



# OHIO STATE BOARD OF PHARMACY

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ORDER OF THE STATE BOARD OF PHARMACY  
(Docket No. D-920728-008)

In The Matter Of:

**RICHARD ALLEN KRYC, R.Ph.**  
8917 Cornwallis Court  
Powell, Ohio 43065  
(R.Ph. No. 03-1-17290)

## INTRODUCTION

THE MATTER OF RICHARD ALLEN KRYC CAME TO HEARING ON OCTOBER 19, 1992 BEFORE THE FOLLOWING MEMBERS OF THE BOARD: TIMOTHY D. MOORE, R.Ph. (presiding); ROBERT B. CAVENDISH, R.Ph.; METTA LOU HENDERSON, R.Ph.; PAUL F. LAMPING, R.Ph.; RUTH A. PLANT, R.Ph.; NICHOLAS R. REPKE; JOSEPH R. SABINO, R.Ph.; AND ROBERT W. VALENTINE, R.Ph.

RICHARD ALLEN KRYC WAS NOT REPRESENTED BY COUNSEL, AND THE STATE OF OHIO WAS REPRESENTED BY RONDA ANDERSON, ASSISTANT ATTORNEY GENERAL.

## SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) Richard Allen Kryc, Respondent

Respondent's Witnesses:

- (1) Gary Rutherford  
(2) Nick Kallis  
(3) George Perdue  
(4) Jeff Perkins  
(5) Cindy Kryc

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1 - Hearing Request letter dated July 17, 1992.  
(2) Exhibit 2 - Hearing Schedule letter dated July 28, 1992.  
(3) Exhibit 3 - Ohio State Board of Pharmacy Order, Docket No. D-910924-054, of Richard Allen Kryc dated April 30, 1992.

Respondent's Exhibits:

- (1) Exhibit A - Two-page copy of letter from Paul C. Redmond dated October 15, 1992; copy of letter from S. Abrahamsen, Jr. dated October 13, 1992; copy of letter from Care Lee dated October 14, 1992; copy of letter from Valerie Perkins dated February 26, 1992; two-page copy of letter from Don P. Bowermaster dated February 26, 1992; copy of letter from Paul C. Redmond dated September 11, 1992; copy of letter from Don P. Bowermaster dated August 6, 1992; copy of letter from Don P. Bowermaster dated July 9, 1992; copy of letter from Don P. Bowermaster dated June 24, 1992; copy of letter from Don P. Bowermaster dated May 14, 1992; copy of letter from Don P. Bowermaster dated April 13, 1992; copy of letter from Don P. Bowermaster dated March 27, 1992; two-page copy of Shepherd Hill Hospital, Recovery Monitoring Services Agreement of Richard Kryc dated January 16, 1992; two-page copy of Shepherd Hill Hospital, Discharge Summary, of Richard Kryc dated January 20, 1992; copy of Central Ohio Recovery Residences, Recovery Plan, of Richard A. Kryc dated January 6, 1992; copy of Shepherd Hill Hospital, Patient Discharge Instruction Agreement of Rick Kryc dated October 30, 1991; copy of Pharmacists' Rehabilitation Organization, Inc., (PRO), Recovering Pharmacist's Contract, of Richard A. Kryc signed March 24, 1992; two-page copy of PRO, Impaired Pharmacist's Contract, of Rick Kryc dated January 21, 1992; eight-page copy of list of meetings attended by Rick Kryc from February, 1992, through October, 1992; forty copies of Damon Clinical Laboratories, Urinalysis Drug Screens of Richard Kryc dated from January 27, 1992 through October 9, 1992; two-page copy of letter from Richard A. Kryc dated September 29, 1992; two-page copy of letter from Richard A. Kryc dated June 10, 1992; copy of letter from Ronald and Patricia A. Kryc dated October 9, 1992; copy of letter from Ronald Kryc dated February 22, 1992; copy of letter from Pamela Kryc dated February 26, 1992; copy of letter from Rev. Thomas V. Rath dated October 6, 1992; copy of letter from Susan Crosby, not dated; copy of letter from Jeffry M. Csubak, not dated; copy of letter from Margaret Cook dated October 14, 1992; two-page copy of letter from Gregory J. France dated February 26, 1992; two-page copy of letter from Robert Healy dated October 14, 1992; two-page copy of letter from Stacy Karrick dated October 15, 1992; two-page copy of letter from Joseph D. Grubb dated February 23, 1992; copy of letter from Angela Stewart dated October 14, 1992; copy of letter from William F. Stewart dated October 14, 1992; copy of letter from Richard Becker dated October 13, 1992; copy of letter from Orlando Rodriguez dated October 13, 1992; copy of letter from Dale S. Groves dated October 13, 1992; two-page copy of letter from Nat Love dated October 16, 1992; copy of letter from Paul A. Fritz dated October 5, 1987; copy of Kroger "Rose Award" from Bob Shafer, not dated; copy of Kroger "Rose Award" of Rick Kryc dated March 12, 1990; copy of Kroger "Rose Award" of Rick Kryc dated July 31; copy of two Kroger "Rose Awards" of Rick Kryc dated September 25, 1990, and June 1, 1989; copy of two Kroger "Rose Awards" of Rick Kryc dated November 16, 1990, and February 8, 1991; copy of two Kroger "Rose Awards" of Rick Kryc dated May 30, 1991, and June 7, 1989; copy of two Kroger "Rose Awards" of Rick Kryc, one not dated, one dated June 7, 1991; copy of letter of appreciation to Pat & Rick, Pharmacy, from unknown (copy illegible); copy of letter from Pam Schilling dated November 21, 1990; two-page copy of letter from Carol and Steve Jackson dated November 15, year unknown; and copies of five pages of Continuing Pharmacy Education Certificates of Richard A. Kryc dated from February 21, 1991 through September 17, 1992.

