



# OHIO STATE BOARD OF PHARMACY

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## ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-970918-006)

In The Matter Of:

**WILLIAM C. CODY, R.Ph.**

735 Greenfield Drive  
Mansfield, Ohio 44904  
(R.Ph. No. 03-1-16313)

### INTRODUCTION

THE MATTER OF WILLIAM C. CODY CAME TO HEARING ON JANUARY 13, 1998, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: AMONTE B. LITTLEJOHN, R.Ph. (presiding); ROBERT B. CAVENDISH, R.Ph.; JOHN L. HANNA, R.Ph.; PAUL F. LAMPING, R.Ph.; JOSEPH J. MASLAK, R.Ph.; SUZANNE L. NEUBER, R.Ph.; RUTH A. PLANT, R.Ph.; AND NICHOLAS R. REPKE, PUBLIC MEMBER.

WILLIAM C. CODY WAS REPRESENTED BY DOUGLAS E. GRAFF, AND THE STATE OF OHIO WAS REPRESENTED BY SALLY ANN STEUK, ASSISTANT ATTORNEY GENERAL.

### SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) Detective Richard C. Brenneman, Knox County Sheriff's Department, Mt. Vernon, Ohio
- (2) Kevin J. Kinneer, Ohio State Board of Pharmacy

Respondent's Witnesses:

- (1) William C. Cody, Respondent
- (2) William S. John, Mansfield, Ohio

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1--Copy of nine-page Summary Suspension Order/Notice of Opportunity for Hearing letter dated September 18, 1997.
- (2) Exhibit 1A--Hearing Request letter dated October 14, 1997.
- (3) Exhibit 1B--Letter from Wilbur H. Flippin, Jr. dated October 14, 1997.
- (4) Exhibit 1C--Copy of Hearing Schedule letter dated October 16, 1997.

- (5) Exhibit 1D--Letter from Douglas E. Graff dated November 17, 1997, with the following attachments: Notice of Appearance of Counsel, Motion for Continuance, Memorandum in Support of Mr. Cody's Motion for Continuance, and Request for List of Witnesses and Documents.
- (6) Exhibit 1E--Copy of Hearing Schedule letter dated November 21, 1997.
- (7) Exhibit 1F--Copy of letter from Sally Ann Steuk, Assistant Attorney General, dated November 24, 1997.
- (8) Exhibit 1G--Letter from Wilbur H. Flippin, Jr., not dated, received in the Board office on November 24, 1997, with the following attachments: Motion to Withdraw as Counsel and (unofficial) Judgement Entry in the Ohio State Board of Pharmacy regarding William C. Cody, not signed or dated.
- (9) Exhibit 1H--Copy of Renewal Application for Pharmacist License, No. 03-1-16313, for a license to practice pharmacy in Ohio from September 15, 1996, to September 15, 1997.
- (10) Exhibit 2--Handwritten statement of William C. Cody written in black ink, signed and notarized on September 11, 1997.
- (11) Exhibit 3--Handwritten statement of William C. Cody written in blue ink, signed and notarized on September 11, 1997.
- (12) Exhibit 4--Copy of Rite Aid Corporation Written Statement Form, handwritten statement of William C. Cody dated September 11, 1997.
- (13) Exhibit 4A--Copy of fifty-three page transcript of tape recorded interview of William C. Cody taken at Rite Aid Pharmacy in Fredericktown, Ohio on September 11, 1997. Interview conducted by Kevin Kinneer and Carl Frost.
- (14) Exhibit 5--Piece of 8½" x 6" ring-bound paper dated September 10, 1997, with figures for the following drugs: Hydrocodone Bitartrate and APAP 10/650, Lorcet 10/650; Hydrocodone Bitartrate and APAP 7.5/500, Hydrocodone Bitartrate and APAP 7.5/750, and Vicodin ES.
- (15) Exhibit 6--Piece of 8½" x 6" ring-bound paper dated September 11, 1997, with figures for the following drugs: Hydrocodone Bitartrate and APAP 10/650, Lorcet 10/650; Hydrocodone Bitartrate and APAP 7.5/500, Talwin NX, Vicodin ES, Vicodin, Hydrocodone Bitartrate and APAP 5/500, and Hydrocodone Bitartrate and APAP 7.5/750.
- (16) Exhibit 7--Receipt listing items received from the residence of William Cody dated September 11, 1997, and September 12, 1997.
- (17) Exhibit 7A--(*This exhibit is in the possession of the Knox County Sheriff's Department*)--Thirteen small Rite Aid prescription bags each containing 100 unconfined units of Hydrocodone Bitartrate/APAP 10/650; one amber vial, prescription number 0326639345, containing 121 units of Hydrocodone Bitartrate/APAP dated September 5, 1997; three sealed boxes containing Rhinocort Inhaler, prescription number 0326631419; one opened Rhinocort Inhaler; one unmarked vial containing 51 units of generic Libram; one unmarked vial containing 100 units of generic Libram; one full, amber vial, prescription number 326631418, containing Ibuprofen 800mg dated August 4, 1997; one amber vial, 1/3 full, prescription number 326631418, containing Ibuprofen 800mg dated September 5, 1997; one amber vial, 3/4 full, prescription number 326633002, containing Prozac 20mg; one Barr Laboratories stock bottle containing 77 units of Chlordiazepoxide Hydrochloride 25mg, Lot No. 6J159CJ, expiration date 10/98; one amber vial, prescription number 0326633002, containing 10 units of Prozac 20mg dated August 4, 1997; one full stock bottle with prescription label, number 0326639347, containing Methocarbamol 750mg; one stock bottle with prescription label, number 0326619291, containing Cyclobenzaprine 10mg dated April 5, 1997; two stock bottles with labels numbered 0326638020, containing West Decon tablets dated August 4, 1997, and September 5, 1997; two stock bottles, one open and one sealed, with prescription labels, numbered 0326625795, containing Cyclobenzaprine 10mg dated June 5, 1997, and August 4, 1997; and one Rite Aid #3266 cash register receipt in the amount of \$78.33.

