



# OHIO STATE BOARD OF PHARMACY

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## SETTLEMENT AGREEMENT WITH THE STATE BOARD OF PHARMACY

(Docket No. D-960730-004)

In The Matter Of:

**RALPH LEE LeVANGE, R.Ph.**

425 Lakewood Blvd.

Park Forest, Illinois 60466

(R.Ph. No. 03-1-12771)

This Settlement Agreement is entered into by and between Ralph Lee LeVange and the Ohio State Board of Pharmacy, a state agency charged with enforcing the Pharmacy Practice Act and Dangerous Drug Distribution Act, Chapter 4729. of the Ohio Revised Code.

Ralph Lee LeVange enters into this Agreement being fully informed of his rights afforded under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudication hearing on the issues contained herein.

Ralph Lee LeVange is knowingly and voluntarily acknowledging that, in order to settle the disciplinary charges that have been filed by the Board against Ralph Lee LeVange and in order to obviate the need to conduct an administrative hearing to consider possible disciplinary sanctions against Ralph Lee LeVange's license to practice pharmacy in the state of Ohio, this Agreement is entered into on the basis of the following stipulations, admissions, and understandings:

(A) The Ohio State Board of Pharmacy is empowered by Section 4729.16 of the Ohio Revised Code to suspend, revoke, place on probation, refuse to grant or renew an identification card, or impose a monetary penalty on the license holder for violation of any of the enumerated grounds.

(B) On or about July 30, 1996, pursuant to Chapter 119. of the Ohio Revised Code, Ralph Lee LeVange was notified of the allegations or charges against him, his right to a hearing, his rights in such hearing, and his right to submit contentions in writing. Further, a hearing was requested and scheduled for December 5, 1996; however, the hearing was continued by the Board.

(C) Ralph Lee LeVange neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter; however, the Board has evidence sufficient to sustain the allegations and hereby adjudicates the same:

(1) Records of the Board of Pharmacy indicate that Ralph Lee LeVange was originally licensed in the state of Ohio on March 26, 1979, pursuant to reciprocity,

was lapsed from September 15, 1989 to September 9, 1992, and again from September 15, 1992, to October 5, 1992; and, Ralph Lee LeVange is currently licensed to practice pharmacy in the state of Ohio. Records further reflect that Ralph Lee LeVange was the Responsible Pharmacist at K-Mart Pharmacy in Troy, Ohio, pursuant to Sections 4729.27 and 4729.55 of the Ohio Revised Code and Rule 4729-5-11 of the Ohio Administrative Code during the periods alleged herein.

(2) Ralph Lee LeVange did, from October 12, 1987, through November 25, 1988, with purpose to deprive, knowingly obtain or exert control over the property of K-Mart, by deception, the value being over \$5,000.00, to wit: Ralph Lee LeVange created false prescriptions through K-Mart's computer for himself, his wife, and his two sons, for the purpose of submitting false insurance claims in the amount of \$13,285.72. Such conduct is in violation of Section 2913.02 of the Ohio Revised Code.

(3) Ralph Lee LeVange did, on or about the following dates, intentionally make and knowingly possess false or forged prescriptions, to wit: Ralph Lee LeVange created the following false prescriptions for a controlled substance through K-Mart's computer for the purpose of submitting false insurance claims:

<u>Family Member</u>	<u>Doctor</u>	<u>Date</u>	<u>Rx No.</u>	<u>Drug</u>	<u>Qty.</u>	<u>Payment</u>
Gwendolyn	Buffington	11/09/87	271491	Talwin NX	100	41.34
Gwendolyn	Buffington	11/27/87	273071	Talwin NX	100	41.43
Gwendolyn	Buffington	02/19/88	273071	Talwin NX	100	43.46
Gwendolyn	Buffington	04/15/88	273071	Talwin NX	100	43.46
Gwendolyn	Buffington	04/29/88	273071	Talwin NX	100	43.46

Such conduct is in violation of Section 2925.23 of the Ohio Revised Code.

(4) Ralph Lee LeVange did, on or about the following dates, make false or forged prescriptions, to wit: Ralph Lee LeVange created the following false prescriptions for dangerous drugs through K-Mart's computer for the purpose of submitting false insurance claims:

