in the rule for such an exemption. The motion was seconded by Mr. Lipsyc and approved by the Board: *Aye* – 6.

R-2008-187

The Board considered a request for an exemption to Ohio Administrative Code Rule 4729-5-10 (Prescription pick-up station) received for the following sites:

Summa/Barberton Hospital Pharmacy, Barberton, Ohio (02-0968550)
Central Admixture Pharmacy Services, Valley View, Ohio (02-1312700)

After discussion, Mrs. Gregg moved that the Board approve the request as long as the parties to the request comply with the requirements in the rule for such an exemption. The motion was seconded by Mr. Kolezynski and approved by the Board: *Aye* – 6.

R-2008-188

The Board considered a request for an exemption to Ohio Administrative Code Rule 4729-5-10 (Prescription pick-up station) received for the following sites:

Buderer Drug, Sandusky, Ohio (02-1106900)
Fisher-Titus Memorial Hospital, Norwalk, Ohio (02-0032150)

After discussion, Mr. Turner moved that the Board approve the request as long as the parties to the request comply with the requirements in the rule for such an exemption. The motion was seconded by Mr. Mitchell and approved by the Board: *Aye* – 6.

R-2008-189

The Board considered a request for an exemption to Ohio Administrative Code Rule 4729-5-10 (Prescription pick-up station) received for the following sites:

Buderer Drug, Sandusky, Ohio (02-1106900)
Far West Center, Amherst, Ohio (02-1234650)
Far West Center, Westlake, Ohio (02-0595250)

After discussion, Mrs. Gregg moved that the Board approve the request as long as the parties to the request comply with the requirements in the rule for such an exemption. The motion was seconded by Mrs. Teater and approved by the Board: *Aye* – 6.

Mr. Winsley discussed the need for a Board meeting schedule revision in December, 2008. The change would eliminate the December 10, 2008 date as no meeting room is available. The Board will meet on December 8 & 9. Mrs. Gregg moved that the Board approve the change. Mr. Mitchell seconded the motion and it was approved by the Board: *Aye* – 6.

R-2008-190

The Board considered a request for an exemption to Ohio Administrative Code, Rule 4729-5-11 (Responsible person) requesting that **Robert Weekley**, R.Ph. (03-1-24791), Ada, Ohio be permitted to be the responsible person for the following sites:

Giant Eagle #4022, Cuyahoga Falls, Ohio (02-0404850)
Giant Eagle, Akron, Ohio (02-1287500)

After discussion, Mrs. Gregg moved that the Board approve the request for 90 days. The motion was seconded by Mr. Lipsyc and approved by the Board: *Aye* – 6.

Mr. McMillen and Mr. Benedict reported that a request from **Rite Aid/Medco** asking that its Central Processing Center be allowed to function as a central-fill pharmacy in Ohio was found approvable by the Board in July, 2005. Following inspection by Mr. Benedict and Mr. McMillen, the facility was approved.

Mr. Winsley presented the Legislative Report to the Board.

11:57 a.m. The Board recessed for lunch.

1:03 p.m. The Board reconvened with the following members present:

Gregory Braylock, R.Ph., *President*; Nathan S. Lipsyc, R.Ph., *Vice-President*; Elizabeth I. Gregg, R.Ph.; Richard F. Kolezynski, R.Ph.; Kevin J. Mitchell, R.Ph.; Dorothy S. Teater, Public Member; and James E. Turner, R.Ph.

The Board was joined by Assistant Attorney General Sally Ann Steuk to conduct an adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. in the matter of **Chad Andrew Royer**, R.Ph. Maineville, Ohio.

2:34 p.m. The hearing ended and the record was closed.

The Board recessed briefly.

2:43 p.m. Mrs. Gregg moved that the Board go into Executive Session for the purpose of the investigation of complaints regarding licensees and registrants pursuant to Section 121.22(G)(1) of the Ohio Revised Code. The motion was seconded by Mr. Mitchell and a roll-call vote was conducted by President Braylock as follows: Gregg – *yes*; Kolezynski – *yes*; Lipsyc – *yes*; Mitchell – *yes*; Teater – *yes*; and Turner – *yes*.

2:52 p.m. The Executive Session ended and the meeting was opened to the public.

R-2008-191 Mrs. Gregg moved that the following order be adopted in the matter of **Chad Andrew Royer**, R.Ph. Maineville, Ohio.

ORDER OF THE STATE BOARD OF PHARMACY

Docket Number D-080110-032

in the matter of:

Chad Andrew Royer, R.Ph.

