

OHIO STATE BOARD OF PHARMACY

THE STATE BOARD OF PHARMACY  
(Docket No. D-881130-030)

In The Matter Of:

ROY HATFIELD, JR., R.Ph.  
310 Regent Drive  
Middletown, Ohio 45042

INTRODUCTION

THE MATTER OF ROY HATFIELD, JR. CAME TO HEARING ON JANUARY 26, 1989 BEFORE THE FOLLOWING MEMBERS OF THE BOARD: JEROME WIESENHAHN, R.Ph. (presiding); GERALD CLOUSE, R.Ph.; NORMAN LEIBOW, R.Ph.; BETTY NICHOL, R.Ph.; JOSEPH SABINO, R.Ph.; ROBERT VALENTINE, R.Ph.; AND MELVIN WILCZYNSKI, R.Ph.

ROY HATFIELD, JR. WAS REPRESENTED BY JERRY M. BRYANT, AND THE STATE OF OHIO WAS REPRESENTED BY CHRISTOPHER COSTANTINI, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

(1) John Zippay - Gray Drug

Respondent's Witnesses:

(1) Roy Hatfield, Jr. - Respondent

(B) Exhibits

State's Exhibits:

- (1) Exhibit A - Notice of Opportunity letter dated November 30, 1988.
- (2) Exhibit B - Request for Hearing letter dated December 16, 1988.
- (3) Exhibit C - Hearing Schedule letter dated December 23, 1988.
- (4) Exhibit D - Hearing Continuance Request letter dated January 20, 1989.
- (5) Exhibit 1 - Entry of Waiver & Plea on Indictment on Roy Hatfield, Jr. from the Common Pleas Court of Montgomery County.
- (6) Exhibit 2 - Termination Entry on Roy Hatfield, Jr. from the Common Pleas Court of Montgomery County.
- (7) Exhibit 3 - Written Statement from Roy Hatfield dated August 25, 1986.

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**Respondent's Exhibits:**

- (1) Exhibit 1 - Medical Records from Greene Memorial Hospital on Roy Hatfield, Jr.
- (2) Exhibit 2 - Letter from Raynell Adams, Probation Officer for Roy Hatfield, Jr. dated January 25, 1989.
- (3) Exhibit 3 - Documents of attendance to Alcoholics Anonymous meetings attended by Roy Hatfield, Jr.
- (4) Exhibit 4 - Victim Impact Statement and Presentence Report from the Montgomery County Common Pleas Court for Roy Hatfield, Jr.
- (5) Exhibit 5 - Letter from George G. Shrive, R.Ph. dated January 19, 1989.
- (6) Exhibit 6 - Income Tax Receipts for Roy Hatfield in 1987.
- (7) Exhibit 7 - Receipts from the Protective Life Insurance Company dated November 21, 1987.

**FINDING OF FACT**

- (1) From the evidence presented, the State Board of Pharmacy finds that Roy Hatfield, Jr., on or about June 3, 1987, in the Common Pleas Court of Montgomery County, Ohio, was convicted of Theft of Drugs in violation of Section 2925.21 of the Ohio Revised Code, a felony of the fourth degree.

**CONCLUSIONS OF LAW**

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in the Finding Of Fact constitutes being guilty of a felony and gross immorality.
- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in the Finding Of Fact constitutes dishonesty and unprofessional conduct in the practice of pharmacy.
- (3) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in the Finding Of Fact constitutes willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of the provisions of Chapter 2925. of the Revised Code.

**ORDER**

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following actions concerning the pharmacist license, No. 03-1-04989, held by Roy Hatfield, Jr.:

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(A) On the basis of paragraphs (1) and (2) of the Conclusions Of Law set forth above, the State Board of Pharmacy suspends the pharmacist identification card held by Roy Hatfield, Jr. for five years effective March 1, 1989.

(B) On the basis of paragraph (3) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby imposes a monetary penalty of two thousand five hundred dollars (\$2,500.00), due and owing within thirty (30) days of the issuance of this Order. The monetary penalty should be made payable to the "Treasurer, State of Ohio" and mailed to the Ohio State Board of Pharmacy, 77 S. High Street, 17th Floor, Columbus, Ohio 43266-0320, with the enclosed form.

(C) Further, the Board suspends the suspension imposed in paragraph (A) above on condition that Roy Hatfield, Jr.:

- (1) does not violate the drug laws of the state of Ohio, any other state, or the federal government; and
- (2) abides by the rules of the State Board of Pharmacy.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF PHARMACY.

MOTION CARRIED.

SO ORDERED.