



OHIO STATE BOARD OF PHARMACY

65 S. FRONT STREET, ROOM 504
COLUMBUS, OHIO 43215
TELEPHONE: 614/466-4143

03-1-14974

THE STATE BOARD OF PHARMACY

VS

WILLIAM J. GRUNICK, R.Ph.

THE MATTER OF WILLIAM J. GRUNICK, DOCKET NO. 6-91-3, WAS HEARD PURSUANT TO CHAPTERS 119. AND 4729. OF THE REVISED CODE ON THURSDAY, DECEMBER 6, 1984. 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 William J. Grunick, between the dates of October 1, 1983 and May 31, 1984, did obtain or exerted control over approximately 1,375 tablets of Valium-10mg, without the consent or beyond the consent of the owner thereof: Parkview Hospital, 1920 Parkwood Avenue, Toledo, Ohio 43624; in violation of Section 2925.21 of the Revised Code.
- (2) From the evidence presented, the State Board of Pharmacy finds that William J. Grunick, on or about April 14, 1984, did knowingly obtain, possess, or use approximately 40 tablets of Valium-10mg, a Schedule IV controlled substance; in violation of Section 2925.11 of the Revised Code.
- (3) From the evidence presented, the State Board of Pharmacy finds that William J. Grunick, on or about April 15, 1984, did knowingly obtain, possess, or use approximately 10 tablets of Valium-10mg, a Schedule IV controlled substance; in violation of Section 2925.11 of the Revised Code.
- (4) From the evidence presented, the State Board of Pharmacy finds that William J. Grunick, on or about April 17, 1984, did knowingly obtain, possess, or use approximately 7 tablets of Valium-10mg, a Schedule IV controlled substance; in violation of Section 2925.11 of the Revised Code.

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- (5) From the evidence presented, the State Board of Pharmacy finds that William J. Grunick, on or about April 18, 1984, did knowingly obtain, possess, or use approximately 2 tablets of Valium-10mg, a Schedule IV controlled substance; in violation of Section 2925.11 of the Revised Code.
- (6) From the evidence presented, the State Board of Pharmacy finds that William J. Grunick, on or about April 19, 1984, did knowingly obtain, possess, or use approximately 9 tablets of Valium-10mg, a Schedule IV controlled substance; in violation of Section 2925.11 of the Revised Code.
- (7) From the evidence presented, the State Board of Pharmacy finds that William J. Grunick, on or about April 20, 1984, did knowingly obtain, possess, or use approximately 7 tablets of Valium-10mg, a Schedule IV controlled substance; in violation of Section 2925.11 of the Revised Code.
- (8) From the evidence presented, the State Board of Pharmacy finds that William J. Grunick, on or about April 23, 1984, did knowingly obtain, possess, or use approximately 4 tablets of Valium-10mg, a Schedule IV controlled substance; in violation of Section 2925.11 of the Revised Code.
- (9) From the evidence presented, the State Board of Pharmacy finds that William J. Grunick, on or about April 24, 1984, did knowingly obtain, possess, or use approximately 14 tablets of Valium-10mg, a Schedule IV controlled substance; in violation of Section 2925.11 of the Revised Code.
- (10) From the evidence presented, the State Board of Pharmacy finds that William J. Grunick, on or about April 25, 1984, did knowingly obtain, possess, or use approximately 13 tablets of Valium-10mg, a Schedule IV controlled substance; in violation of Section 2925.11 of the Revised Code.
- (11) From the evidence presented, the State Board of Pharmacy finds that William J. Grunick is addicted to drugs to such a degree that he is unfit to practice pharmacy, in that:
 - (a) he admitted to Tim Benedict, an employee of the Board, that he ingested approximately 6 tablets of Valium-10mg on or about May 4, 1984;
 - (b) he admitted to Tim Benedict, an employee of the Board, that he would consume approximately 5 to 6 tablets of Valium-10mg when needed in order to sleep;
 - (c) he admitted to Philip C. Miller, responsible pharmacist for Parkview Hospital, that he was addicted to alcohol and Valium, and would enter a treatment center;

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- (d) he was arrested on September 16, 1983 for driving while under the influence, convicted, and incarcerated for a period of three days;
- (e) approximately 1,375 tablets of Valium-10mg could not be accounted for as a result of an audit covering the period during his employment as a pharmacist at Parkview Hospital, Toledo, Ohio;
- (f) the Lucas County Court of Common Pleas found on July 26, 1984 that he is a drug dependent person and that his drug dependence was a factor leading to the criminal activity with which he was indicted, to wit: the theft of Valium.

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) through (10) of the Findings Of Fact constitutes gross immorality, within the meaning of Division (A) of Section 4729.16 of the Revised Code.
- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (1) through (11) of the Findings Of Fact constitutes being addicted to drugs to such a degree that William J. Grunick is unfit to practice pharmacy, within the meaning of Division (B) of Section 4729.16 of the Revised Code.
- (3) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (1) through (10) of the Findings Of Fact constitutes willful violation of more than one time of 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 license of William J. Grunick, R.Ph. No. 03-1-14974:

- (A) On the basis of paragraph (1) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby suspends the registered pharmacist identification card of William J. Grunick for 24 months.
- (B) On the basis of paragraph (2) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby suspends the registered pharmacist identification card of William J. Grunick for 24 months.

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(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 three hundred dollars (\$300.00), 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.

(D) Further, the two 24-month suspensions shall run concurrently and the Board shall suspend 21 months of each 24-month suspension on condition that William J. Grunick:

(1) continues to regularly attend AA meetings and actively participate in the St. Vincent Medical Center Chemical Dependency Program;

(2) submits monthly reports regarding his progress in such program and documents his regular attendance at AA meetings with the first report due February 1, 1985;

(3) does not use drugs except for legitimate medical reasons and pursuant to federal and state laws governing their legal distribution;

(4) does not violate any drug laws of the State of Ohio, any other state, or the federal government;

(5) abides by the rules of the Board of Pharmacy; and

(6) makes restitution to Parkview Hospital for the drugs taken without their consent.

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.

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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

ORDER ISSUED: December 27, 1984

FZW/sb

By Franklin Z. Wickham
Franklin Z. Wickham, Executive Director

cc/John E. Breen, Assistant Attorney General
Doris K. Wohl, Attorney; 563 Spitzer Bldg.; Toledo, Ohio 43604