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**OHIO STATE BOARD OF PHARMACY**

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ORDER OF THE STATE BOARD OF PHARMACY  
(Docket No. D-960607-061)

In The Matter Of:

**PETER DIXON CLOUSE, R.Ph.**  
1206 Old Ivy Way  
Mt. Pleasant, South Carolina 29464  
(R.Ph. No. 03-1-14696)

INTRODUCTION

THE MATTER OF PETER DIXON CLOUSE CAME TO HEARING ON JUNE 26, 1996, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: PAUL F. LAMPING, R.Ph. (presiding); ROBERT B. CAVENDISH, R.Ph.; JOHN L. HANNA, R.Ph.; AMONTE B. LITTLEJOHN, R.Ph.; JOSEPH J. MASLAK, R.Ph.; SUZANNE L. NEUBER, R.Ph.; RUTH A. PLANT, R.Ph.; AND NICHOLAS R. REPKE, PUBLIC MEMBER.

PETER DIXON CLOUSE WAS NOT PRESENT, NOR WAS HE REPRESENTED BY COUNSEL, AND THE STATE OF OHIO WAS REPRESENTED BY MARY L. HOLLERN, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) Timothy J. Benedict, R.Ph., Ohio State Board of Pharmacy

Respondent's Witnesses:

- (1) None

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1--Probation Revocation Hearing letter dated June 7, 1996.  
(2) Exhibit 2--Order of the State Board of Pharmacy, Docket No. D-940627-088, in the matter of Peter D. Clouse dated October 31, 1994.

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- (3) Exhibit 3--Copy of letter from Peter D. Clouse, not dated, received in the Board office on January 9, 1995, with the following attachments: copy of two transcripts from Life College of Peter D. Clouse dated September 20, 1994, and December 13, 1994; copy of urine drug screen report of Peter Clouse dated August 24, 1994; copy of urine drug screen report of Peter Clouse dated September 2, 1994; copy of Progress Report and Information Sheet of Peter D. Clouse, not dated; copy of letter from Alana T. Holmes dated June 7, 1994; copy of Dean's List, Summer 1994; and copies of six pages of meeting attendance verification of Peter Clouse dated from May 25, 1994, through December 26, 1994.
- (4) Exhibit 4--Letter from Peter D. Clouse dated June 30, 1995.

Respondent's Exhibits:

- (1) Exhibit A--Letter from Peter D. Clouse dated June 18, 1996; and attached letter from Carmen A. Catizone dated May 2, 1995.

FINDINGS 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) On June 7, 1996, Peter Dixon Clouse 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) As demonstrated by return receipt, delivery date unknown, Peter Dixon Clouse received the letter of June 7, 1996, informing him of the allegations against him, and his rights.
- (3) Peter Dixon Clouse submitted his contentions in writing and thus, has been entered into the record as Respondent's Exhibit A.
- (4) Records of the Board indicate that Peter Dixon Clouse's license to practice pharmacy in the state of Ohio was suspended on August 21, 1990, but was reinstated and placed on probation for a period of five years on October 31, 1994, pursuant to the provisions of Section 4729.16 of the Ohio Revised Code. The terms of probation were as follows: submission to random urine screens with results to be sent to the Board; attendance at AA meetings twice weekly; a new five-year contract with a treatment provider; and, submission of a report to the Board twice yearly. Further, Peter Dixon Clouse was not permitted to be a preceptor or responsible pharmacist during the term of probation.
- (5) Since the commencement of his probation, though he submitted reports on January 9, 1995, and July 10, 1995, Peter Dixon Clouse has not submitted any reports thereafter. A report to the Board was due in January of 1996.

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### CONCLUSIONS OF LAW

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraph (5) of the Findings of Fact constitutes failure to submit timely reports and thereby violating the provisions of probation.
- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraph (5) of the Findings of Fact constitutes unprofessional conduct in the practice of pharmacy as provided in Division (A)(2) of Section 4729.16 of the Ohio Revised Code.
- (3) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraph (5) of the Findings of Fact constitutes being guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of provisions of Chapter 4729. of the Revised Code as provided in Division (A)(5) of Section 4729.16 of the Ohio Revised Code.