- (18) Exhibit 8--RAD-S. Main Customer History Report of Sarah Wasznicki dated from January 1, 1995, to September 7, 1997.
- (19) Exhibit 9--Prescription number 0326633593.
- (20) Exhibit 10--RAD-S. Main Customer History Report of William Sams dated from January 1, 1995, to September 7, 1997.
- (21) Exhibit 11--RAD-S. Main Customer History Report of Robert Lauder dated from January 1, 1995, to September 7, 1997.
- (22) Exhibit 12--RAD-S. Main Customer History Report of Joseph Krivda dated from January 1, 1995, to September 7, 1997.
- (23) Exhibit 13--RAD-S. Main Customer History Report of Louise R. Krivda dated from January 1, 1995, to September 7, 1997.
- (24) Exhibit 14--Prescription number 0326626840.
- (25) Exhibit 15--RAD-S. Main Customer History Report of Samuel Herryholmes dated from January 1, 1995, to September 7, 1997.
- (26) Exhibit 16--Prescription number 0326627629.
- (27) Exhibit 17--RAD-S. Main Customer History Report of Wanda Smith dated from January 1, 1995, to September 7, 1997.
- (28) Exhibit 18--Prescription number 0326626704.
- (29) Exhibit 19--RAD-S. Main Customer History Report of Marion D. Filbert dated from January 1, 1995, to September 7, 1997.
- (30) Exhibit 20--Prescription number 0326628090.
- (31) Exhibit 21--Five-page RAD-S. Main Customer History Report of Melinda Cody dated from January 1, 1994, to September 7, 1997.
- (32) Exhibit 22--Prescription number 16322.
- (33) Exhibit 23--Prescription number 0326627073.
- (34) Exhibit 24--Four-page RAD-S. Main Customer History Report of William C. Cody dated from January 1, 1994, to September 7, 1997.
- (35) Exhibit 25--Prescription number 15240.
- (36) Exhibit 26--Ten-page copy of spread sheets containing patient name, prescription number, date, quantity, dispensing pharmacist, doctor, drug, and grand totals dispensed for the following patients: Sarah Wasznicki, William Sams, Robert Lauder, Joseph Krivda, Louise R. Krivda, Samuel Harryholmes (*sic* Herryholmes), Wanda Smith, Marion D. Filbert, Melinda Cody, and William C. Cody.