8749 Surrey Place
Maineville, Ohio 45039

INTRODUCTION

The matter of Chad Andrew Royer came for hearing on May 12, 2008, before the following members of the Board: Gregory Braylock, R.Ph. (*presiding*); Elizabeth I. Gregg, R.Ph.; Richard F. Kolezynski, R.Ph.; Nathan S. Lipsyc, R.Ph.; Kevin J. Mitchell, R.Ph.; Dorothy S. Teater, Public Member; and James E. Turner, R.Ph.

Chad Andrew Royer was not represented by counsel. The State of Ohio was represented by Sally Ann Steuk, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witness: Betty Jones, R.Ph., Ohio State Board of Pharmacy

Respondent's Witnesses: Chad Andrew Royer, R.Ph., Respondent
Earl Siegel, R.Ph.
Michael Quigley, R.Ph.

State's Exhibits:

1. Proposal to Deny/Notice of Opportunity For Hearing letter [01-10-08]
1A-1C. Procedurals
2. National Association of Boards of Pharmacy Application for Dr. Chad Andrew Royer [10-30-07]
3. Administrative Complaint, State of Michigan Department of Consumer & Industry Services vs. Chad A. Royer, R.Ph., File Number: 53-00-1896-00 Bureau of Health Services, Board of Pharmacy, Disciplinary Committee [11-15-00]; Consent Order and Stipulation [04-11-01]
4. Letter from John C. Maleski, B.A., S.W. to Chad Royer, R.Ph. [03-30-04]; Letter from Debra Wright-Chambers to Chad Royer, R.Ph. [06-29-04]
5. Notarized Statement of Chad Royer [11-14-07]
6. Copy of computer e-mail from Chad Royer to Betty Jones [11-15-07]

Respondent's Exhibits:

- A. Letter from Kiran Parag to Chad A. Royer [11-17-00]; State of Michigan Board of Pharmacy Administrative Complaint [11-15-00]
- B. Consent Order and Stipulation [04-11-01]
- C. Letter from Debra Wright-Chambers to Chad Royer, R.Ph. [06-29-04]; Michigan Board of Pharmacy Verification of Licensure for Chad Andrew Royer [not dated]; Copy of State of Michigan Board of Pharmacy License for Chad A. Royer [date of expiration 06-30-09]
- D. Letter from Charles F. Gehrke, M.D. to Chad Royer, R.Ph. [09-18-00]; Michigan Health Professional Recovery Corporation (MHPRC) Monitoring Agreement [09-21-00]; Letter from Marianne D'Angelo to Chad A. Royer, R.Ph. [04-17-01]; MHPRC Agreement [04-24-01]; Seven Addenda to Monitoring Agreement for Chad Royer, R.Ph. [10-16-00 to 10-10-03]
- E. Letter from John C. Maleski, B.A., S.W. to Chad Royer, R.Ph. [03-30-04]
- F. Four Letters of Support [04-09-08 to 05-05-08]
- G. Continuing Pharmaceutical Education Credits and Certificates [12-27-04 to 11-14-07]

FINDINGS OF FACT

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

- (1) Chad Andrew Royer is a registered pharmacist in the state of Michigan, and on or about October 30, 2007 Chad Andrew Royer applied for reciprocal registration into the State of Ohio.
- (2) Chad Andrew Royer was, on or about April 11, 2001, disciplined by the Michigan Bureau of Health Services, Board of Pharmacy. In the Matter of: Chad A. Royer, R.Ph., File Number 53-00-1896-00, State of Michigan, Department of Consumer & Industry Services, Board of Pharmacy, Disciplinary Subcommittee. Chad Andrew Royer was placed on a term of probation from April 11, 2001 through May 11, 2004, with conditions relating to rehabilitation due to drug abuse.

CONCLUSION OF LAW

After having heard the testimony, observed the demeanor of the witnesses, considered the evidence, and weighed the credibility of each, the State Board of Pharmacy finds that Chad Andrew Royer has met the terms of rehabilitation the Michigan Board of Pharmacy placed on him and therefore finds that Chad Andrew Royer qualifies for reciprocal registration.

DECISION OF THE BOARD

On the basis of the Findings of Fact set for above and after consideration of the record as a whole, the State Board of Pharmacy hereby approves the application for reciprocity, and directs Chad Andrew Royer to attend the Reciprocity Review session.

