



# OHIO STATE BOARD OF PHARMACY

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THE STATE BOARD OF PHARMACY  
(Docket No. D-890811-013)

In The Matter Of:

LOUIS H. SANDERS, R.Ph.  
5250 Lethbridge  
Grand Blanc, Michigan 48439  
(R.Ph. No. 03-1-07953)

THE MATTER OF LOUIS H. SANDERS CAME ON FOR CONSIDERATION BY THE STATE BOARD OF PHARMACY ON MARCH 9, 1990 AS A RESULT OF THE REPORT AND RECOMMENDATION SUBMITTED TO THE BOARD BY HEARING OFFICER AND BOARD MEMBER MELVIN WILCZYNSKI. FOLLOWING CONSIDERATION OF THE REPORT AND RECOMMENDATION, THE TRANSCRIPT OF THE HEARING, AND EVIDENCE ADDUCED AT THE HEARING, MOTIONS WERE MADE AND RECORDED THE FOLLOWING ORDER BE ADOPTED:

## ORDER

### State's Exhibits

- (1) Exhibit A - Notice of Opportunity letter dated August 11, 1989.
- (2) Exhibit B - Hearing Schedule letter dated September 28, 1989.
- (3) Exhibit 1 - Application for Renewal of Identification Card which has been lapsed for more than three years for Louis H. Sanders.
- (4) Exhibit 2 - Final Order from the Michigan Board of Pharmacy for Louis H. Sanders, R.Ph. dated April 28, 1980.
- (5) Exhibit 3 - Sentencing from the Ingham County Circuit Court for Louis Sanders and Transcript of court hearing dated March 28, 1980; Judgment of Sentence from the Ingham County Circuit Court for Louis Sanders aka Louis Henry Sanders, File No. 29965, dated March 20, 1980.

### Findings Of Fact

The State Board of Pharmacy hereby agrees with and adopts the Findings Of Fact set forth in the Report and Recommendation of Hearing Officer and Board Member Melvin Wilczynski, as follows:

- (1) The State Board of Pharmacy finds that on August 11, 1989, Louis H. Sanders was notified by letter of his right to a hearing, his rights in such hearing, and his right to submit his contentions in writing.

- (2) The State Board of Pharmacy finds that as demonstrated by return receipt of August 22, 1989, Louis H. Sanders received the letter of August 11, 1989 informing him of the allegations and his rights.
- (3) The State Board of Pharmacy finds that Louis H. Sanders has not responded in any manner to the letter of August 11, 1989, and has not requested a hearing in this matter.
- (4) The State Board of Pharmacy finds that Louis H. Sanders was, on or about April 28, 1980, suspended by the Michigan Board of Pharmacy of his pharmacist and controlled substances licenses for one year.
- (5) The State Board of Pharmacy finds that Louis H. Sanders was, on or about November 5, 1979, convicted in the Circuit Court for the County of Genesee, State of Michigan, by a plea of nolo contendere of three counts of knowingly and intentionally dispensing four fluid ounces of a Schedule V controlled substance to the same purchaser in a single 48-hour period, a felony conviction.
- (6) The State Board of Pharmacy finds that Louis H. Sanders was, on or about March 20, 1980, convicted in the Ingham County Circuit Court, State of Michigan of Medicaid Fraud.

#### Conclusions Of Law

The State Board of Pharmacy hereby agrees with and adopts the Conclusions Of Law set forth in the Report and Recommendation of Hearing Officer and Board Member Melvin Wilczynski, as follows:

- (1) The State Board of Pharmacy concludes that the conduct set forth in paragraphs (5) and (6) of the Findings Of Fact constitutes being guilty of a felony and gross immorality as provided in Division (A)(1) of Section 4729.16 of the Ohio Revised Code.
- (2) The State Board of Pharmacy concludes that the conduct set forth in paragraphs (5) and (6) of the Findings Of Fact constitutes dishonesty and unprofessional conduct in the practice of pharmacy as provided in Division (A)(2) of Section 4729.16 of the Ohio Revised Code.
- (3) The State Board of Pharmacy concludes that the conduct set forth in paragraphs (4) through (6) of the Findings Of Fact constitutes willfully violating 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.

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Order of the Board

Action Of The Board

The State Board of Pharmacy hereby agrees with and adopts the recommendation for action set forth in the Report and Recommendation of Hearing Officer and Board Member Melvin Wilczynski. Therefore, pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy refuses to renew the pharmacist identification card held by Louis H. Sanders until he takes and successfully completes the Jurisprudence exam offered by the Board. The exam must be completed successfully within six months of the effective date of this Order.

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.

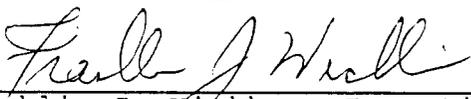
BY ORDER OF THE STATE BOARD OF PHARMACY

CERTIFIED MAIL  
Return Receipt  
#P 497 578 694

ORDER MAILED: May 4, 1990

FZW/pw

By

  
Franklin Z. Wickham, Executive Director

cc: Steve Dlott, Assistant Attorney General