<u>Family Member</u>	<u>Doctor</u>	<u>Date</u>	<u>Rx No.</u>	<u>Drug</u>	<u>Qty.</u>	<u>Payment</u>
Gwendolyn	Downer	10/12/87	268985	Nasalide NS	25	17.83
Parrish	Horvath	10/12/87	268984	Ceclor susp.	150	28.95
Parrish	Horvath	10/12/87	268984	Ceclor	150	28.95
Parrish	Horvath	10/26/87	268984	Ceclor susp.	150	30.99
Parrish	Horvath	10/26/87	268984	Ceclor	150	30.99
Gwendolyn	Downer	10/31/87	268985	Nasalide NS	25	14.87
Gwendolyn	Downer	11/04/87	271057	Nolamine	50	10.61
Gwendolyn	Downer	11/04/87	271034	Nasalide NS	25	14.87
Parrish	Horvath	11/04/87	271053	Augmentin	150	25.54
Parrish	Horvath	11/04/87	271054	Naldecon	480	28.36
Parrish	Horvath	11/04/87	271055	Ventolin	480	17.46
Aaron	Horvath	11/05/87	271067	Augmentin	150	25.54
Aaron	Horvath	11/05/87	271158	Ventolin	480	17.46
Aaron	Horvath	11/05/87	271068	Naldecon	240	16.41
Aaron	Horvath	11/05/87	271158	Ventolin	480	17.46
Gwendolyn	Dysert	11/09/87	271493	Monistat Crm	45	12.97
Parrish	Horvath	11/13/87	271939	Naldecon	480	28.36
Parrish	Horvath	11/13/87	271937	Ventolin	480	21.24

Aaron	Horvath	11/13/87	271952	Augumentin	150	25.54
Parrish	Horvath	11/13/87	271937	Ventolin	480	17.46
Aaron	Horvath	11/13/87	271952	Augmentin	150	25.54
Parrish	Horvath	11/13/87	271939	Naldecon	480	28.36
Parrish	Horvath	11/13/87	271937	Ventolin	480	17.46
Aaron	Horvath	11/14/87	271989	Naldecon	240	16.41
Aaron	Horvath	11/14/87	271991	Ventolin	480	17.46
Aaron	Horvath	11/14/87	271989	Naldecon	240	16.41
Aaron	Horvath	11/14/87	271991	Ventolin	480	17.46
Aaron	Horvath	11/18/87	272379	Ceclor	150	30.99
Ralph	Horvath	11/18/87	272362	Ceclor	40	98.75
Ralph	Horvath	11/18/87	272362	Ceclor	40	98.75
Aaron	Horvath	11/18/87	272379	Ceclor	150	30.99
Gwendolyn	Downer	11/27/87	271034	Nasalide NS	25	14.87
Gwendolyn	Dysert	11/27/87	273073	Monistat Crm	45	15.97
Parrish	Horvath	11/27/87	268984	Ceclor susp.	150	30.99
Parrish	Horvath	11/27/87	271937	Ventolin	480	21.24
Aaron	Horvath	11/27/87	271952	Augumentin	150	25.54
Aaron	Horvath	11/27/87	271989	Naldecon	240	16.41
Parrish	Horvath	11/27/87	268984	Ceclor	150	30.99
Parrish	Horvath	11/27/87	271937	Ventolin	480	17.46
Aaron	Horvath	11/27/87	271952	Augmentin	150	25.54
<u>Family Member</u>	<u>Doctor</u>	<u>Date</u>	<u>Rx No.</u>	<u>Drug</u>	<u>Qty.</u>	<u>Payment</u>
Aaron	Horvath	11/27/87	271989	Naldecon	240	16.41
Parrish	Horvath	11/27/87	271937	Ventolin	480	17.46
Gwendolyn	Downer	12/03/87	271034	Nasalide NS	25	14.87
Parrish	Horvath	12/03/87	271939	Naldecon	480	28.36
Parrish	Horvath	12/03/87	271937	Ventolin	480	21.24
Aaron	Horvath	12/03/87	271991	Ventolin	480	17.46
Aaron	Horvath	12/03/87	272379	Ceclor	150	30.99
Ralph	Horvath	12/03/87	272362	Ceclor	40	98.75
Parrish	Horvath	12/03/87	271937	Ventolin	480	17.46
Parrish	Horvath	12/03/87	271939	Naldecon	480	28.36
Parrish	Horvath	12/03/87	271937	Ventolin	480	17.46
Aaron	Horvath	12/03/87	271991	Ventolin	480	17.46
Ralph	Horvath	12/03/87	272362	Ceclor	40	98.75
Aaron	Horvath	12/03/87	272379	Ceclor	150	30.99
Gwendolyn	Rahimi	12/09/87	274001	Premarin .9mg	100	25.14
Aaron	Horvath	12/11/87	271989	Naldecon	240	16.41
Aaron	Horvath	12/11/87	271989	Naldecon	240	16.41
Parrish	Horvath	12/21/87	271939	Naldecon	480	28.36
Parrish	Horvath	12/21/87	271937	Ventolin	480	21.24
Parrish	Horvath	12/21/87	271938	Augmentin	150	25.54
Aaron	Horvath	12/21/87	271952	Augumentin	150	25.54
Aaron	Horvath	12/21/87	271989	Naldecon	240	16.41
Parrish	Horvath	12/21/87	271937	Ventolin	480	17.46
Aaron	Horvath	12/21/87	271952	Augmentin	150	25.54
Aaron	Horvath	12/21/87	271989	Naldecon	240	16.41
Parrish	Horvath	12/21/87	271939	Naldecon	480	28.36
Parrish	Horvath	12/21/87	271937	Ventolin	480	17.46
Parrish	Horvath	01/05/88	271937	Ventolin	480	21.24
Aaron	Horvath	01/05/88	271952	Augumentin	150	25.54
Aaron	Horvath	01/05/88	271991	Ventolin	480	17.46