Further, the Board places Chad Andrew Royer on probation for two years beginning on the effective date of this Order. The terms of probation are as follows:

- (A) Chad Andrew Royer may not serve as a responsible pharmacist.
- (B) Chad Andrew Royer must not violate the drug laws of Ohio, any other state, or the federal government.
- (C) Chad Andrew Royer must abide by the rules of the State Board of Pharmacy.
- (D) Chad Andrew Royer must comply with the terms of this Order.
- (E) Chad Andrew Royer's license is deemed to be not in good standing until successful completion of the probationary period.
- (F) Any violation of probation may result in a Board hearing to consider alternative or additional sanctions under Section 4729.16 of the Ohio Revised Code.

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

Mr. Kolezynski seconded the motion and it was approved by the Board: *Aye* – 6.

Mr. Kolezynski presented the probation report to the Board.

Mrs. Gregg reported on the Northeastern Ohio University College of Pharmacy accreditation visit conducted by the Accreditation Council for Pharmacy Education.

Mr. Benedict reported Medical Board Prescribing Committee had not met this month.

Mr. Mitchell said the Medical Board Physician Assistant Policy Committee had not met this month.

3:10 p.m. The Board recessed for the day.

Tuesday, May 13, 2008

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8:30 a.m. The Ohio State Board of Pharmacy convened in room East B, 31st Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, with the following members present:

Gregory Braylock, R.Ph., *President*; Nathan S. Lipsyc, R.Ph., *Vice-President*; Elizabeth I. Gregg, R.Ph.; Richard F. Kolezynski, R.Ph.; Kevin J. Mitchell, R.Ph.; Dorothy S. Teater, Public Member; and James E. Turner, R.Ph.

8:37 a.m.

R-2008-192

After discussion, Mrs. Gregg moved that the Board minutes of April 7-9, 2008, be approved as amended. Mr. Kolezynski seconded the motion and it was approved by the Board: *Aye* – 6.

Mr. Braylock discussed the April meeting report of the Nursing Board's Committee on Prescriptive Governance.

Mr. McMillen and Mr. Benedict reported that a request from **Giant Eagle Pharmacy # 8417** (02-1830650), Lewis Center, Ohio, asking that its Central Processing Center be allowed to function as a central-fill pharmacy in Ohio was found approvable by the Board on December 4, 2007. Following inspection by Mr. Benedict and Mr. McMillen, the facility was approved.

8:54 a.m. The Board recessed briefly.

9:02 a.m. The Board was joined by Assistant Attorney General Sally Ann Steuk to conduct an adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. in the matter of **Gary A. Holschuh**, R.Ph. (03-1-22847), Wheelersburg, Ohio.

10:36 a.m. The hearing ended and the record was closed.

10:37 a.m. Mrs. Gregg moved that the Board go into Executive Session for the purpose of the investigation of complaints regarding licensees and registrants pursuant to Section 121.22(G)(1) of the Ohio Revised Code. The motion was seconded by Mr. Lipsyc and a roll-call vote was conducted by President Braylock as follows: Gregg – *yes*; Kolezynski – *yes*; Lipsyc – *yes*; Mitchell – *yes*; Teater – *yes*; and Turner – *yes*.

10:46 a.m. The Executive Session ended and the meeting was opened to the public.

R-2008-193

Mrs. Gregg moved that the following order be adopted in the matter **Gary A. Holschuh**, R.Ph. (03-1-22847), Wheelersburg, Ohio.

ORDER OF THE STATE BOARD OF PHARMACY

Docket Number D-070921-012

in the matter of:

Gary A. Holschuh, R.Ph.

36 Inlet Court
Wheelersburg, Ohio 45694

R.Ph. Number 03-1-22847

INTRODUCTION

The matter of Gary A. Holschuh came for hearing on May 13, 2008, before the following members of the Board: Gregory Braylock, R.Ph. (*presiding*); Elizabeth I.

Gregg, R.Ph.; Richard F. Kolezynski, R.Ph.; Nathan S. Lipsyc, R.Ph.; Kevin J. Mitchell, R.Ph.; Dorothy S. Teater, Public Member; and James E. Turner, R.Ph.

