
OHIO STATE BOARD OF PHARMACY

THE STATE BOARD OF PHARMACY
(Docket No. D-900503-081)

In The Matter Of:

MARILYN MARGARET FLYNN, R.Ph.
5903 Meadowhill
Colleyville, Texas 76034
(R.Ph. No. 03-1-13034)

THE MATTER OF MARILYN MARGARET FLYNN CAME ON FOR CONSIDERATION BY THE STATE BOARD OF PHARMACY ON AUGUST 9, 1990. MOTIONS WERE MADE AND RECORDED THAT THE FOLLOWING ORDER BE ADOPTED:

ORDER

State's Exhibits

- (1) Exhibit A - Notice of Opportunity letter dated May 3, 1990.
- (2) Exhibit 1 - Continuing Pharmacy Education Report Form of Marilyn M. Flynn dated August 3, 1989.
- (3) Exhibit 2 - Notice of Continuing Pharmacy Education Audit letter dated December 8, 1989.
- (4) Exhibit 3 - Notice of 10-day Extension To Respond To Audit letter dated January 5, 1990.
- (5) Exhibit 4 - Notice of 30-day To Comply With Audit letter dated March 15, 1990.
- (6) Exhibit 5 - Letter from Marilyn M. Flynn dated July 20, 1990.

Findings Of Fact

- (1) On May 3, 1990, Marilyn Margaret Flynn was notified by letter of her right to a hearing, her rights in such hearing, and her right to submit her contentions in writing.
- (2) As demonstrated by return receipt of May 9, 1990, Marilyn Margaret Flynn received the letter of May 3, 1990 informing her of the allegations regarding her failure to complete the continuing pharmacy education audit, and her rights.
- (3) Marilyn Margaret Flynn submitted a letter, received July 27, 1990, setting forth her position and contentions in writing, and has not requested a hearing in this matter.
- (4) Upon consideration of the record as a whole, the State Board of Pharmacy finds that Marilyn Margaret Flynn has not continued her pharmacy education in accordance with Section 4729.12 of the Revised Code and Rules 4729-7-01 to 4729-7-07 of the Administrative Code.
- (5) Upon consideration of the record as a whole, the State Board of Pharmacy finds that Marilyn Margaret Flynn has not submitted sufficient evidence to prove she has continued her pharmacy education in accordance with the rules of the Board.

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Conclusion Of Law

- (1) The State Board of Pharmacy concludes that paragraphs (4) and (5) of the Findings Of Fact constitute dishonesty and unprofessional conduct in the practice of pharmacy as provided in Division (A)(2) of Section 4729.16 of the Revised Code.

Action Of The Board

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following actions concerning the pharmacist license, No. 03-1-13034, held by Marilyn Margaret Flynn:

(A) On the basis of the Conclusion Of Law set forth above, the State Board of Pharmacy hereby suspends the pharmacist identification card held by Marilyn Margaret Flynn indefinitely.

(B) Further, the Board will not reinstate the identification card until Marilyn Margaret Flynn submits evidence of having obtained the required continuing pharmacy education credits and appropriate renewal requirements within the time limits established by Sections 4729.12 and 4729.13 of the Revised Code.

Division (B) of Section 4729.16 of the Revised Code provides in pertinent part that: "Any individual whose identification card is ..., suspended, ..., shall return his identification card and certificate of registration to the offices of the state board of pharmacy within ten days after receipt of notice of such action." The certificate and identification card should be forwarded by certified mail, return receipt requested.

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

MOTION CARRIED.

SO ORDERED.