Respondent's Exhibits:

- (1) Exhibit A--Two-page copy of Pharmacists Rehabilitation Organization, Inc. Pharmacist's Recovery Contract of William Cody dated October 21, 1997.
- (2) Exhibit B--Copies of five pages of recovery meeting attendance sheets of William Cody dated as follows: December 1, 1997, to December 30, 1997; November 1, 1997, to November 24, 1997; November 25, 1997, to November 30, 1997; October 10, 1997, to October 31, 1997; and October 29, 1997.
- (3) Exhibit C--Copies of six pages of medical records of Daniel D. Burwell, D.O., regarding William Cody dated from July 20, 1992, through December 15, 1997.
- (4) Exhibit D--Copies of eleven urine drug screen reports of William Cody, consisting of thirteen pages, dated as follows: September 15, 1997; September 19, 1997; September 16, 1997; September 23, 1997; September 30, 1997; October 8, 1997; October 23, 1997; November 6, 1997; December 4, 1997; December 11, 1997; and December 31, 1997.
- (5) Exhibit E--Sixty-nine pages of two-sided copies of Parkside Recovery Services Medical Records of William Cody dated from September 12, 1997, through January 7, 1998.
- (6) Exhibit F--Copies of the following: two-page letter from Linda L. Orr dated January 6, 1998; letter from R. Scott Carpenter dated January 10, 1998; letter from John B. Parr

dated January 6, 1998; letter from Connie Strang dated January 4, 1998; letter from Roger L. Bollinger dated January 8, 1998; letter from Michael W. Crispin dated January 9, 1998; letter from Mark Barnhill dated January 9, 1998; letter from Lynn E. Orr, not dated; and letter, name illegible, not dated.

- (7) Exhibit G--Letter from Alan J. Slifka dated January 7, 1998.

#### 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) Records of the Board indicate that William C. Cody was originally licensed in the state of Ohio by reciprocity, and on September 18, 1997, William C. Cody's license was summarily suspended in accordance with Sections 3719.121(A) and 3719.121(B) of the Ohio Revised Code.
- (2) William C. Cody is addicted to or abusing controlled substances to such a degree as to render him unfit to practice pharmacy within the meaning of Sections 3719.121 and 4729.16 of the Ohio Revised Code, to wit: William C. Cody admitted to an agent of the Ohio Board of Pharmacy that he has ingested up to twenty-five, though normally eighteen to twenty, unit doses of Hydrocodone Bitartrate 10mg/APAP 650mg per day and that he is addicted to drugs; that he has ingested drugs while practicing pharmacy; that he has stolen drugs for his own personal abuse without prescriptions from practitioners; that he has created fictitious patients and prescriptions, and/or records to cover for his thefts; and William C. Cody has admitted making prescription errors while under the influence of drugs.
- (3) William C. Cody did, on or about September 11, 1997, knowingly obtain or use controlled substances when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: William C. Cody ingested fourteen unit doses of Hydrocodone Bitartrate 10mg/APAP 650mg without an order from a practitioner. Such conduct is in violation of Section 2925.11 of the Ohio Revised Code.
- (4) William C. Cody did, on or about September 11, 1997, knowingly possess a controlled substance when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: William C. Cody was found to have in his possession the following controlled substances without a prescription:

<u>Drug</u>	<u>Quantity</u>
Hydrocodone Bitartrate 10mg/APAP 650mg	1,421
Librium	151
Chlordiazepoxide Hydrochloride 25mg	77

Such conduct is in violation of Section 2925.11 of the Ohio Revised Code.