Parrish	Horvath	01/05/88	271937	Ventolin	480	17.46
Aaron	Horvath	01/05/88	271952	Augmentin	150	27.7
Parrish	Horvath	01/05/88	271937	Ventolin	480	17.46
Aaron	Horvath	01/05/88	271991	Ventolin	480	17.46
Gwendolyn	Downer	01/09/88	271034	Nasalide NS	25	14.87
Parrish	Horvath	01/23/88	271937	Ventolin	480	21.24
Parrish	Horvath	01/23/88	271938	Augmentin	150	27.7
Aaron	Horvath	01/23/88	271989	Naldecon	240	16.41
Aaron	Horvath	01/23/88	271991	Ventolin	480	17.46
Ralph	Horvath	01/23/88	272362	Ceclor	40	98.75
Parrish	Horvath	01/23/88	271937	Ventolin	480	17.46
Aaron	Horvath	01/23/88	271989	Naldecon	240	16.41
Parrish	Horvath	01/23/88	271937	Ventolin	480	17.46
Aaron	Horvath	01/23/88	271991	Ventolin	480	17.46
Ralph	Horvath	01/23/88	272362	Ceclor	40	98.75
Gwendolyn	Downer	02/05/88	271034	Nasalide NS	25	14.87
Parrish	Horvath	02/05/88	271939	Naldecon	480	28.36
Aaron	Horvath	02/05/88	271989	Naldecon	240	16.41
Aaron	Horvath	02/05/88	271991	Ventolin	480	17.46
Aaron	Horvath	02/05/88	272379	Ceclor	150	30.99
Aaron	Horvath	02/05/88	271989	Naldecon	240	16.41
Parrish	Horvath	02/05/88	271939	Naldecon	480	28.36
Aaron	Horvath	02/05/88	271991	Ventolin	480	17.46
Aaron	Horvath	02/05/88	272379	Ceclor	150	30.99
Gwendolyn	Downer	02/15/88	271034	Nasalide NS	25	14.87
Gwendolyn	Dysert	02/15/88	273073	Monistat Crm	45	15.97
Ralph	Horvath	02/15/88	272362	Ceclor	40	98.75
Ralph	Horvath	02/15/88	272362	Ceclor	40	98.75
<u>Family Member</u>	<u>Doctor</u>	<u>Date</u>	<u>Rx No.</u>	<u>Drug</u>	<u>Qty.</u>	<u>Payment</u>
Parrish	Horvath	02/24/88	271937	Ventolin	480	17.46
Aaron	Horvath	02/24/88	271991	Ventolin	480	17.46
Parrish	Horvath	02/24/88	271937	Ventolin	480	17.46
Parrish	Horvath	02/24/88	271937	Ventolin	480	17.46
Aaron	Horvath	02/24/88	271991	Ventolin	480	17.46
Parrish	Horvath	03/05/88	271937	Ventolin	480	17.46
Aaron	Horvath	03/05/88	271989	Naldecon	240	16.41
Aaron	Horvath	03/05/88	271991	Ventolin	480	17.46
Parrish	Horvath	03/05/88	271937	Ventolin	480	17.46
Aaron	Horvath	03/05/88	271989	Naldecon	240	16.41
Parrish	Horvath	03/05/88	271937	Ventolin	480	17.46
Aaron	Horvath	03/05/88	271991	Ventolin	480	17.46
Gwendolyn	Rahimi	03/05/88	274001	Premarin .9mg	100	25.14
Gwendolyn	Nordquist	03/06/88	282675	Ceftin	60	212.68
Gwendolyn	Nordquist	03/09/88	283050	Tolectin DS	100	54.73
Gwendolyn	Nordquist	03/09/88	283051	Sectral	100	55.92
Gwendolyn	Dysert	03/15/88	273073	Monistat Crm	45	15.97
Aaron	Nordquist	03/15/88	283558	Quibron	480	22.27
Gwendolyn	Nordquist	03/15/88	283557	Tagamet Liq.	240	52.48
Gwendolyn	Downer	03/18/88	271034	Nasalide NS	25	14.87
Gwendolyn	Nordquist	03/19/88	283945	Ceftin	30	106.34
Parrish	Horvath	03/30/88	271937	Ventolin	480	17.46
Aaron	Horvath	03/30/88	271989	Naldecon	240	16.41
Aaron	Horvath	03/30/88	271991	Ventolin	480	17.46