### ACTION OF THE BOARD

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following action in the matter of Peter Dixon Clouse:

- (A) On the basis of the Findings of Fact and Conclusions of Law set forth above, the State Board of Pharmacy revokes the probation granted by the Board on October 31, 1994, and hereby suspends the pharmacist identification card, No. 03-1-14696, held by Peter Dixon Clouse indefinitely and such suspension is effective as of the date of the mailing of this Order. Pursuant to Rule 4729-9-01(F) of the Ohio Administrative Code, Peter Dixon Clouse may not be employed by or work in a facility licensed by the Ohio Board of Pharmacy to possess or distribute dangerous drugs during such period of suspension.
- (B) Three years after the effective date of this Order, the Board will consider any petition filed by Peter Dixon Clouse for a hearing, pursuant to Revised Code Chapter 119., upon the question of the reinstatement of his license to practice pharmacy in Ohio. The Board will consider the reinstatement of the license only if the following conditions have been met:
  - (1) Peter Dixon Clouse must enter into a new contract, from the effective date of this Order, with a limited treatment provider acceptable to the Board, for a period of not less than five years and, upon signing, submit a copy of the contract to the Board office. The contract must provide that:

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- (a) random, **observed** urine screens shall be conducted at least every three months. The urine drug screens must report testing for alcohol and must also report testing for creatinine or specific gravity of the sample as the dilutional standard;
  - (b) regular attendance, at least two times per week, at an Alcoholics Anonymous, Narcotics Anonymous, and/or similar support group meetings, and at meetings of a professional support group, is required during outpatient treatment and/or during aftercare;
  - (c) the program sponsor shall provide copies of all urine drug screens to the Ohio Board of Pharmacy in a timely fashion; and
  - (d) the program sponsor shall immediately report to the Ohio Board of Pharmacy any violations of the contract and/or lack of cooperation.
- (2) Peter Dixon Clouse must submit progress reports, on January 1, and July 1, of each year, to the Board's Compliance Administrator that include:
- (a) The written report and documentation provided by the treatment program pursuant to the contract, and
  - (b) a written description of his progress towards recovery and what he has been doing during the previous six months.
- (3) Peter Dixon Clouse must submit to the Board the following documentation upon petitioning for reinstatement:
- (a) An outline of his presentation to the Board;
  - (b) any testimonials from others;
  - (c) all contract(s) with treatment provider(s) and written documentation from the treatment provider(s) regarding compliance with the program(s);
  - (d) copies of all urine drug screen reports; and
  - (e) evidence of continuing pharmacy education.

The documentation must be submitted to the Board with the request for a reinstatement hearing and will be reviewed by the Compliance Administrator. When all of the required information is received, complete and in proper form, the reinstatement hearing will be scheduled.

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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.

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

MOTION CARRIED.

SO ORDERED.

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OHIO STATE BOARD OF PHARMACY

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ORDER OF THE STATE BOARD OF PHARMACY  
(Docket No. D-940627-088)

In The Matter Of:

**PETER D. CLOUSE, R.Ph.**  
2183 Old Dallas Road  
Marietta, Georgia 30064  
(R.Ph. No. 03-1-14696)

INTRODUCTION

THE MATTER OF PETER D. CLOUSE CAME TO HEARING ON SEPTEMBER 27, 1994, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: RUTH A. PLANT, R.Ph. (presiding); ROBERT B. CAVENDISH, R.Ph.; JOHN L. HANNA, R.Ph.; AMONTE B. LITTLEJOHN, R.Ph.; JOSEPH J. MASLAK, R.Ph.; SUZANNE L. NEUBER, R.Ph.; AND NICHOLAS R. REPKE, PUBLIC MEMBER.

PETER D. CLOUSE WAS NOT REPRESENTED BY COUNSEL, AND THE STATE OF OHIO WAS REPRESENTED BY ANNE BERRY STRAIT AND JACK STARKOFF, ASSISTANT ATTORNEYS GENERAL.

SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) Fred Williams, Ohio State Board of Pharmacy
- (2) Tim Benedict, Ohio State Board of Pharmacy
- (3) Peter D. Clouse, Respondent

Respondent's Witnesses:

- (1) None

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1 - Order of the Ohio State Board of Pharmacy in the matter of Peter D. Clouse, R.Ph., Docket No. D-900516-102, dated August 21, 1990.
- (2) Exhibit 2 - Hearing Request letter dated June 22, 1994.
- (3) Exhibit 3 - Hearing Schedule letter dated June 27, 1994.
- (4) Exhibit 4 - Copy of letter from Tim Benedict dated February 19, 1991, with notation from Pete Clouse dated February 27, 1991, with attached two-page Pharmacists Rehabilitation Organization, Inc. Impaired Pharmacist's Contract of Peter D. Clouse dated January 3, 1990.
- (5) Exhibit 5 - Letter from Wayne Miller dated January 12, 1991; and letter from Wayne Miller dated January 15, 1991.

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- (6) Exhibit 6 - Certification of Proceedings from Illinois Department of Professional Regulation in the matter of Peter Dixon Clouse dated July 25, 1991, with attached three-page State of Illinois Department of Professional Regulation Consent Order, No. 90-1585, of Peter Dixon Clouse effective January 29, 1991.
- (7) Exhibit 7 - Progress Report of Peter D. Clouse dated December 27, 1990, with attachments: copies of nine urine drug screens and copies of nine pages of AA/NA meeting verifications.
- (8) Exhibit 8 - Progress Report of Peter D. Clouse, not dated, received in the Board office July 5, 1991, with attachments: copies of thirty pages of AA/NA meeting verifications; copies of eight urine drug screens; copy of letter from Peter D. Clouse dated May 8, 1991; and copy of letter from George Dixon Clouse dated May 7, 1991.
- (9) Exhibit 9 - Progress Report of Peter D. Clouse, not dated, received in the Board office on December 26, 1991, with attachments: copy of Life College - Grade Report dated September 24, 1991; copies of two urine drug screens; and copies of eight pages of AA/NA meeting verification sheets.
- (10) Exhibit 10 - Progress Report of Peter D. Clouse, not dated, received in the Board office on July 6, 1992, with attachments: copy of letter from Paul C. Krouse dated April 6, 1992; copy of Life College - Grade Report dated March 24, 1992; copies of seven pages of AA/NA meeting verification sheets; and copy of Dean's List for Winter Quarter, 1992.
- (11) Exhibit 11 - Progress Report of Peter D. Clouse dated December 28, 1992, with attachments: copy of Life College - Grade Report dated June 17, 1992; copies of three Dean's Lists, for Summer Quarter, 1992, Spring Quarter, 1992, and Winter Quarter, 1992; and copies of six pages of AA/NA meeting verification sheets.
- (12) Exhibit 12 - Letter from Peter D. Clouse dated January 11, 1993, and Life College - Grade Report dated December 15, 1992.
- (13) Exhibit 13 - Progress Report of Peter D. Clouse, not dated, received in the Board office on June 30, 1993, with attachments: Chi Rho News dated June 6, 1993; EV newspaper, not dated; Life College - Grade Report dated June 16, 1993; Life College - Grade Report dated March 25, 1993; Life College - Grade Report dated December 15, 1992; and copies of seven pages of AA/NA meeting verification sheets.
- (14) Exhibit 14 - Progress Report of Peter D. Clouse, dated on or about December 31, 1993, with attachments: copies of eleven pages of AA/NA meeting verification sheets; copy of Transcript of Grades, not dated; and copy of Life College - Grade Report dated December 14, 1993.
- (15) Exhibit 15 - Progress report of Peter D. Clouse, not dated, received in the Board office on July 11, 1994, with attachments: copy of Life College - Grade Report dated June 15, 1994; copy of Nations Bank money order receipt dated January 5, 1994; copies of six pages of AA/NA meeting verification sheets; and copy of letter from Alana T. Holmes dated June 7, 1994.