- (5) William C. Cody did, on or about September 11, 1997, knowingly possess a dangerous drug, to wit: William C. Cody was found to have in his possession the following dangerous drugs:

<u>Drug</u>	<u>Quantity</u>
Rhinocort Inhaler	3
Prozac 20mg	2 bottles
Methocarbamol 750mg	1 bottle
Cyclobenzaprine 10mg	3 bottles
West Decon tablets	2 bottles

Such conduct is in violation of Section 4729.51 of the Ohio Revised Code.

- (6) William C. Cody did, from February 14, 1996, through September 5, 1997, with purpose to deprive, knowingly obtain or exert control over dangerous drugs and other property of Rite Aid Discount Pharmacies, beyond the express or implied consent of the owner and/or by deception, to wit: William C. Cody stole the following controlled substances from his employer:

<u>Pt. #</u>	<u>Rx #</u>	<u>Date</u>	<u>Drug</u>	<u>Qty.</u>
1	20844	06/28/96	Hydrocodone Bitartrate 7.5mg/APAP 500mg	100
1	21293	07/12/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
1	21596	07/22/96	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	21596	08/25/96	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	21596	10/01/96	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	21596	11/15/96	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	21596	12/03/96	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	21596	01/20/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	29752	01/28/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
1	30475	02/13/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
1	33593	04/18/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	33593	05/07/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	33593	06/11/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	33593	07/08/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	33593	08/14/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
2	31183	02/26/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
2	31183	04/09/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
2	31183	05/07/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
2	31183	06/11/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
2	31183	06/23/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
2	31183	07/31/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
3	34756	05/13/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
3	34756	07/11/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
3	34756	08/18/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
4	35308	05/26/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	26840	12/04/96	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	26840	01/06/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	26840	02/07/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	26840	03/04/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	26840	04/01/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	26840	04/23/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	35307	05/26/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	35307	06/17/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	35307	07/16/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	35307	08/13/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	35307	08/28/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
6	27629	12/19/96	Hydrocodone Bitartrate 10mg/APAP 650mg	100

<u>Pt. #</u>	<u>Rx #</u>	<u>Date</u>	<u>Drug</u>	<u>Qty.</u>
6	27629	01/20/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
6	27629	02/26/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
6	27629	04/18/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
6	27629	05/21/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
6	36896	07/03/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
7	26704	12/02/96	Hydrocodone Bitartrate 10mg/APAP 650mg	126
7	26704	01/06/97	Hydrocodone Bitartrate 10mg/APAP 650mg	126
7	26704	02/07/97	Hydrocodone Bitartrate 10mg/APAP 650mg	126
7	26704	03/26/97	Hydrocodone Bitartrate 10mg/APAP 650mg	126
7	26704	04/23/97	Hydrocodone Bitartrate 10mg/APAP 650mg	126
7	26704	05/16/97	Hydrocodone Bitartrate 10mg/APAP 650mg	126
7	35507	05/30/97	Hydrocodone Bitartrate 10mg/APAP 650mg	126
7	35507	06/17/97	Hydrocodone Bitartrate 10mg/APAP 650mg	126
7	35507	07/16/97	Hydrocodone Bitartrate 10mg/APAP 650mg	126
7	35507	07/21/97	Hydrocodone Bitartrate 10mg/APAP 650mg	126
8	28090	12/27/96	Hydrocodone Bitartrate 10mg/APAP 650mg	120
8	28090	01/28/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
8	28090	02/17/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
8	28090	04/17/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
8	28090	05/21/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
8	28090	06/23/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
8	37518	07/21/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
8	38950	08/28/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
9	16322	03/08/96	Hydrocodone Bitartrate 7.5mg/APAP 500mg	60
9	16322	03/23/96	Hydrocodone Bitartrate 7.5mg/APAP 500mg	60
9	16322	04/17/96	Hydrocodone Bitartrate 7.5mg/APAP 500mg	60
9	18923	05/08/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	19852	05/30/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	19852	06/28/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	19852	08/11/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	19852	09/11/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	19852	11/10/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	27073	12/09/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	27073	01/06/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	27073	02/07/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	27073	03/03/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	27073	04/05/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	27073	05/03/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	35738	06/04/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	35738	07/02/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	38019	08/04/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
9	38019	09/05/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
WC	15240	02/14/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
WC	15240	03/13/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
WC	15240	03/23/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
WC	15240	04/17/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
WC	15240	05/03/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
WC	15240	06/15/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
WC	21292	07/12/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
WC	21292	07/27/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
WC	21292	08/11/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
WC	21292	09/11/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30