Parrish	Horvath	03/30/88	271937	Ventolin	480	19.12
Aaron	Horvath	03/30/88	271989	Naldecon	240	16.41
Parrish	Horvath	03/30/88	271937	Ventolin	480	17.46
Aaron	Horvath	03/30/88	271991	Ventolin	480	17.46
Gwendolyn	Downer	04/06/88	271034	Nasalide NS	25	14.87
Gwendolyn	Rahimi	04/06/88	274001	Premarin .9mg	100	25.14
Parrish	Horvath	04/11/88	271937	Ventolin	480	19.12
Ralph	Horvath	04/11/88	272362	Ceclor	40	98.75
Parrish	Horvath	04/11/88	271937	Ventolin	480	19.12
Parrish	Horvath	04/11/88	271937	Ventolin	480	19.12
Ralph	Horvath	04/11/88	272362	Ceclor	40	98.75
Ralph	Horvath	04/26/88	272362	Ceclor	40	98.75
Ralph	Horvath	04/26/88	272362	Ceclor	40	98.75
Gwendolyn	Nordquist	04/26/88	287172	Tagamet Liq.	240	57.71
Gwendolyn	Rahimi	04/29/88	274001	Premarin .9mg	100	25.14
Gwendolyn	Downer	04/30/88	271034	Nasalide NS	25	14.87
Gwendolyn	Downer	05/09/88	271034	Nasalide NS	25	14.87
Gwendolyn	Dysert	05/09/88	273073	Monistat Crm	45	12.97
Parrish	Horvath	05/10/88	271937	Ventolin	480	19.12
Aaron	Horvath	05/10/88	271989	Naldecon	240	17.97
Aaron	Horvath	05/10/88	271991	Ventolin	480	19.12
Parrish	Horvath	05/10/88	271937	Ventolin	480	19.12
Aaron	Horvath	05/10/88	271989	Naldecon	240	17.97
Parrish	Horvath	05/10/88	271937	Ventolin	480	19.12
Aaron	Horvath	05/10/88	271991	Ventolin	480	19.12
Gwendolyn	Nordquist	05/10/88	288238	Tagamet Liq.	240	57.71
Gwendolyn	Nordquist	05/10/88	288252	Ceftin	30	104.34
Ralph	Horvath	05/13/88	272362	Ceclor	40	98.75
Ralph	Horvath	05/13/88	272362	Ceclor	40	98.75
Gwendolyn	Downer	05/28/88	271034	Nasalide NS	25	14.87
Gwendolyn	Nordquist	06/04/88	290281	Ceftin	60	206.67
Gwendolyn	Nordquist	06/05/88	290302	Naprosyn	120	84.81
Gwendolyn	Nordquist	06/05/88	290303	Tenormin	100	42.68
Gwendolyn	Nordquist	06/07/88	290500	Sectral	100	55.92
<u>Family Member</u>	<u>Doctor</u>	<u>Date</u>	<u>Rx No.</u>	<u>Drug</u>	<u>Qty.</u>	<u>Payment</u>
Gwendolyn	Downer	06/13/88	271034	Nasalide NS	25	14.87
Ralph	Horvath	06/13/88	272362	Ceclor	40	98.75
Ralph	Horvath	06/13/88	272362	Ceclor	40	98.75
Gwendolyn	Rahimi	06/13/88	274001	Premarin .9mg	100	25.14
Gwendolyn	Nordquist	06/20/88	291531	Mexitil	120	55.51
Gwendolyn	Nordquist	06/20/88	291532	Mevacor	100	138.76
Gwendolyn	Nordquist	06/20/88	291533	Zantac	60	115.49
Gwendolyn	Nordquist	06/20/88	291535	Prinivil	100	54.74
Gwendolyn	Nordquist	06/22/88	291640	Tonocard	100	55.25
Gwendolyn	Nordquist	06/22/88	291641	Seldane	100	47.58
Gwendolyn	Nordquist	06/26/88	291977	Zantac	60	115.49
Gwendolyn	Nordquist	06/26/88	291989	Seldane	100	47.58
Gwendolyn	Dysert	06/30/88	273073	Monistat Crm	45	14.13
Gwendolyn	Nordquist	07/02/88	292477	Phenergan	12	18.23
Gwendolyn	Downer	07/09/88	271034	Nasalide NS	25	15.32
Parrish	Horvath	07/09/88	271937	Ventolin	480	19.12
Aaron	Horvath	07/09/88	271991	Ventolin	480	19.12
Parrish	Horvath	07/09/88	271937	Ventolin	480	21.24