Respondent's Exhibits:

- (1) Exhibit A - Red folder containing copies of Progress Report and Information Sheet of Peter D. Clouse; copy of letter from Alana T. Holmes dated June 7, 1994; copy of Entry in the Court of Common Pleas, Franklin County, Ohio, Criminal Division of Peter D. Clouse, Case No. 89CR-04-1710, dated January 14, 1994; and copy of Nations Bank money order receipt dated January 5, 1994, followed by five subparts as follows: Advocates - copies of Curriculum Vitae of Roy A. Kupkowski, List of Services of Marlene J. Kupkowski and Roy A. Kupkowski Definitions and Philosophy of Marlene J. Kupkowski and Roy A. Kupkowski,

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business cards of Marlene J. Kupkowski and Roy A. Kupkowski, letter from Wayne C. Miller dated January 10, 1993; and letter from Charles A. Becker dated December 18, 1990. CEU - copies of twenty-six certificates of continuing pharmaceutical education of Peter D. Clouse dated from January 24, 1991, through July 25, 1994. Education - Copies of the Dean's List Spring 1994; letter from Paul C. Krouse dated April 6, 1992; and three-page Life College School of Chiropractic Transcript of Peter D. Clouse dated April 14, 1993. AA Meetings - copies of four pages of meeting verification sheets of Peter D. Clouse dated from February 16, 1994, through September 23, 1994. Urine Screens - copies of twenty-one urine drug screen results of Peter Clouse dated from June 28, 1990, through September 1, 1994.

- (2) Exhibit B - VHS Video tape recording of Roy A. Kupkowski, R.Ph., N.C.A.C. II regarding Peter D. Clouse.
- (3) Exhibit C - Letter from Marcia L. Malouin dated April 30, 1991.

**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) Peter D. Clouse has complied with the requirements of the Order of the State Board of Pharmacy, Docket No. D-900516-102, dated August 21, 1990.

**ACTION OF THE BOARD**

The State Board of Pharmacy hereby approves the reinstatement of Peter D. Clouse's pharmacist identification card to practice pharmacy in the state of Ohio and places him on probation for five years, with the following conditions:

- (A) Peter D. Clouse must provide evidence that he has entered into a new contract with the Pharmacists Rehabilitation Organization, Inc. or similar treatment provider acceptable to the Board, for a period of not less than five years. The contract must provide that:
  - (1) random, observed urine screens shall be conducted at least every three months. The urine drug screens must include reporting of specific gravity;
  - (2) regular attendance, a minimum of two times per week, at an Alcoholics Anonymous, Narcotics Anonymous, and/or similar support group meeting is required during outpatient treatment and/or during aftercare;
  - (3) the intervener/sponsor shall provide copies of all urine screens to the Ohio Board of Pharmacy in a timely fashion; and
  - (4) the program shall immediately report to the Ohio Board of Pharmacy any violations of the contract and/or lack of cooperation.
- (B) Peter D. Clouse must submit prior to reinstatement a copy of the contract to the Board as soon as it has been agreed to by the program.
- (C) Peter D. Clouse must submit progress reports, on January 1, and July 1, of each year, to the Board's Compliance Administrator that include:

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- (1) The written report and documentation provided by the treatment program pursuant to the contract, and
  - (2) a written description of his progress towards recovery and what he has been doing during the previous six months.
- (D) Other terms of probation are as follows:
- (1) Peter D. Clouse must abide by the contract from the treatment provider and any violation must be reported to the Board immediately.
  - (2) Peter D. Clouse must not violate the drug laws of the state of Ohio, any other state, or the federal government.
  - (3) Peter D. Clouse must abide by the rules of the Ohio State Board of Pharmacy.
  - (4) Peter D. Clouse must immediately notify the Board's Compliance Administrator if/when he returns to practice pharmacy in Ohio, and Mr. Clouse must keep the Ohio Board of Pharmacy informed of his current mailing address, current physical address, and telephone number.
  - (5) Peter D. Clouse may not accept dangerous drugs or prescriptions written by his father, George Dixon Clouse, M.D.
  - (6) Peter D. Clouse must comply with the terms of this Order.

Peter D. Clouse is hereby advised that 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.

Pursuant to paragraph (D)(1) of Rule 4729-3-01 of the Ohio Administrative Code, the State Board of Pharmacy hereby declares that Peter D. Clouse's pharmacist identification card is not in good standing and thereby denies the privilege of being a preceptor and training pharmacy interns for five years.