Gary A. Holschuh was represented by Daniel D. Connor. The State of Ohio was represented by Sally Ann Steuk, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witness: Kevin Joseph Kinneer, Ohio State Board of Pharmacy

Respondent's Witness: Gary A. Holschuh, R.Ph., Respondent

State's Exhibits:

1. Summary Suspension Order/Notice of Opportunity For Hearing letter [09-21-07]
- 1A-1F. Procedurals
2. Notarized Statement of Gary Holschuh [09-19-07]
3. Rx #C485819 [09-05-07]
4. CVS/Revco #3612 Drug Usage Report [05-01-07 to 09-20-07]
5. Drug Audit Accountability Sheet for oxycodone/APAP 5/325 mg at CVS Pharmacy #3612 [09-20-07]
6. Dangerous Drug Distributor Inspection Report for Gary A. Holschuh [09-19-07]
7. Copy of Statement of Farrah Simpson [09-13-07]
8. Copy of Statement of Missy Rainer [09-13-07]
9. Photo copy of three drug vials [not dated]

Respondent's Exhibits:

- A. PRO Pharmacist's Recovery Contract for Gary A. Holschuh [04-27-08]
- B. The Ohio State University Medical Center Authorization for Release of Medical Records for Gary A. Holschuh [02-27-08]; Medical Records; [09-28-07 to 10-06-07]
- C. St. Mary's Medical Center Medical Records [10-25-07 to 10-31-07]
- D. The Counseling Center Treatment Records [03-10-08 to 04-15-08]
- E. Support Group Attendance Records [10-07-07 to 04-22-08]
- F. Restitution Documentation [10-25-07 to 11-06-07]
- G. Twelve Letters of Support [04-22-08 to 05-06-08]
- H. Support Group Attendance Records [04-04-08 to 05-11-08]

FINDINGS OF FACT

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

- (1) Records of the Board of Pharmacy indicate that Gary A. Holschuh was originally licensed by the State of Ohio as a pharmacist on February 27, 1998, pursuant to examination, and that his license to practice pharmacy in Ohio was summarily suspended effective September 21, 2007.
- (2) Gary A. Holschuh is addicted to or abusing drugs and/or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy, to wit: Gary A. Holschuh has admitted to being addicted to opioids. Gary A. Holschuh has indicated that he purchased OxyContin from a street source, consuming between 80 mg and 120 mg per day; and

Gary A. Holschuh has stolen hydrocodone and oxycodone to support his addiction. Such conduct indicates that Gary A. Holschuh is within the ambit of Sections 3719.121 and/or 4729.16(A)(3) of the Ohio Revised Code.

- (3) Gary A. Holschuh did, on or about September 5, 2007, intentionally create and/or knowingly possess a false or forged prescription, to wit: Gary A. Holschuh forged Rx #C485819, obtaining 60 tablets of Suboxone. Such conduct is in violation of Section 2925.23 of the Ohio Revised Code.
- (4) Gary A. Holschuh did, on or about August 27, 2007, through September 5, 2007, with purpose to deprive, knowingly obtain or exert control over dangerous drugs, the property of CVS, beyond the express or implied consent of the owner, to wit: Gary A. Holschuh has admitted to stealing 30 Percocet tablets and 10 Norco 10/325 mg tablets from his employer. Such conduct is in violation of Section 2913.02 of the Ohio Revised Code.

CONCLUSIONS OF LAW

- (1) The State Board of Pharmacy concludes that paragraphs (3) and (4) of the Findings of Fact constitute being guilty of gross immorality as provided in Division (A)(1) of Section 4729.16 of the Ohio Revised Code.
- (2) The State Board of Pharmacy concludes that paragraphs (3) and (4) of the Findings of Fact constitute being guilty of dishonesty and unprofessional conduct in the practice of pharmacy as provided in Division (A)(2) of Section 4729.16 of the Ohio Revised Code.
- (3) The State Board of Pharmacy concludes that paragraph (2) of the Findings of Fact constitutes being addicted to or abusing liquor or drugs or impaired physically or mentally to such a degree as to render Gary A. Holschuh unfit to practice pharmacy as provided in Division (A)(3) of Section 4729.16 of the Ohio Revised Code.
- (4) The State Board of Pharmacy concludes that paragraph (3) of the Findings of Fact constitutes being guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of provisions of Chapter 2925. of the Revised Code as provided in Division (A)(5) of Section 4729.16 of the Ohio Revised Code.

DECISION OF THE BOARD

Pursuant to Section 3719.121 of the Ohio Revised Code, the State Board of Pharmacy hereby removes the Summary Suspension Order issued to Gary A. Holschuh on September 21, 2007.

Pursuant to Section 4729.16 of the Ohio Revised Code, and after consideration of the record as a whole, the State Board of Pharmacy hereby suspends indefinitely the pharmacist identification card, No. 03-1-22847, held by Gary A. Holschuh and such suspension is effective as of the date of the mailing of this Order.