Parrish	Horvath	07/09/88	271937	Ventolin	480	19.12
Aaron	Horvath	07/09/88	271991	Ventolin	480	19.12
Gwendolyn	Nordquist	07/09/88	292899	Lidex Gel	15	12.54
Gwendolyn	Nordquist	07/09/88	292900	Auralgan	10	8.56
Gwendolyn	Nordquist	07/09/88	292901	Pediotic Susp	7.5	9.95
Gwendolyn	Nordquist	07/09/88	292902	Monistat Crm	45	14.13
Ralph	Horvath	07/10/88	272362	Ceclor	40	98.75
Ralph	Horvath	07/10/88	272362	Ceclor	40	98.75
Gwendolyn	Dysert	07/23/88	273073	Monistat Crm	45	14.13
Gwendolyn	Rahimi	07/23/88	274001	Premarin .9mg	100	25.14
Gwendolyn	Nordquist	07/28/88	290281	Ceftin	60	206.67
Gwendolyn	Downer	08/02/88	271034	Nasalide NS	25	15.32
Parrish	Horvath	08/02/88	271937	Ventolin	480	21.24
Aaron	Horvath	08/02/88	271989	Naldecon	240	17.97
Parrish	Horvath	08/02/88	271937	Ventolin	480	21.24
Aaron	Horvath	08/02/88	271989	Naldecon	240	17.97
Parrish	Horvath	08/02/88	271937	Ventolin	480	21.24
Ralph	Horvath	08/06/88	272362	Ceclor	40	98.75
Ralph	Horvath	08/06/88	272362	Ceclor	40	98.75
Gwendolyn	Nordquist	08/06/88	290303	Tenormin	100	42.68
Gwendolyn	Nordquist	08/06/88	291641	Seldane	100	47.58
Gwendolyn	Dysert	08/15/88	273073	Monistat Crm	45	14.13
Aaron	Horvath	08/15/88	271989	Naldecon	240	17.97
Aaron	Horvath	08/15/88	271989	Naldecon	240	17.97
Gwendolyn	Rahimi	08/15/88	274001	Premarin .9mg	100	25.14
Gwendolyn	Downer	08/20/88	271034	Nasalide NS	25	15.32
Gwendolyn	Nordquist	08/20/88	292902	Monistat Crm	45	14.13
Ralph	Horvath	08/24/88	272362	Ceclor	40	98.75
Ralph	Horvath	08/24/88	272362	Ceclor	40	98.75
Gwendolyn	Nordquist	08/24/88	290281	Ceftin	60	221.24
Gwendolyn	Nordquist	08/24/88	290303	Tenormin	100	42.68
Gwendolyn	Nordquist	08/24/88	296536	Tolectin DS	100	54.73
Gwendolyn	Nordquist	08/24/88	296539	Zantac	60	123.6
Gwendolyn	Nordquist	08/24/88	296540	Sectral	100	61.51
Gwendolyn	Downer	08/25/88	296542	Nolamine	50	11.25
Gwendolyn	Dysert	09/02/88	273073	Monistat Crm	45	14.13
Gwendolyn	Rahimi	09/02/88	274001	Premarin .9mg	100	25.14
Aaron	Levitt	09/03/88	297420	Accutane	100	227.27
<u>Family Member</u>	<u>Doctor</u>	<u>Date</u>	<u>Rx No.</u>	<u>Drug</u>	<u>Qty.</u>	<u>Payment</u>
Gwendolyn	Nordquist	09/07/88	297700	Tambocor	120	76.4
Gwendolyn	Nordquist	09/07/88	297701	Tolectin DS	120	65.68
Gwendolyn	Nordquist	09/07/88	297702	Ridaura cap	60	46.78
Gwendolyn	Nordquist	09/07/88	297703	Pamelor	100	120.81
Gwendolyn	Downer	09/12/88	298090	Nasalide NS	25	15.32
Parrish	Horvath	09/12/88	271937	Ventolin	480	21.24
Aaron	Horvath	09/12/88	271989	Naldecon	240	19.66
Aaron	Horvath	09/12/88	271991	Ventolin	480	21.24
Parrish	Horvath	09/12/88	271937	Ventolin	480	21.24
Aaron	Horvath	09/12/88	271989	Naldecon	240	19.66
Parrish	Horvath	09/12/88	271937	Ventolin	480	21.24
Aaron	Horvath	09/12/88	271991	Ventolin	480	21.24
Aaron	Levitt	09/12/88	297420	Accutane	100	227.27
Gwendolyn	Nordquist	09/13/88	298103	Ceftin	50	184.73

