

STATE BOARD OF PHARMACY

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THE STATE BOARD OF PHARMACY

VS

NORTON S. SILVERBERG, R.Ph.

THE MATTER OF NORTON S. SILVERBERG, DOCKET NO. 6-98-3, CAME ON FOR CONSIDERATION BY THE STATE BOARD OF PHARMACY ON TUESDAY, MARCH 26, 1985. MOTIONS WERE MADE AND RECORDED THAT THE FOLLOWING ORDER BE ADOPTED:

ORDER

Findings Of Fact

- (1) On December 27, 1984, Norton S. Silverberg was notified by letter of the allegations against him and informing him of his right to a hearing, his rights in such hearing, and his rights to submit his position, contentions, and arguments in writing.
- (2) As demonstrated by return receipt of December 28, 1984, Norton S. Silverberg received the letter of December 27, 1984 informing him of the charges against him and his rights.
- (3) On January 28, 1985, the Board received a letter dated January 24, 1985 from Patrick A. D'Angelo, an attorney representing Norton S. Silverberg, acknowledging receipt of the Board's Notice of Opportunity For A Hearing and formally surrendering Mr. Silverberg's license.
- (4) On January 29, 1985, a letter was sent to Mr. D'Angelo acknowledging his correspondence and advising him that the letter and pharmacist identification card of Norton S. Silverberg would be made part of the official record when the matter is considered by the Board.

Conclusions Of Law

Upon consideration of the allegations against Norton S. Silverberg and his failure to request a hearing, submit his position, contentions or arguments in writing, or to otherwise deny the allegations against him, the State Board of Pharmacy concludes that Norton S. Silverberg did engage in the conduct set forth in the Notice of Opportunity For A Hearing, and the Board further concludes that:

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- (1) Said conduct constitutes gross immorality, within the meaning of Division (A)(1) of Section 4729.16 of the Revised Code.
- (2) Said conduct constitutes dishonesty and unprofessional conduct in the practice of pharmacy, within the meaning of Division (A)(2) of Section 4729.16 of the Revised Code.
- (3) Said conduct constitutes willfully violating the provisions of Chapters 2925., 3715., 3719., and 4729. of the 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 actions concerning the pharmacist identification card of Norton S. Silverberg, R.Ph. No. 03-1-08182:

(A) On the basis of paragraph (1) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby revokes the pharmacist identification card held by Norton S. Silverberg.

(B) On the basis of paragraph (2) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby revokes the pharmacist identification card held by Norton S. Silverberg.

(C) 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 \$10,000, due and owing within thirty (30) days of the issuance of this Order. Said monetary penalty should be made payable to the "Treasurer, State of Ohio" and mailed to the State Board of Pharmacy, 65 S. Front Street, Room 504, Columbus, Ohio 43215, with the enclosed form.

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

MOTION CARRIED.

SO ORDERED.

(04/25/85)