- (A) Gary A. Holschuh, pursuant to Rule 4729-9-01(F) of the Ohio Administrative Code, may not be employed by or work in a facility licensed by the State Board of Pharmacy to possess or distribute dangerous drugs during such period of suspension.

- (B) Gary A. Holschuh, pursuant to Section 4729.16(B) of the Ohio Revised Code, must return his identification card and license (wall certificate) to the office of the State Board of Pharmacy within ten days after receipt of this Order unless the Board office is already in possession of both. The identification card and wall certificate should be sent by certified mail, return receipt requested.

Further, after one year from the effective date of this Order, the Board will consider any petition filed by Gary A. Holschuh for a hearing, pursuant to Ohio Revised Code Chapter 119., for reinstatement. The Board will only consider reinstatement of the license to practice pharmacy in Ohio if the following conditions have been met:

- (A) Gary A. Holschuh must continue with his current PRO Pharmacist's Recovery Contract. The contract must provide that:
- (1) Random, observed urine drug screens shall be conducted at least once each month.
 - (a) The urine sample must be given within twelve hours of notification. The urine drug screen must include testing for creatinine or specific gravity of the sample as the dilutional standard.
 - (b) Results of all drug screens must be negative. Refusal of a drug screen or a diluted drug screen is equivalent to a positive result. Any positive results, including those which may have resulted from ingestion of food, but excluding false positives which resulted from medication legitimately prescribed, indicates a violation of the contract.
 - (c) Alcohol must be added to the standard urine drug screen.
 - (2) The intervener/sponsor shall submit reports to the Board, in a format acceptable to the Board, indicating drug screens and their results in a timely fashion. Actual copies of drug screens shall be made available to the Board upon request.
 - (3) Attendance is required a minimum of three times per week at an Alcoholics Anonymous, Narcotics Anonymous, and/or similar support group meeting.
 - (4) The program shall immediately report to the Board any violations of the contract and/or lack of cooperation.
- (B) Gary A. Holschuh must demonstrate satisfactory proof to the Board that he is no longer addicted to or abusing drugs or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy.
- (C) Gary A. Holschuh must provide, at the reinstatement petition hearing, documentation of the following:
- (1) Compliance with the contract required above (e.g.-proof of giving the sample within twelve hours of notification and copies of all drug screen reports, meeting attendance records, treatment program reports, etc.);

- (2) Compliance with the continuing pharmacy education requirements set forth in Chapter 4729-7 of the Ohio Administrative Code as applicable and in effect on the date of petitioning the Board for reinstatement;
- (3) Compliance with the terms of this Order.
- (D) If reinstatement is not accomplished within three years of the effective date of this Order, Gary A. Holschuh must also show successful completion of the North American Pharmacist Licensure Examination (NAPLEX) examination.
- (E) Upon such time as the Board may consider reinstatement, Gary A. Holschuh will be afforded a Chapter 119. hearing. At such time, the Board may consider reinstatement with or without restrictions and/or conditions as the Board deems appropriate under the circumstances.

The motion was seconded by Mr. Lipsyc and approved by the Board: *Aye* –6.

10:48 a.m. The Board recessed briefly.

11:00 a.m. Mrs. Gregg moved that the Board go into Executive Session for the purpose of the investigation of complaints regarding licensees and registrants pursuant to Section 121.22(G)(1) of the Ohio Revised Code. The motion was seconded by Mr. Kolezynski and a roll-call vote was conducted by President Braylock as follows: Gregg – *yes*; Kolezynski – *yes*; Lipsyc – *yes*; Mitchell – *yes*; Teater – *yes*; and Turner – *yes*.

11:49 a.m. The Executive Session ended and the meeting was opened to the public.

11:50 a.m. The Board recessed for lunch.

1:00 p.m. The Board reconvened with the following members present:

Gregory Braylock, R.Ph., *President*; Elizabeth I. Gregg, R.Ph.; Richard F. Kolezynski, R.Ph.; Kevin J. Mitchell, R.Ph.; Dorothy S. Teater, Public Member; and James E. Turner, R.Ph.

Mrs. Gregg moved that the Board go into Executive Session for the purpose of discussing personnel matters pursuant to Section 121.22(G)(1) of the Ohio Revised Code. The motion was seconded by Mr. Mitchell and a roll-call vote was conducted by President Braylock as follows: Gregg – *yes*; Kolezynski – *yes*; Mitchell – *yes*; Teater – *yes*; and Turner – *yes*.