Gwendolyn Nordquist	09/13/88	298205	Minocin	100	150.22	
Gwendolyn Nordquist	09/13/88	298206	Catapres	100	36.26	
Gwendolyn Nordquist	09/14/88	298263	Decadron Comp.12.6	100	21.5	
Gwendolyn Nordquist	09/14/88	298264	Decadron tab.	100	121.46	
Gwendolyn Nordquist	09/16/88	298428	Stelazine tab	100	99.98	
Gwendolyn Nordquist	09/16/88	298429	Thoraz Span	100	52.07	
Gwendolyn Nordquist	09/17/88	298554	Parafon Forte	100	52.88	
Gwendolyn Nordquist	09/17/88	298615	Moduretic	100	30.21	
Gwendolyn Nordquist	09/17/88	298604	Septra Susp	480	29.02	
Gwendolyn Nordquist	09/21/88	298973	Beconase NS	25	19.97	
Gwendolyn Nordquist	09/21/88	298974	Augmentin	50	71.25	
Gwendolyn Nordquist	09/21/88	298991	Norgesic Forte	100	57.67	
Gwendolyn Nordquist	09/21/88	298992	Noroxin	50	97.85	
Ralph Horvath	09/22/88	272362	Ceclor	40	105.66	
Ralph Horvath	09/22/88	272362	Ceclor	40	105.66	
Parrish Horvath	09/27/88	271937	Ventolin	480	21.24	
Aaron Horvath	09/27/88	271991	Ventolin	480	21.24	
Parrish Horvath	09/27/88	271937	Ventolin	480	21.24	
Parrish Horvath	09/27/88	271937	Ventolin	480	21.24	
Aaron Horvath	09/27/88	271991	Ventolin	480	21.24	
Gwendolyn Nordquist	09/27/88	299489	Cipro	60	213.47	
Gwendolyn Nordquist	09/27/88	299490	Mevacor	100	135.43	
Gwendolyn Dysert	10/01/88	273073	Monistat Crm	45	14.13	
Parrish Horvath	10/01/88	271937	Ventolin	480	21.24	
Aaron Horvath	10/01/88	271989	Naldecon	240	19.66	
Parrish Horvath	10/01/88	271937	Ventolin	480	21.24	
Aaron Horvath	10/01/88	271989	Naldecon	240	19.66	
Parrish Horvath	10/01/88	271937	Ventolin	480	21.24	
Aaron Levitt	10/01/88	297420	Accutane	100	227.27	
Gwendolyn Nordquist	10/01/88	290303	Tenormin	100	47.44	
Gwendolyn Nordquist	10/01/88	292902	Monistat Crm	45	14.13	
Gwendolyn Nordquist	10/01/88	288238	Tagamet Liq.	240	57.71	
Gwendolyn Rahimi	10/01/88	274001	Premarin .9mg	100	25.14	
Gwendolyn Downer	10/01/88	298090	Nasalide NS	25	15.32	
Gwendolyn Nordquist	10/05/88	300305	Parafon Forte	120	63.46	
Gwendolyn Nordquist	10/05/88	300306	Nitrobid Cap.	100	17.3	
Gwendolyn Nordquist	10/05/88	300307	Indocin SR	60	51.82	
Ralph Horvath	10/10/88	272362	Ceclor	40	105.66	
Ralph Horvath	10/10/88	272362	Ceclor	40	105.66	
Gwendolyn Nordquist	10/11/88	300815	Pepcid	30	57.27	
Gwendolyn Nordquist	10/11/88	300816	Noroxin	60	117.42	
Gwendolyn Nordquist	10/15/88	301130	Ceftin	60	221.24	
Gwendolyn Nordquist	10/15/88	301131	Mevacor	60	81.88	
<u>Family Member</u>	<u>Doctor</u>	<u>Date</u>	<u>Rx No.</u>	<u>Drug</u>	<u>Qty.</u>	<u>Payment</u>
Parrish	Horvath	10/19/88	271937	Ventolin	480	21.24
Parrish	Horvath	10/19/88	271937	Ventolin	480	21.24
Parrish	Horvath	10/19/88	271937	Ventolin	480	21.24
Gwendolyn	Dysert	10/24/88	273073	Monistat Crm	45	14.13
Gwendolyn	Nordquist	10/24/88	290303	Tenormin	100	47.44
Gwendolyn	Rahimi	10/24/88	274001	Premarin .9mg	100	25.14
Aaron	Horvath	10/26/88	271991	Ventolin	480	21.24
Aaron	Horvath	10/26/88	271991	Ventolin	480	21.24
Aaron	Levitt	10/26/88	297420	Accutane	100	227.27