FINDINGS OF FACT

- (1) From the evidence presented, the State Board of Pharmacy finds that Richard Allen Kryc has complied with the requirements of the Board's Order dated April 30, 1992.
- (2) From the evidence presented, the State Board of Pharmacy finds that Richard Allen Kryc has entered into a five-year contract with the Pharmacists Rehabilitation Organization, Inc.

ACTION OF THE BOARD

The State Board of Pharmacy hereby approves the reinstatement of Richard Allen Kryc's pharmacist identification card to practice pharmacy in the state of Ohio and places him on probation until January 21, 1997, with the following conditions:

(A) Richard Allen Kryc must continue with, and abide by the Pharmacists Rehabilitation Organization, Inc., Impaired Pharmacist's Contract until January 21, 1997, which requires:

- (1) random observed urine screens shall be conducted at least every three months, and copies of the results immediately forwarded to the Board of Pharmacy office,
- (2) regular attendance at an Alcoholics Anonymous, Narcotics Anonymous, or a similar support group meeting is required during outpatient treatment and/or during aftercare,
- (3) the program shall immediately report to the Board of Pharmacy any violations of the contract.

(B) Richard Allen Kryc must continue to submit quarterly progress reports to the Board that include:

- (1) the written report and documentation provided by the treatment program pursuant to the contract,
- (2) a written description of his progress towards recovery and what he has been doing during the previous three months.

Pursuant to paragraph (D)(1) of Rule 4729-3-01 of the Ohio Administrative Code, the State Board of Pharmacy hereby declares that Richard Allen Kryc's pharmacist identification card is not in good standing and thereby denies the privilege of being a preceptor and training pharmacy interns until January 21, 1997.

The Board further stipulates that Richard Allen Kryc may not serve as a responsible pharmacist until January 21, 1997.

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

MOTION CARRIED.

SO ORDERED.

RICHARD ALLEN KRYC, R.Ph.  
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Order of the Board

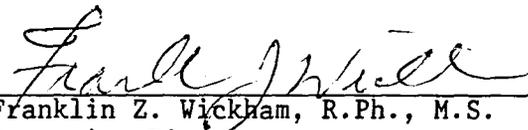
It is hereby certified by this Board that the above language is a copy of the Order entered upon its journal in this case.

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.

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

ORDER HAND-DELIVERED  
AND EFFECTIVE: DECEMBER 16, 1992

By   
Franklin Z. Wickham, R.Ph., M.S.  
Executive Director

FZW/so

cc: Ronda Anderson, Assistant Attorney General



# OHIO STATE BOARD OF PHARMACY

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ORDER OF THE STATE BOARD OF PHARMACY  
(Docket No. D-910924-054)

In The Matter Of:

**RICHARD ALLEN KRYC, R.Ph.**  
8917 Cornwallis Court  
Powell, Ohio 43065  
(R.Ph. No. 03-1-17290)

Introduction

THE MATTER OF RICHARD ALLEN KRYC CAME TO HEARING ON MARCH 3, 1992 BEFORE THE FOLLOWING MEMBERS OF THE BOARD: BETTY J. NICHOL, R.Ph. (presiding); METTA LOU HENDERSON, R.Ph.; PAUL F. LAMPING, R.Ph.; NORMAN D. LEIBOW, R.Ph.; TIMOTHY D. MOORE, R.Ph.; RUTH A. PLANT, R.Ph.; JOSEPH R. SABINO, R.Ph.; AND ROBERT W. VALENTINE, R.Ph.

