

---

**OHIO STATE BOARD OF PHARMACY**

---

THE STATE BOARD OF PHARMACY  
(Docket No. D-890901-026)

In The Matter Of:

JAMES W. STEIL, R.Ph.  
1030 Blossom Lane  
Zanesville, Ohio 43701  
(R.Ph. No. 03-1-05387)

INTRODUCTION

THE MATTER OF JAMES W. STEIL CAME TO HEARING ON MARCH 8, 1990 BEFORE THE FOLLOWING MEMBERS OF THE BOARD: TIMOTHY MOORE, R.Ph. (presiding); METTA LOU HENDERSON, R.Ph.; NORMAN LEIBOW, R.Ph.; BETTY NICHOL, R.Ph.; JOSEPH SABINO, R.Ph.; AND MELVIN WILCZYNSKI, R.Ph.

JAMES W. STEIL WAS REPRESENTED BY GARY TYACK, AND THE STATE OF OHIO WAS REPRESENTED BY STEVE DLOTT, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) William Padgett - Ohio Board of Pharmacy
- (2) Rebecca Beckham

Respondent's Witnesses:

- (1) Hall Canter Jr., M.D.
- (2) Richard Cologie - New Lexington Police Department
- (3) William J. Stinard
- (4) James W. Steil - Respondent

(B) Exhibits

State's Exhibits:

- (1) Exhibit A - Notice of Opportunity letter for James W. Steil, R.Ph. dated September 1, 1989.
- (2) Exhibit B - Notice of Opportunity letter for William J. Stinard, R.Ph. dated September 1, 1989.
- (3) Exhibit C - Request for Hearing letter for James W. Steil, R.Ph. from Joseph M. Allen, Attorney At Law dated September 11, 1989.
- (4) Exhibit D - Request for Hearing letter for William J. Stinard, R.Ph. from Joseph M. Allen, Attorney At Law dated September 11, 1989.

---

OHIO STATE BOARD OF PHARMACY

---

- (5) Exhibit E - Hearing Schedule letter for James W. Steil, R.Ph. dated September 14, 1989.
- (6) Exhibit F - Hearing Schedule letter for William J. Stinard, R.Ph. dated September 14, 1989.
- (7) Exhibit G - Hearing Schedule letter for James W. Steil, R.Ph. and William J. Stinard, R.Ph. dated January 12, 1990.
- (8) Exhibit 1 - Pharmacist Renewal Applications for James W. Steil for 1987 and 1988.
- (9) Exhibit 2 - Pharmacist Renewal Applications for William J. Stinard for 1987 and 1988.
- (10) Exhibit 3 - Prescription 0079464 dated 5-21-88 for Regina Rowland.
- (11) Exhibit 4 - Prescription 0083127 dated 8-6-88 for Regina Rowland.
- (12) Exhibit 5 - Prescription 0086157 dated 10-5-88 for Regina Rowland.
- (13) Exhibit 6 - Prescription 0088373 dated 11-18-88 for Regina Rowland.
- (14) Exhibit 7 - Prescription 95770 dated 1-9-89 for Regina Rowland.
- (15) Exhibit 8 - Prescription 97199 dated 1-23-89 for Regina Rowland.
- (16) Exhibit 9 - Prescription 99229 dated 2-16-89 for Regina Rowland.
- (17) Exhibit 10 - Prescription 00250 dated 3-3-89 for Regina Rowland.
- (18) Exhibit 11 - Prescription 01062 dated 3-17-89 for Regina Rowland.
- (19) Exhibit 12 - Prescription 01768 dated 3-31-89 for Regina Rowland.
- (20) Exhibit 14 - Prescription 0081579 dated 7-5-88 for Regina Rowland.
- (21) Exhibit 15 - Prescription 0090131 dated 12-20-88 for Regina Rowland.
- (22) Exhibit 16 - Exempt Narcotic books from Shriver's Pharmacy showing alleged illegal sales to Rebecca J. Beckham.
- (23) Exhibit 18 - Patient Prescription Summary for Ms. Regina Rowland from Shriver's Pharmacy #2 dated 04/03/89.