The Board further stipulates that Peter D. Clouse may not serve as a responsible pharmacist for five years.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF PHARMACY (Aye-5/Nay-1).

MOTION CARRIED.

SO ORDERED.

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THE STATE BOARD OF PHARMACY  
(Docket No. D-900516-102)

In The Matter Of:

PETER D. CLOUSE, R.Ph.  
1367 Wyandotte Road  
Columbus, Ohio 43212  
(R.Ph. No. 03-1-14696)

INTRODUCTION

THE MATTER OF PETER D. CLOUSE CAME TO HEARING ON JUNE 28, 1990 BEFORE THE FOLLOWING MEMBERS OF THE BOARD: TIMOTHY D. MOORE, R.Ph. (pre-siding); GERALD CLOUSE, R.Ph.; METTA LOU HENDERSON, R.Ph.; NORMAN LEIBOW, R.Ph.; BETTY NICHOL, R.Ph.; JOSEPH SABINO, R.Ph.; AND MELVIN WILCZYNSKI, R.Ph.

PETER D. CLOUSE WAS REPRESENTED BY THOMAS M. TYACK, AND THE STATE OF OHIO WAS REPRESENTED BY JEANNY EATON, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) Fred Williams - Ohio Board of Pharmacy
- (2) Mike Mantsch, R.Ph. - Lynn Drug Company
- (3) Chuck Sealy, Detective - Columbus Police Narcotics
- (4) Peter D. Clouse - Respondent

Respondent's Witnesses:

- (1) Gary Rutherford, President - Pharmacists Rehabilitation Organization, Inc.
- (2) Wayne C. Miller, R.Ph.

(B) Exhibits

State's Exhibits:

- (1) Exhibit A - Notice Of Opportunity letter dated May 16, 1990.
- (2) Exhibit B - Request For Hearing letter dated June 13, 1990.
- (3) Exhibit C - Hearing Schedule letter dated June 18, 1990.
- (4) Exhibit 1 - Pharmacist File Front Sheet showing original date of registration as December 7, 1982.

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- (5) Exhibit 2 - Three-page copy of Board's Order dated February 4, 1987.
- (6) Exhibit 3 - Two-page certified copy of Corrected Judgment Entry in the Franklin County Court of Common Pleas, Case No. 89CR-04-1710, filed March 16, 1990.
- (7) Exhibit 4 - Accountability notes on Valium 10mg from March 28, 1989 to April 3, 1989.
- (8) Exhibit 5 - Accountability notes on Fiorinol #3 from March 28, 1989 to April 3, 1989.
- (9) Exhibit 6 - Accountability notes on Valium 5mg from March 28, 1989 to April 3, 1989.
- (10) Exhibit 7 - Five pages consisting of four Requests For Laboratory Examination[sic], dated April 3, 1989, numbered U-93-1-a, U-93-1-b, U-93-1-c, and U-93-1-d, and a page 2 of 2 sheet showing Log #U-93-1-a.

**Respondent's Exhibits:**

- (1) Exhibit 1 - Copy of Peter D. Clouse's Impaired PHarmacist's Contract with Pharmacists Rehabilitation Organization Inc. dated January 3, 1990.
- (2) Exhibit 2 - Three-page Letter from Jennie McCartney, Manager of Residential Services for Substance Abuse Services, Inc., to Thomas Tyack, dated October 11, 1989.
- (3) Exhibit 3 - Letter from Chuck Becker of CoMed Management, Inc. dated June 27, 1990.
- (4) Exhibit 4 - Evaluation of Performance for Pete Clouse from January 22, 1990 to April 22, 1990 at CoMed Management, Inc.

