

THE STATE BOARD OF PHARMACY

VS

WILLIAM WALSTON

THE MATTER OF THE STATE BOARD OF PHARMACY VERSUS WILLIAM WALSTON, DOCKET NO. 6-42-1, WAS HEARD PURSUANT TO CHAPTERS 4729. AND 119. OF THE OHIO REVISED CODE. AFTER CONSIDERATION OF THE EVIDENCE ADDUCED, MOTION WAS MADE AND RECORDED THE FOLLOWING ORDER BE ADOPTED:

ORDER

FINDINGS OF FACT:

- (1) From the evidence presented, the State Board of Pharmacy finds that on January 18, 1979 William Walston at Karl Plaza Pharmacy, 1652 E. Dublin-Granville Road, Columbus Ohio did sell Doriden 500 mg. tablets in an amount less than the minimum bulk amount as defined in Revised Code Section 2925.01, said conduct not being in accordance with Revised Code Chapters 3719. or 4729. as charged in paragraph (1) of the citation letter. Said conduct being prohibited by Section 2925.03(A)(1) of the Ohio Revised Code.
- (2) From the evidence presented, the State Board of Pharmacy finds that on January 18, 1979 William Walston at Karl Plaza Pharmacy, 1652 E. Dublin-Granville Road, Columbus Ohio did dispense thirteen (13) bottles of four ounces each of Cheracol cough syrup with codeine to David Jessup under the exemption of Revised Code Section 3719.15 when he knew or could by reasonable diligence have ascertained that such dispensing would provide the person to whom such preparation was dispensed within 48 consecutive hours with more than 4 grains of codeine or any of its salts or would provide such person with 48 consecutive hours with more than one (1) preparation exempted by the provisions of Revised Code Section 3719.15 as charged in paragraph (2) of the citation letter. Said conduct being prohibited by Section 3719.16 of the Ohio Revised Code.
- (3) From the evidence presented, the State Board of Pharmacy finds that William Walston at Karl Plaza Pharmacy, 1652 E. Dublin-Granville Road, Columbus Ohio: did between May 1, 1978 and January 18, 1979 on one or more occasions dispense Preludin, Ritalin and Percodan without the required written or oral prescription given by a practitioner or without a prescription issued for a legitimate medical purpose as provided for by Ohio Administrative Code Rule 4729-5-30 and Title 21 CFR 1306.04, as charged in paragraph (3) of the citation letter. Said conduct being prohibited by Section 3719.05(A) of the Ohio Revised Code.

CONCLUSIONS OF LAW:

- (1) The State Board of Pharmacy finds that the conduct set forth in paragraph (1) & (2) of the Findings of Fact constitutes Mr. Walston being found guilty of two felonies. Said conduct constituting gross immorality.
- (2) The State Board of Pharmacy finds that the conduct set forth in paragraph (3) of the Findings of Fact constitutes willful violations of more than one time of a provisions of Chapter 3719. of the Ohio Revised Code.

PURSUANT TO SECTION 4729.16 OF THE OHIO REVISED CODE AND THE FOREGOING FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE STATE BOARD OF PHARMACY TAKES THE FOLLOWING DISCIPLINARY ACTION AGAINST THE REGISTERED PHARMACIST LICENSE OF MR. WILLIAM WALSTON:

(WILLIAM WALSTON - CONTINUED)

- (A) FOR VIOLATIONS SET FORTH IN PARAGRAPH (1) OF THE CONCLUSIONS OF LAW, THE STATE BOARD OF PHARMACY HEREBY REVOKES HIS REGISTERED PHARMACIST IDENTIFICATION CARD EFFECTIVE IMMEDIATELY.
- (B) FOR VIOLATIONS SET FORTH IN PARAGRAPH (2) OF THE CONCLUSIONS OF LAW, THE STATE BOARD OF PHARMACY HEREBY FINES MR. WALSTON, FIVE HUNDRED DOLLARS (\$500.00), SAID FINE DUE AND PAYABLE ON OR BEFORE OCTOBER 31, 1980.

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

MOTION CARRIED.

SO ORDERED.