Gwendolyn	Nordquist	10/30/88	290281	Ceftin	60	221.24
Gwendolyn	Nordquist	10/30/88	291641	Seldane	100	54.64
Gwendolyn	Nordquist	11/06/88	292902	Monistat Crm	45	14.13
Parrish	Horvath	11/08/88	271937	Ventolin	480	21.24
Parrish	Horvath	11/08/88	271937	Ventolin	480	21.24
Parrish	Horvath	11/08/88	271937	Ventolin	480	21.24
Aaron	Horvath	11/12/88	271989	Naldecon	240	19.66
Ralph	Horvath	11/12/88	272362	Ceclor	40	105.66
Aaron	Horvath	11/12/88	271989	Naldecon	240	19.66
Ralph	Horvath	11/12/88	272362	Ceclor	40	105.66
Gwendolyn	Nordquist	11/12/88	288238	Tagamet Liq.	240	57.71
Parrish	Horvath	11/21/88	271937	Ventolin	480	21.24
Parrish	Horvath	11/21/88	271937	Ventolin	480	21.24
Parrish	Horvath	11/21/88	271937	Ventolin	480	21.24
Gwendolyn	Dysert	11/23/88	273073	Monistat Crm	45	14.13
Gwendolyn	Rahimi	11/23/88	274001	Premarin .9mg	100	25.14
Aaron	Horvath	11/25/88	271989	Naldecon	240	16.41
Aaron	Horvath	11/25/88	271991	Ventolin	480	21.24
Aaron	Horvath	11/25/88	271989	Naldecon	240	17.63
Aaron	Horvath	11/25/88	271991	Ventolin	480	21.24

Such conduct is in violation of Section 4729.61(C) of the Ohio Revised Code.

(5) Ralph Lee LeVange was, pursuant to a plea agreement on or about February 5, 1991, convicted in the Common Pleas Court of Miami County, Ohio, of Theft in violation of Section 2913.02 of the Ohio Revised Code, a misdemeanor of the first degree.

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, Ralph Lee LeVange knowingly and voluntarily agrees with the State Board of Pharmacy to the following:

- (1) The indefinite suspension of the pharmacist identification card, No. 03-1-12771, held by Ralph Lee LeVange indefinitely and such suspension is effective as of December 5, 1996. Pursuant to Rule 4729-9-01(F) of the Ohio Administrative Code, Ralph Lee LeVange may not be employed by or work in a facility licensed by the Board to possess or distribute dangerous drugs during such period of suspension. Division (B) of Section 4729.16 of the Revised Code provides that: "Any individual whose identification card is revoked, suspended, or refused, shall return his identification card and certificate of registration to the offices of the state board of pharmacy within ten days after receipt of the notice of such action." The certificate and identification card should be forwarded by certified mail, return receipt requested. Further, Ralph Lee LeVange must petition the Board, pursuant to a Revised Code Chapter 119. hearing, for reinstatement of his license to practice pharmacy in Ohio.
- (2) The imposition of a monetary penalty of five hundred dollars (\$500.00) due and owing within 30 days of the effective date of this Agreement. The monetary penalty should be made payable to the "Treasurer, State of Ohio" and mailed with the enclosed form to the State Board of Pharmacy, 77 S. High Street, 17th Floor, Columbus, Ohio 43266-0320.

If, in the judgment of the Board, Ralph Lee LeVange appears to have violated or breached any terms or conditions of this Agreement, the Ohio State Board of

Pharmacy reserves the right to, at any time, institute formal disciplinary proceedings for any and all possible violations or breaches, including but not limited to, alleged violation of the laws of Ohio occurring before the effective date of this Agreement.

Ralph Lee LeVange acknowledges that he has had an opportunity to ask questions concerning the terms of this agreement and that all questions asked have been answered in a satisfactory manner. Any action initiated by the Board based on alleged violation of this Agreement shall comply with the Administrative Procedure Act, Chapter 119. of the Ohio Revised Code.

Ralph Lee LeVange waives any and all claims or causes of action he may have against the State of Ohio or the Board, and members, officers, employees, and/or agents of either, arising out of matters which are the subject of this Agreement.

In the event the Board, in its discretion, does not adopt this Agreement as its Adjudication, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. Ralph Lee LeVange agrees that should the Board reject this Agreement and if this case proceeds to hearing, he will assert no claim that the Board was prejudiced by its review and discussion of this Agreement or of any information relating thereto.

This Settlement Agreement shall be considered a public record, as that term is used in Section 149.43 of the Ohio Revised Code, and shall become effective upon the date of the Board President's signature below.

/s/ Ralph LeVange  
Ralph Lee LeVange, Respondent

/d/ 3/31/97  
Date of Signature

/s/ Charles H. Sell II  
Chuck Sell, Attorney for Respondent

/d/ 4/2/97  
Date of Signature

/s/ Suzanne L. Neuber  
Suzanne L. Neuber, President, Ohio State Board of Pharmacy

/d/ 4/21/97  
Date of Signature

/s/ Mary L. Hollern  
Mary L. Hollern, Ohio Assistant Attorney General

/d/ 4/21/97  
Date of Signature



# OHIO STATE BOARD OF PHARMACY

77 South High Street, Room 1702; Columbus, OH 43215-6126

-Equal Opportunity Employer and Service Provider-

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E-MAIL: [exec@bop.state.oh.us](mailto:exec@bop.state.oh.us)

FAX: 614/752-4836

TTY/TDD: Use the Ohio Relay Service: 1-800/750-0750

URL: <http://www.pharmacy.ohio.gov>

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## ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-971223-029)

In The Matter Of:

**RALPH LEE LeVANGE, R.Ph.**

200 W. Adams

P.O. Box 353

Danforth, Illinois 60930

(R.Ph. No. 03-1-12771)

### INTRODUCTION

THE MATTER OF RALPH LEE LeVANGE CAME TO HEARING ON MARCH 11, 1998, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: AMONTE B. LITTLEJOHN, R.Ph. (presiding); DIANE C. ADELMAN, R.Ph.; ROBERT B. CAVENDISH, R.Ph.; JOHN L. HANNA, R.Ph.; JOSEPH J. MASLAK, R.Ph.; SUZANNE L. NEUBER, R.Ph.; RUTH A. PLANT, R.Ph.; AND NICHOLAS R. REPKE, PUBLIC MEMBER.

RALPH LEE LeVANGE WAS NOT REPRESENTED BY COUNSEL, AND THE STATE OF OHIO WAS REPRESENTED BY SALLY ANN STEUK, ASSISTANT ATTORNEY GENERAL.

### SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) Joseph Holliday, Ohio State Board of Pharmacy

Respondent's Witnesses:

- (1) Ralph Lee LeVange, Respondent

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1A--Hearing Request letter dated December 17, 1997.
- (2) Exhibit 1B--Copy of Hearing Schedule letter dated December 23, 1997.

- (3) Exhibit 2--Copy of ten-page Settlement Agreement with the Ohio State Board of Pharmacy, Docket No. D-960730-004, in the matter of Ralph Lee LeVange, made effective on April 21, 1997.
- (4) Exhibit 3--Copy of two-page letter from J. D. Cash dated February 1, 1989, with attached copy of Exhibit A, Recap of Prescription Hard Copies Unable To Be Located and Recap of Prescription Claims Prepared by "PMO."
- (5) Exhibit 4A--Notarized letter of Stephen N. Buffington dated April 19, 1990.
- (6) Exhibit 4B--Notarized letter of Robert N. Downer dated April 10, 1990.
- (7) Exhibit 4C--Notarized letter of Gerald A. Dysert dated June 5, 1989.
- (8) Exhibit 4D--Notarized letter of Kevin A. Horvath dated April 9, 1990.
- (9) Exhibit 4E--Notarized letter of Stephen B. Levitt dated May 30, 1989.
- (10) Exhibit 4F--Letter from Bruce Nordquist dated December 5, 1988.
- (11) Exhibit 4G--Notarized letter from Bruce Nordquist dated June 5, 1989.
- (12) Exhibit 4H--Notarized letter from Cyrus Rahimi dated May 20, 1990.
- (13) Exhibit 5--Copy of Kmart Corporation Loss Prevention Department Statement Form of Ralph LeVange dated December 23, 1988.
- (14) Exhibit 6A--Copy of Indictment in the Miami County Common Pleas Court, State of Ohio vs. Ralph LeVange, Case No. 90CR111, dated June 6, 1990.
- (15) Exhibit 6B--Certified copy of Journal Entry in the Miami County Municipal Court, State of Ohio vs. Ralph LeVange dated February 11, 1998.
- (16) Exhibit 7--Letter from D. A. Vandercher dated February 13, 1998.
- (17) Exhibit 8--Letter from D. A. Vandercher dated March 5, 1998.

Respondent's Exhibits:

- (1) Exhibit A--Letter from Ralph LeVange, not dated.

FINDING OF FACT

After having heard the testimony, considered the evidence, observed the demeanor of the witnesses, and weighed their credibility, the State Board of Pharmacy finds the following to be fact:

- (1) Ralph Lee LeVange has complied with the terms of his Settlement Agreement with the State Board of Pharmacy, Docket No. D-960730-004.

ACTION OF THE BOARD

The State Board of Pharmacy hereby approves the reinstatement of the pharmacist identification card of Ralph Lee LeVange to practice pharmacy in the state of Ohio with the following conditions:

- (A) Prior to the identification card to practice pharmacy in the state of Ohio being issued, Ralph Lee LeVange must provide evidence that restitution will be made to Kmart Corporation.
- (B) Upon the issuance of his identification card, Ralph Lee LeVange will be placed on probation for five years. The terms of probation are as follows:
  - (1) Ralph Lee LeVange must not violate the drug laws of the state of Ohio, any other state, or the federal government.
  - (2) Ralph Lee LeVange must abide by the rules of the Ohio State Board of Pharmacy.

(3) Ralph Lee LeVange must comply with the terms of this Order.

(4) Ralph Lee LeVange must comply with the terms of the agreement with Kmart Corporation dated March 27, 1998.

The Board may at any time revoke probation for cause, modify the conditions of probation, and reduce or extend the period of probation. At any time during this period of probation, the Board may revoke probation for a violation occurring during the probation period.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF PHARMACY (Aye-7/Nay-0).

MOTION CARRIED.

SO ORDERED.