<u>Pt. #</u>	<u>Rx #</u>	<u>Date</u>	<u>Drug</u>	<u>Qty.</u>
WC	23757	09/21/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
WC	23757	10/10/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
WC	23757	11/10/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
WC	23757	12/09/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
WC	23757	01/06/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
WC	23757	02/07/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
WC	31417	03/03/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
WC	31417	04/05/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
WC	31417	05/03/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
WC	31417	06/04/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
WC	31417	07/02/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
WC	31417	08/04/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
WC	39345	09/05/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100

Such conduct is in violation of Section 2913.02 of the Ohio Revised Code.

- (7) William C. Cody did, from February 14, 1996, through September 5, 1997, intentionally create and/or knowingly possess false or forged prescriptions, to wit: William C. Cody created and possessed on file the following prescriptions purportedly for the following patients:

<u>Pt. #</u>	<u>Rx #</u>	<u>Date</u>	<u>Drug</u>	<u>Qty.</u>
1	20844	06/28/96	Hydrocodone Bitartrate 7.5mg/APAP 500mg	100
1	21293	07/12/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
1	21596	07/22/96	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	21596	08/25/96	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	21596	10/01/96	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	21596	11/15/96	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	21596	12/03/96	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	21596	01/20/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	29752	01/28/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
1	30475	02/13/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
1	33593	04/18/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	33593	05/07/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	33593	06/11/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	33593	07/08/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
1	33593	08/14/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
2	31183	02/26/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
2	31183	04/09/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
2	31183	05/07/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
2	31183	06/11/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
2	31183	06/23/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
2	31183	07/31/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
3	34756	05/13/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
3	34756	07/11/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
3	34756	08/18/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
4	35308	05/26/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	26840	12/04/96	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	26840	01/06/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	26840	02/07/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	26840	03/04/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	26840	04/01/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120

<u>Pt. #</u>	<u>Rx #</u>	<u>Date</u>	<u>Drug</u>	<u>Qty.</u>
5	26840	04/23/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	35307	05/26/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	35307	06/17/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	35307	07/16/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	35307	08/13/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
5	35307	08/28/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
6	27629	12/19/96	Hydrocodone Bitartrate 10mg/APAP 650mg	100
6	27629	01/20/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
6	27629	02/26/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
6	27629	04/18/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
6	27629	05/21/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
6	36896	07/03/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
7	26704	12/02/96	Hydrocodone Bitartrate 10mg/APAP 650mg	126
7	26704	01/06/97	Hydrocodone Bitartrate 10mg/APAP 650mg	126
7	26704	02/07/97	Hydrocodone Bitartrate 10mg/APAP 650mg	126
7	26704	03/26/97	Hydrocodone Bitartrate 10mg/APAP 650mg	126
7	26704	04/23/97	Hydrocodone Bitartrate 10mg/APAP 650mg	126
7	26704	05/16/97	Hydrocodone Bitartrate 10mg/APAP 650mg	126
7	35507	05/30/97	Hydrocodone Bitartrate 10mg/APAP 650mg	126
7	35507	06/17/97	Hydrocodone Bitartrate 10mg/APAP 650mg	126
7	35507	07/16/97	Hydrocodone Bitartrate 10mg/APAP 650mg	126
7	35507	07/21/97	Hydrocodone Bitartrate 10mg/APAP 650mg	126
8	28090	12/27/96	Hydrocodone Bitartrate 10mg/APAP 650mg	120
8	28090	01/28/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
8	28090	02/17/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
8	28090	04/17/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
8	28090	05/21/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
8	28090	06/23/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
8	37518	07/21/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
8	38950	08/28/97	Hydrocodone Bitartrate 10mg/APAP 650mg	120
9	16322	03/08/96	Hydrocodone Bitartrate 7.5mg/APAP 500mg	60
9	16322	03/23/96	Hydrocodone Bitartrate 7.5mg/APAP 500mg	60
9	16322	04/17/96	Hydrocodone Bitartrate 7.5mg/APAP 500mg	60
9	18923	05/08/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	19852	05/30/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	19852	06/28/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	19852	08/11/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	19852	09/11/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	19852	11/10/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	27073	12/09/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	27073	01/06/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	27073	02/07/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	27073	03/03/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	27073	04/05/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	27073	05/03/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	35738	06/04/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	35738	07/02/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
9	38019	08/04/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
9	38019	09/05/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
WC	15240	02/14/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
WC	15240	03/13/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
WC	15240	03/23/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30