RICHARD ALLEN KRYC WAS REPRESENTED BY DAVID W. GRAUER, AND THE STATE OF OHIO WAS REPRESENTED BY RONDA ANDERSON, ASSISTANT ATTORNEY GENERAL.

Summary Of Evidence

(A) Testimony

State's Witnesses:

- (1) Richard Allen Kryc, Respondent

Respondent's Witnesses:

- (1) Gary Rutherford, Pharmacists Rehabilitation Organization, Inc.  
(2) Nick Kallis, Pharmacists Rehabilitation Organization, Inc.

(B) Exhibits

State's Exhibits:

- (1) Exhibit A - Summary Suspension and Notice of Opportunity letter of Richard Allen Kryc dated September 24, 1991.  
(2) Exhibit B - Request for Hearing and Notice of Appearance letter dated October 7, 1991; and copy of Summary Suspension and Notice of Opportunity letter of Richard Allen Kryc dated September 24, 1991.  
(3) Exhibit C - Hearing Schedule letter dated October 8, 1991.  
(4) Exhibit D - Cover letter for Motion and Entry for Continuance dated October 18, 1991; two-page Motion and Entry for Continuance received October 18, 1991; and letter from Don P. Bowermaster and Paul C. Redmond, Shepherd Hill Hospital, dated October 15, 1991.

- (5) Exhibit E - Hearing Schedule letter dated October 24, 1991.
- (6) Exhibit G - Cover letter for Motion and Entry for Continuance dated December 5, 1991; and two-page Motion and Entry for Continuance.
- (7) Exhibit G - Hearing Schedule letter dated December 11, 1991.
- (8) Exhibit 1 - Accountability Statement of Kroger Pharmacy, License No. 02-514350, for Vicodin ES 7.5mg tablets dated October 10, 1991.
- (9) Exhibit 2 - Accountability Statement of Kroger Pharmacy, License No. 02-514350, for Darvocet N-100 tablets and Propoxyphene N-100 tablets dated October 10, 1991.
- (10) Exhibit 3 - Accountability Statement of Kroger Pharmacy, License No. 02-514350, for Lortab 7.5mg tablets dated October 10, 1991.
- (11) Exhibit 4 - Accountability Statement of Kroger Pharmacy, License No. 02-514350, for Hydrocodone 5mg/APAP 500mg tablets dated October 10, 1991.

Respondent's Exhibits:

- (1) Exhibit 1 - Two-page letter from Don P. Bowermaster and Paul C. Redmond, Shepherd Hill Hospital, dated February 26, 1992.
- (2) Exhibit 2 - Letter from Valerie Perkins, Shepherd Hill Hospital, dated February 26, 1992.
- (3) Exhibit 3 - Seven-page facsimile to David Grauer from Mary Ann Cummings, Shepherd Hill Hospital, containing results of six Urinalysis Drug Screens of Richard Kryc taken on January 23, 1992, January 28, 1992, February 4, 1992, February 5, 1992, February 13, 1992, and February 17, 1992.
- (4) Exhibit 4 - Copy of two-page Pharmacists Rehabilitation Organization, Inc. Impaired Pharmacist's Contract of Rick Kryc dated January 21, 1992.
- (5) Exhibit 5 - Letter from Bob Shafer, Kroger Food Stores, dated November 21, 1990; copy of letter from Pam Schilling, Kroger Food Stores, dated November 21, 1990; copy of two-page letter from Carol and Steve Jackson dated November 15, 1990; letter from Bob Shaefer, Kroger, not dated; and two "Rose Awards" for Rick Kryc dated November 16, 1990 and February 8, 1991.
- (6) Exhibit 6 - Copy of letter from Susan Crosby not dated.
- (7) Exhibit 7 - Copy of two-page letter from Joseph D. Grubb, Kroger Pharmacy, dated February 23, 1992.
- (8) Exhibit 8 - Letter from Ronald Kryc dated February 22, 1992.
- (9) Exhibit 9 - Letter from Ronald A. Kryc and Patricia A. Kryc dated February 20, 1992.
- (10) Exhibit 10 - Two-page letter from Gregory J. France dated February 26, 1992.
- (11) Exhibit 11 - Letter from Pamela M. Kryc dated February 26, 1992.
- (12) Exhibit 12 - "Rose Award" for Rick Kryc dated May 30, 1991; letter from Bob Shaefer; "Rose Award" for Rick Kryc dated June 7, 1991; copy of letter from Linda Werner not dated; letter from Bob Shaefer; "Rose Award" for Rick Kryc not dated and two-page letter from Carol and Steve Jackson dated November 25, 1990.
- (13) Exhibit 13 - Copy of AA/NA attendance schedule of Rick Kryc dated from January 23, 1992 to March 1, 1992.