**FINDINGS OF FACT**

- (1) From the evidence presented, the State Board of Pharmacy finds that records of the Board indicate that Peter D. Clouse was originally licensed to practice pharmacy in the state of Ohio on December 7, 1982, pursuant to reciprocity from the state of Illinois. Records further indicate that Peter D. Clouse was subject to a Board Order dated February 4, 1987, for violations of falsification and convictions of drug and alcohol related charges.
- (2) From the evidence presented, the State Board of Pharmacy finds that Peter D. Clouse was, on or about March 16, 1990, in the Common Pleas Court of Franklin County, Ohio, convicted of Aggravated Trafficking in violation of Section 2925.03 of the Revised Code, a felony of the third degree, and also of Theft of Drugs in violation of Section 2925.21 of the Revised Code, a felony of the fourth degree.

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- (3) From the evidence presented, the State Board of Pharmacy finds that Peter D. Clouse did, on or about March 29, 1989, obtain dangerous drugs by committing a theft offense, to wit: Peter D. Clouse stole 53 units of Valium 10mg from Lynn Drug, 463 E. Town St., Columbus, Ohio. Such conduct is in violation of Section 2925.21(A) of the Ohio Revised Code.
- (4) From the evidence presented, the State Board of Pharmacy finds that Peter D. Clouse did, on or about April 3, 1989, obtain dangerous drugs by committing a theft offense, to wit: Peter D. Clouse stole 9 units of Fiorinal, 75 units of Valium 10mg, and 45 units of Valium 5mg from Lynn Drug, 463 E. Town St., Columbus, Ohio. Such conduct is in violation of Section 2925.21(A) of the Ohio Revised Code.
- (5) From the evidence presented, the State Board of Pharmacy finds that Peter D. Clouse did, on or about April 3, 1989, knowingly possess a controlled substance in an amount equal to or greater than three times the bulk amount when the conduct was not in accordance with Chapters 3719. and 4727. of the Revised Code, to wit: Peter D. Clouse possessed the following controlled substances without a prescription:

(a) As found on Mr. Clouse's person:

<u>Drug</u>	<u>Amount</u>
Valium 10mg	140 tablets
Valium 5mg	47 tablets
Fiorinal #3	1 capsule
Cocaine	.9 grams

(b) As found in Mr. Clouse's vehicle:

<u>Drug</u>	<u>Amount</u>
Cocaine	12.3 grams
Marijuana	143.5 grams
misc. tablets/capsules	1,603 tablets/capsules

(c) As found in Mr. Clouse's house:

<u>Drug</u>	<u>Amount</u>
misc. tablets/capsules	2,952 tablets/capsules
Marijuana	59 grams

Such conduct is in violation of Section 2925.03(A)(6) of the Ohio Revised Code.

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- (6) From the evidence presented, the State Board of Pharmacy finds that Peter D. Clouse is addicted to or abusing drugs or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy, to wit: when arrested for felony drug charges on April 3, 1989, Peter D. Clouse admitted abusing Cocaine, a Schedule II controlled substance. Such conduct is in violation of Section 2925.11 of the Ohio Revised Code.

CONCLUSIONS OF LAW

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (2) through (5) of the Findings Of Fact constitute being guilty of a felony and gross immorality as provided in Division (A)(1) of Section 4729.16 of the Ohio Revised Code.
- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (2) through (5) of the Findings Of Fact constitute dishonesty or unprofessional conduct in the practice of pharmacy as provided in Division (A)(2) of Section 4729.16 of the Ohio Revised Code.
- (3) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraph (6) of the Findings Of Fact constitute being addicted to or abusing drugs or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy as provided in Division (A)(3) of Section 4729.16 of the Ohio Revised Code.
- (4) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (2) through (5) of the Findings Of Fact constitute willfully violating the provisions of Chapters 2925., 3719., or 4729. of the Revised Code as provided in Division (A)(5) of Section 4729.16 of the Ohio Revised Code.

ORDER

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following actions concerning the pharmacist license, No. 03-1-14696, held by Peter D. Clouse:

(A) On the basis of paragraphs (1) through (4) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby suspends the pharmacist identification card of Peter D. Clouse indefinitely.

(B) Further, Peter D. Clouse may petition the Board for reinstatement after January 16, 1994 provided that Mr. Clouse has been under contract with Pharmacists Rehabilitation Organization for a five-year period and documents compliance with the contract by providing copies of 6-month reports and urine screens to the Board.

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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.

