
OHIO STATE BOARD OF PHARMACY

THE STATE BOARD OF PHARMACY
(Docket No. D-890815-015)

In The Matter Of:

WILLIAM F. QUINN, R.Ph.
27243 Westown Blvd. #308
Westlake, Ohio 44145
(R.Ph. I.D. Number 03-1-05506)

INTRODUCTION

THE MATTER OF WILLIAM F. QUINN CAME TO HEARING ON DECEMBER 14, 1989 BEFORE THE FOLLOWING MEMBERS OF THE BOARD: TIMOTHY MOORE, R.Ph. (pre-siding); METTA LOU HENDERSON, R.Ph.; NORMAN LEIBOW, R.Ph.; BETTY NICHOL, R.Ph.; JOSEPH SABINO, R.Ph.; ROBERT VALENTINE, R.Ph.; AND MELVIN WILCZYNSKI, R.Ph.

WILLIAM F. QUINN WAS REPRESENTED BY DANIEL J. RYAN, AND THE STATE OF OHIO WAS REPRESENTED BY STEVE DLOTT, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) Richard L. Rob - Blue Cross & Blue Shield

Respondent's Witnesses:

- (1) William F. Quinn - Respondent
(2) Patricia A. Fikar

(B) Exhibits

State's Exhibits:

- (1) Exhibit A - Notice of Opportunity letter dated August 15, 1989.
(2) Exhibit B - Request for Hearing letter dated September 8, 1989.
(3) Exhibit C - Hearing Schedule letter dated September 11, 1989.
(4) Exhibit 1 - Renewal Applications for Patricia Anne Fikar for 1977 through 1988.
(5) Exhibit 2 - Prescriptions 426920, 428164, 432327, 432413, 436149, and 442137.
(6) Exhibit 3 - Prescriptions 440700 and 447539.
(7) Exhibit 4 - Prescription 443305.
(8) Exhibit 5 - Written Statement from William F. Quinn dated May 11, 1988.
(9) Exhibit 6 - Journal Entry for William F. Quinn from the Cuyahoga County Court of Common Pleas.

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Respondent's Exhibits:

- (1) Exhibit 1 - Letter from Daniel J. Ryan dated December 6, 1989; Journal Entry from William F. Quinn from the Cuyahoga County Court of Common Pleas filed December 30, 1988; Letter from Rudolph Schor, R.Ph. from Robin Leader Drug dated October 30, 1989; Letter from Michael W. Bukach, R.Ph. from Medic Discount Drugstores dated November 22, 1989; Letter from Fr. Thomas J. Hyland from Saint Peter Church dated November 17, 1989; Letter from Alva Rubenstein, R.Ph.; and Letter from Ralph Godec, Probation Officer for County of Cuyahoga Court of Common Pleas dated November 30, 1989.

FINDINGS OF FACT

- (1) From the evidence presented, the State Board of Pharmacy finds that records of the Board of Pharmacy indicate that William F. Quinn has been a licensed pharmacist in this state pursuant to examination since August 4, 1953.
- (2) From the evidence presented, the State Board of Pharmacy finds that William F. Quinn did, between the dates of December 31, 1986 and January 9, 1988, with purpose to deprive the owner, Blue Cross Blue Shield, of property, knowingly obtain or exert control over such property by deception, and/or aid and abet the same, to wit:

The following prescriptions were billed to the insurance company without having dispensed the medication:

<u>Rx No.</u>	<u>Date Billed</u>	<u>Drug</u>	<u>Amount</u>
426920	12-31-86	Tonocard 400mg	100 units
428164	12-16-86	Aldactazide 25/25	30 units
432327	12-16-86	Aldomet 250mg	100 units
432413	12-21-86	Premarin .625mg	30 units
436149	01-06-87	Xanax .25mg	30 units
442137	01-09-87	Synthroid .15mg	30 units

The following prescriptions were billed to the insurance company without a record that the following medication was dispensed:

<u>Rx No.</u>	<u>Date Billed</u>	<u>Drug</u>	<u>Amount</u>
440700	10-08-86	Hydrodiuril 50mg	30 units
refill	11-25-86		
refill	12-26-86		
447539	02-23-87	Ornade Spansules	20 units

The following prescription was billed to the insurance company for a larger quantity than that actually dispensed:

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and abetting the violation of any of the provisions of Sections 3715.52 to 3715.72 or Chapter 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. 03-1-05506, held by William F. Quinn:

(A) On the basis of paragraphs (1) and (2) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby suspends the pharmacist identification card held by William F. Quinn for two years.

(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 one thousand dollars (\$1,000.00).

(C) Further, the Board will suspend the suspension imposed in paragraph (A) above and place the pharmacist identification card held by William F. Quinn on probation for two years, and suspend five hundred dollars of the one thousand dollar monetary penalty imposed in paragraph (B) above, on the conditions that Mr. Quinn successfully completes by June 1990 the Jurisprudence Examination offered by the Board. The Board further stipulates that Mr. Quinn may not serve as a responsible pharmacist during this two year probation period.

Pursuant to paragraph (D)(1) of Rule 4729-3-01 of the Ohio Administrative Code, the State Board of Pharmacy hereby declares that William A. Quinn'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 two years.

The five hundred dollar monetary penalty that was not suspended above is 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 State Board of Pharmacy, 77 S. High Street, 17th Floor, Columbus, Ohio 43266-0320, with the enclosed form.

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

MOTION CARRIED.

SO ORDERED.