<u>Pt. #</u>	<u>Rx #</u>	<u>Date</u>	<u>Drug</u>	<u>Qty.</u>
WC	15240	04/17/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
WC	15240	05/03/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
WC	15240	06/15/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
WC	21292	07/12/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
WC	21292	07/27/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
WC	21292	08/11/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
WC	21292	09/11/96	Hydrocodone Bitartrate 10mg/APAP 650mg	30
WC	23757	09/21/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
WC	23757	10/10/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
WC	23757	11/10/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
WC	23757	12/09/96	Hydrocodone Bitartrate 10mg/APAP 650mg	60
WC	23757	01/06/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
WC	23757	02/07/97	Hydrocodone Bitartrate 10mg/APAP 650mg	60
WC	31417	03/03/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
WC	31417	04/05/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
WC	31417	05/03/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
WC	31417	06/04/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
WC	31417	07/02/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
WC	31417	08/04/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100
WC	39345	09/05/97	Hydrocodone Bitartrate 10mg/APAP 650mg	100

Such conduct is in violation of Section 2925.23(B)(1) 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 (7) of the Findings of Fact constitute being guilty of dishonesty and unprofessional conduct in the practice of pharmacy as provided in Division (A)(2) 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) and (3) of the Findings of Fact constitute being addicted to or abusing liquor or 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.
- (3) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (3) through (5) and (7) of the Findings of Fact constitute being guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of provisions of Chapter 2925. or 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 3719.121 of the Ohio Revised Code, the State Board of Pharmacy hereby removes the Summary Suspension Order issued September 18, 1997.

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following actions in the matter of William C. Cody:

- (A) On the basis of the Findings of Fact and paragraph (1) of the Conclusions of Law set forth above, the State Board of Pharmacy hereby revokes the pharmacist identification

card, No. 03-1-16313, held by William C. Cody effective as of the date of the mailing of this Order.

- (B) On the basis of the Findings of Fact and paragraph (2) of the Conclusions of Law set forth above, the State Board of Pharmacy hereby revokes the pharmacist identification card, No. 03-1-16313, held by William C. Cody effective as of the date of the mailing of this Order.
- (C) On the basis of the Findings of Fact and paragraph (3) of the Conclusions of Law set forth above, the State Board of Pharmacy hereby revokes the pharmacist identification card, No. 03-1-16313, held by William C. Cody effective as of the date of the mailing of this Order.

Further, William C. Cody may not be employed by or work in any facility licensed by the Board of Pharmacy to possess or distribute dangerous drugs.

Division (B) of Section 4729.16 of the Ohio Revised Code provides: "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 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-4/Nay-3).

MOTION CARRIED.

SO ORDERED.