Findings Of Fact

- (1) From the evidence presented, the State Board of Pharmacy finds that Richard Allen Kryc was originally licensed in the state of Ohio on July 29, 1988, pursuant to examination, and that Mr. Kryc has been summarily suspended from the practice of pharmacy since September 24, 1991 pursuant to Section 3719.121(C) of the Ohio Revised Code.

- (2) From the evidence presented, the State Board of Pharmacy finds that Richard Allen Kryc, due to his admitted mental incapacity, has been unable to organize the pharmacy in which he worked and significant quantities of work have been uncompleted; has been significantly depressed and lacking in direction; and has had to be removed from his position at Kroger as a pharmacy manager.
- (3) From the evidence presented, the State Board of Pharmacy finds that Richard Allen Kryc, due to his admitted mental incapacity, has been placed on medical leave from his position as a pharmacist at Kroger.
- (4) From the evidence presented, the State Board of Pharmacy finds that Richard Allen Kryc has had physical infirmities which have impaired his practice of pharmacy, to wit: Richard Allen Kryc has exhibited stress-related behavior, and he has been arrested for Operating a Motor Vehicle While Under the Influence of alcohol and/or drugs for behavior which indicated such a condition when he tested negative for such a condition.
- (5) From the evidence presented, the State Board of Pharmacy finds that Richard Allen Kryc has described himself as manic, alcoholic, and with a bipolar personality. Richard Allen Kryc has needed and has begun therapy with a psychiatrist for such and other conditions.
- (6) From the evidence presented, the State Board of Pharmacy finds that Richard Allen Kryc has admitted stealing the controlled substances Lortab and Darvocet N-100 from his employer, Kroger, and has consumed these substances without having a prescription from a practitioner.
- (7) From the evidence presented, the State Board of Pharmacy finds that Richard Allen Kryc, due to his admitted mental incapacity, has significant trouble remembering. Richard Allen Kryc indicates that his work and attitude has declined since January of 1991, and he indicates that he is unable to practice pharmacy due to his inability to focus his attention and memory.
- (8) From the evidence presented, the State Board of Pharmacy finds that the Board had direct information, as related by Richard Allen Kryc's treating psychiatrist, that he is incapable of practicing pharmacy.

#### Conclusion Of Law

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (2) through (8) 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.

#### 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 imposed on September 24, 1991.

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following actions concerning the pharmacist license, No. 03-1-17290, held by Richard Allen Kryc:

(A) On the basis of the Conclusion Of Law set forth above, the State Board of Pharmacy hereby suspends the identification card held by Richard Allen Kryc indefinitely.

(B) Further, the Board of Pharmacy will permit Richard Allen Kryc to petition the Board to hold a Chapter 119. hearing after September 30, 1992 to determine whether or not the Board will consider reinstating his license to practice pharmacy in Ohio. The Board will consider the reinstatement of the license only if the following conditions have been met and satisfactory evidence has been submitted to the Board:

(1) Richard Allen Kryc must follow through and abide by the Pharmacists Rehabilitation Organization, Inc. contract for Impaired Pharmacists for a period of five years. The contract must provide that:

(a) random observed urine screens shall be conducted at least every three months, and copies of the results immediately forwarded to the Board of Pharmacy office,

(b) regular attendance at an Alcoholics Anonymous, Narcotics Anonymous, or a similar support group meeting is required during outpatient treatment and/or during aftercare,

(c) the program will immediately report to the Board of Pharmacy any violations of the contract.

(2) Richard Allen Kryc submits quarterly progress reports (twice before appearance) to the Board that include:

(a) the written report and documentation provided by the treatment program pursuant to the contract,

(b) a written description of his progress towards recovery and what he has been doing during the previous three months.

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

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.

RICHARD ALLEN KRYC, R.Ph.  
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Order of the Board

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  
#P 749 728 854

ORDER MAILED: APRIL 30, 1992

FZW/so

By

  
Franklin Z. Wickham, Executive Director

cc: Ronda Anderson, Assistant Attorney General  
David W. Grauer, Attorney for Respondent; 1300 Huntington Center;  
41 S. High Street; Columbus, Ohio 43215