1:30 p.m. The Executive Session ended and the meeting was opened to the public.

1:31 p.m.

R-2008-194

The following candidates for licensure by reciprocity met in Room South A, 31st Floor of the Vern Riffe Center with members of the Board. They introduced themselves and participated in a discussion of pharmacy laws and rules with Mr. McMillen and the Board, and were then presented their pharmacist identification cards.

Jason Charles Allen	03-2-28559	Indiana
Christine Tran Chuong	03-2-28593	Michigan
Amber Lynn Del Re	03-2-28521	North Carolina
Amita Dhawan	03-2-28506	Illinois
Michael J. Diviak	03-2-28556	Massachusetts
Darem W. Dughri	03-2-28590	Pennsylvania
Gregg P. Hoolahan	03-2-28655	Pennsylvania
Michelle Jaber	03-2-28483	Tennessee

Adrien Arlene LaRue	03-2-28589	West Virginia
Lance Ray Norris	03-2-28542	Kansas
Shayna Rae Odle	03-2-28523	Indiana
Priti Vinod Patel	03-2-28630	Michigan
Mary Erin Pelly	03-2-28579	Kentucky
Gianna Catherine Rigoni	03-2-28615	North Carolina
Kara S. Rolfes	03-2-28550	Indiana
Aimee Danette Ruder	03-2-28566	Indiana
Julie Marchell Rumbach-Austin	03-2-28431	West Virginia
Kristen Elisabeth Sammut	03-2-28594	Michigan
Ernesto Rebelto Samuel	03-2-28681	New York
Patricia L. Sims	03-2-28580	Maryland
Terri Jean Suffoletta	03-2-28616	Kentucky
Janie Marie Swartz	03-2-28476	Kentucky
Elsa A. Tadesse	03-2-28417	Pennsylvania
Michael R. White	03-2-28581	West Virginia

1:52 p.m.

R-2008-195

Mr. Kolezynski moved that the proposed Cease and Desist order drafted by Board staff in the matter of **Ameridose, LLC** (02-1808100), Framingham, Massachusetts may be issued. Mr. Mitchell seconded the motion and it was approved by the Board: *Aye* – 5.

R-2008-196

Mrs. Gregg moved that President Braylock attend, as the Board's representative, the University of Utah School on Alcoholism and Other Drug Dependencies. The motion was seconded by Mr. Kolezynski and approved by the Board: *Aye* – 5.

R-2008-197

Mr. Turner moved that the Board adopt the following recognition resolution for **Robert L. Cole**, recognizing his many years of service to the Board of Pharmacy. The motion was seconded by Mr. Mitchell and approved by the Board: *Aye* – 5.

RESOLUTION OF THE BOARD

WHEREAS, the Board's Compliance Supervisor, **Robert L. Cole**, has been with the Board since 1978, giving of himself great dedication and personal sacrifice to the benefit of the Board and the citizens of the State of Ohio;

WHEREAS, his efforts have significantly contributed to the ongoing operation of this Board, enabling this Board to serve its constituents effectively and efficiently;

WHEREAS, the Board recognizes that, upon his retirement this March 31, 2008, his daily presence in the Board office will be greatly missed;

BE IT RESOLVED that we, the Members of the Ohio State Board of Pharmacy, in the Board's one-hundred twenty-fourth year, do hereby express our profound appreciation to Robert L. Cole for his dedication and service to the Board and to the citizens of Ohio; and

BE IT RESOLVED that this resolution be spread upon the permanent minutes of the Ohio State Board of Pharmacy and a copy presented to:

Robert L. Cole

2:00 p.m. Mrs. Gregg moved that the Board receive Per Diem as follows:

<u>PER DIEM</u>	<u>05/07</u>	<u>05/12</u>	<u>05/13</u>	<u>04/23</u>	<u>Total</u>
Braylock	1	1	1	-	3
Gregg	-	1	1	-	2
Kolezynski	-	1	1	-	2
Lipsyc	-	1	1	-	2
Mitchell	-	1	1	1	3
Pasquale	-	-	-	-	-
Teater	-	1	1	-	2
Turner	-	1	1	-	2
Wiesenhahn	-	-	-	1	1

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

2:00 p.m. Mrs. Gregg moved that the meeting be adjourned. The motion was seconded by Mr. Kolezynski and approved by the Board: *Aye* – 5.

<p>The Ohio State Board of Pharmacy approved these Minutes June 3, 2008</p>