Respondent's Exhibits:

- (1) None

FINDINGS OF FACT

- (1) From the evidence presented, the State Board of Pharmacy finds that records of the Board of Pharmacy indicate that James W. Steil was originally licensed to practice pharmacy in this state pursuant to examination on January 27, 1953, and that Mr. Steil is currently practicing pharmacy at Shriver's Pharmacy, 121 S. Main St., New Lexington, Ohio.
- (2) From the evidence presented, the State Board of Pharmacy finds that James W. Steil did, between the dates of May 21, 1988 and March 31, 1989, knowingly sell a controlled substance in an amount equal to or exceeding three times the bulk amount when his conduct was not in accordance with Chapters 3719., 4715., 4729., 4731., and 4741. of the Ohio Revised Code, to wit: James W. Steil made the following sales of Percocet, a schedule II controlled substance:

---

OHIO STATE BOARD OF PHARMACY

---

<u>Date</u>	<u>Qty. Written By Physician</u>	<u>Directions For Use</u>	<u>Quantity Dispensed</u>
05-21-88	15	1 tab. 4x/day	115
08-06-88	60	1 tab. 4x/day	160
10-05-88	90	1 tab. 4x/day	190
11-18-88	30	1 tab. 2x/day	130
01-09-89	30	1 tab. 2x/day	130
01-23-89	30	1 tab. 2x/day	130
02-16-89	30	1 tab. 2x/day	130
03-03-89	30	1 tab. 2x/day	130
03-17-89	30	1 tab. 2x/day	130
03-31-89	30	1 tab. 2x/day	130

Such conduct is in violation of Section 2925.03(A)(7) of the Ohio Revised Code.

- (3) From the evidence presented, the State Board of Pharmacy finds that James W. Steil did, on or about July 8, 1987, dispense or sell to one person within a forty-eight consecutive hour period more than one preparation exempted by the provisions of Section 3719.15 of the Revised Code, to wit: on July 7, 1987, James W. Steil sold to Rebecca Beckman one preparation of Parapectolin, a schedule IV controlled substance, and on July 8, 1987, Mr. Steil sold Rebecca Beckman one preparation of Donnagel PG, a schedule V controlled substance. Such conduct is in violation of Section 3719.16 of the Ohio Revised Code.

CONCLUSIONS OF LAW

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (2) and (3) of the Findings Of Fact constitutes unprofessional conduct in the practice of pharmacy as provided in Division (A)(2) of Section 4729.16 of the Ohio Revised Code.
- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (2) and (3) of the Findings Of Fact constitutes willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of any of the provisions of Sections 3715.52 to 3715.72 or Chapter 2925., 3719., or 4729. of the Revised Code as provided in Division (A)(5) of Section 4729.16 of the Ohio 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. 03-1-05387, held by James W. Steil:

---

**OHIO STATE BOARD OF PHARMACY**

---

(A) On the basis of paragraph (1) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby suspends the pharmacist identification card held by James W. Steil for three months, effective July 1, 1990.

(B) On the basis of paragraph (2) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby imposes a monetary penalty of five hundred dollars (\$500.00), effective July 1, 1990.

(C) Further, the Board will set aside the suspension and monetary penalty imposed in paragraphs (A) and (B) above on the condition that Mr. Steil successfully completes the Jurisprudence exam given by the Board prior to July 1, 1990.

Pursuant to paragraph (D)(1) of Rule 4729-3-01 of the Ohio Administrative Code, the State Board of Pharmacy hereby declares that James W. Steil's pharmacist identification card is not in good standing and thereby denies the privilege of being a preceptor and training pharmacy interns for a period of three months.

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

MOTION CARRIED.

SO ORDERED.