



OHIO STATE BOARD OF PHARMACY

65 S. FRONT STREET, ROOM 504
COLUMBUS, OHIO 43215
TELEPHONE: 614/466-4143

03-1-07820

THE STATE BOARD OF PHARMACY

vs

JOHN C. ARNAS, R.Ph.

THE MATTER OF JOHN C. ARNAS, DOCKET NO. 6-122-2, WAS HEARD PURSUANT TO CHAPTERS 119. AND 4729. OF THE REVISED CODE ON FRIDAY, DECEMBER 6, 1985 AFTER CONSIDERATION OF THE EVIDENCE ADDUCED AND TESTIMONY RECEIVED, MOTIONS WERE MADE AND RECORDED THAT THE FOLLOWING ORDER BE ADOPTED:

ORDER

Findings Of Fact

- (1) From the evidence presented, the State Board of Pharmacy finds that John C. Arnas failed to renew his identification card on the fifteenth day of September, as required by Section 4729.12 of the Ohio Revised Code, for 1980, when he did not submit the required application for renewal, renewal fee, and 4.5 CEUs of approved continuing pharmacy education.
- (2) From the evidence presented, the State Board of Pharmacy finds that John C. Arnas failed to renew his identification card on the fifteenth day of September, as required by Section 4729.12 of the Ohio Revised Code, for 1977, when he did not submit the required 4.5 CEUs of approved continuing pharmacy education until June 23, 1978.
- (3) From the evidence presented, the State Board of Pharmacy finds that John C. Arnas did dispense and sell dangerous drugs while not being a registered pharmacist during the times that he did not have an identification card entitling him to practice as a pharmacist in this state; in violation of Chapter 4729. of the Revised Code.
- (4) From the evidence presented, the State Board of Pharmacy finds that John C. Arnas did knowingly make a false statement with purpose to secure the issuance of terminal distributor of dangerous drugs licenses by the State Board of Pharmacy, to wit: Mr. Arnas indicated that he was a pharmacist registered under Chapter 4729. of the Revised Code and entitled to continue in the practice of pharmacy even though he had not renewed his identification card pursuant to Section 4729.12 of the Revised Code.

- (5) From the evidence presented, the State Board of Pharmacy finds that John C. Arnas, as the owner of Arnas Drug, 421 Market Street, Steubenville, Ohio 43952, did willfully violate Section 4729.27 of the Revised Code, to wit: Mr. Arnas did not have in his employ, in full and actual charge of the pharmacy, a pharmacist registered under the laws of this state.

Conclusion Of Law

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (1) through (5) of the Findings Of Fact constitutes dishonesty in the practice of pharmacy and willful violations of the provisions of Chapter 4729. of the Revised Code.

Pursuant to Sections 4729.07, 4729.08, and 4729.13 of the Revised Code and the foregoing Findings Of Fact and Conclusion Of Law, the State Board of Pharmacy will permit John C. Arnas to sit for the NABPLEX examination and the Board's Jurisprudence examination in June, 1986. A license to practice pharmacy in Ohio will be issued to John C. Arnas only if he meets the criteria set forth in paragraph (A) of Rule 4729-5-31 of the Ohio Administrative Code.

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

MOTION CARRIED.

SO ORDERED.

It is hereby certified by this Board that the above language is a copy of the Order entered upon its journal in this case.

Section 119.12 of the Revised Code authorizes an appeal from this Order. Such an appeal may be taken to the court of common pleas in the county in which your place of business is located or to said court of the county in which you reside. If you do not have a place of business in Ohio and are not a resident of Ohio, you may appeal to the Court of Common Pleas in Franklin County, Ohio.

Such an appeal, setting forth the order appealed from and the grounds of the appeal, must be commenced by the filing of a Notice of Appeal with the State Board of Pharmacy and the appropriate court within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Revised Code.

BY ORDER OF THE STATE BOARD OF PHARMACY

CERTIFIED MAIL
Return Receipt

ORDER ISSUED: January 3, 1986

FZW/sb

By Franklin Z. Wickham
Franklin Z. Wickham, Executive Director

cc/John E. Breen, Assistant Attorney General