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STATE BOARD OF PHARMACY  
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THE STATE BOARD OF PHARMACY

In The Matter Of:

PETER DIXON CLOUSE, R.Ph.  
152 Acton Road  
Columbus, Ohio 43214  
03-1-14696

THE MATTER OF PETER DIXON CLOUSE, DOCKET NO. 6-186-2, WAS HEARD PURSUANT TO CHAPTERS 119. AND 4729. OF THE REVISED CODE ON WEDNESDAY, DECEMBER 3, 1986. AFTER CONSIDERATION OF THE EVIDENCE ADDUCED, 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 Peter Dixon Clouse, on or about March 1, 1986, did knowingly make a false material statement in a "Notification of Change of Responsible Person" form for SuperRx Drugs OH-53, 2800 N. High Street, Columbus, Ohio 43202; in that, the question as to whether or not the applicant, or any agent or employee of the applicant has ever been charged or convicted of a violation of Section 4729.51 of the Ohio Revised Code; the "Federal Food, Drug and Cosmetic Act"; Federal Controlled Substance Act; Ohio's Pure Food, Drug, and Cosmetic Act; or Chapter 2925., 3719. or 4729. of the Revised Code was answered in the negative.
- (2) From the evidence presented, the State Board of Pharmacy finds that Peter Dixon Clouse, on or about March 10, 1986, did knowingly make a false material statement in the application for a change of name in doing business for SuperRx Drugs OH-53, 2800 N. High Street, Columbus, Ohio 43202-1197; in that, the question as to whether or not the applicant, or any agent or employee of the applicant has ever been charged or convicted of a violation of Section 4729.51 of the Ohio Revised Code; the "Federal Food, Drug and Cosmetic Act"; Federal Controlled Substance Act; Ohio's Pure Food, Drug, and Cosmetic Act; or Chapter 2925., 3719. or 4729. of the Revised Code was answered in the negative.
- (3) From the evidence presented, the State Board of Pharmacy finds that Peter Dixon Clouse, on or about April 24, 1985, was charged by the Columbus Division of Police with violating Ohio Revised Code Section 2925.11(A), to wit: three unit doses of Tuinal, a Schedule II controlled substance and prescription drug, was found in Mr. Clouse's possession following his arrest for OMVI.

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**STATE BOARD OF PHARMACY**  
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- (4) From the evidence presented, the State Board of Pharmacy finds that Peter Dixon Clouse, on or about October 3, 1985, entered a plea of guilty to the stipulated lesser included offense of Drug Abuse, to wit: Attempted Drug Abuse, in violation of Section 2923.02 of the Revised Code, as it relates to Section 2925.11 of the Revised Code, a misdemeanor of the first degree.
- (5) From the evidence presented, the State Board of Pharmacy finds that Peter Dixon Clouse, on or about June 27, 1981, was charged with operating a motor vehicle while under the influence, in violation of Section 2133.01 of the Municipal Code, and his license to operate a motor vehicle was suspended by the court from September 21, 1981 to October 2, 1981.
- (6) From the evidence presented, the State Board of Pharmacy finds that Peter Dixon Clouse, on or about April 24, 1985, was charged with operating a motor vehicle while under the influence, in violation of Section 2133.01 of the Municipal Code, and his license to operate a motor vehicle was suspended by the court from May 29, 1985 to July 29, 1985.

Conclusions 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) and (2) of the Findings Of Fact constitutes dishonesty in the practice of pharmacy.
- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (3) and (4) of the Findings Of Fact constitutes willfully violating or attempting to violate the provisions of Chapters 2925. and 3719. 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 license held by Peter Dixon Clouse, R.Ph. No. 03-1-14696:

- (A) On the basis of paragraphs (1) and (2) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby suspends the pharmacist identification card held by Peter Dixon Clouse for 24 months.
- (B) Further, the Board suspends the suspension on condition that Peter Dixon Clouse:

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STATE BOARD OF PHARMACY

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(1) does not violate the drug or liquor laws of any municipality, the state of Ohio, any other state, or the federal government; and

(2) abides by the rules of the State Board of Pharmacy.

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

MOTION CARRIED.

SO ORDERED.