



OHIO STATE BOARD OF PHARMACY

77 South High Street, Room 1702; Columbus, OH 43215-6126

-Equal Opportunity Employer and Service Provider-

TEL: 614/466-4143

E-MAIL: exec@bop.state.oh.us

FAX: 614/752-4836

TTY/TDD: Use the Ohio Relay Service: 1-800/750-0750

URL: <http://www.pharmacy.ohio.gov>

ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-980910-013)

In The Matter Of:

RODERICK KEITH CRENSHAW, R.Ph.

2170 Toni Street

Columbus, Ohio 43219-1454

(R.Ph. No. 03-1-17559)

INTRODUCTION

THE MATTER OF RODERICK KEITH CRENSHAW CAME ON FOR CONSIDERATION ON JANUARY 5, 1999, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: JOSEPH J. MASLAK, R.Ph. (presiding); ANN D. ABELE, R.Ph.; DIANE C. ADELMAN, R.Ph.; ROBERT B. CAVENDISH, R.Ph.; PAUL F. LAMPING, R.Ph.; SUZANNE L. NEUBER, R.Ph.; RUTH A. PLANT, R.Ph.; AND NICHOLAS R. REPKE, PUBLIC MEMBER.

RODERICK KEITH CRENSHAW WAS NOT PRESENT, NOR WAS HE REPRESENTED BY COUNSEL, AND THE STATE OF OHIO WAS REPRESENTED BY SALLY ANN STEUK, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) Robert Amiet, R.Ph., Ohio State Board of Pharmacy

Respondent's Witnesses:

- (1) None

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1--Copy of three-page Summary Suspension Order/Notice of Opportunity for Hearing letter dated September 10, 1998, with attached Personal Delivery Record signed by Roderick Crenshaw on November 5, 1998.
- (2) Exhibit 1A--Copy of Pharmacist File Front Sheet of Roderick Keith Crenshaw showing original date of registration as October 31, 1988.

Respondent's Exhibits:

- (1) None

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 September 10, 1998, Roderick Keith Crenshaw 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 Personal Delivery Memo dated November 5, 1998, Roderick Keith Crenshaw received the letter of September 10, 1998, informing him of the allegations against him, and his rights.
- (3) Roderick Keith Crenshaw has not responded in any manner to the letter of September 10, 1998, and has not requested a hearing in this matter.
- (4) Records of the Board indicate that Roderick Keith Crenshaw was originally licensed to practice pharmacy in the state of Ohio on October 31, 1988. On September 10, 1998, Roderick Keith Crenshaw's license was summarily suspended in accordance with Sections 3719.121(A) and 3719.121(B) of the Ohio Revised Code.
- (5) Roderick Keith Crenshaw is addicted to liquor or drugs or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy, to wit: Roderick Keith Crenshaw admitted stealing controlled substances; Roderick Keith Crenshaw admitted creating computer-generated prescriptions to cover for his theft of drugs; and, Roderick Keith Crenshaw admitted that he has a "psychological addiction" to the drugs. On August 21, 1998, while practicing pharmacy, Roderick Keith Crenshaw admitted taking 8 unit doses of Vicodin. Such conduct indicates that Mr. Crenshaw falls within the ambit of Sections 3719.121(A), 3719.121(B), and 4729.16(A)(3) of the Ohio Revised Code.
- (6) Roderick Keith Crenshaw did, from March of 1997, through August 21, 1998, with purpose to deprive, knowingly obtain or exert control over dangerous drugs, the property of Arcade Drug and/or CVS Pharmacy #3174, beyond the express or implied consent of the owner and/or by deception, to wit: Roderick Keith Crenshaw admitted stealing Roxicet, Ritalin, Oxycontin, Vicodin, and Darvocet N-100 and their generic equivalents from his employer. Such conduct is in violation of Section 2913.02 of the Ohio Revised Code.
- (7) Roderick Keith Crenshaw did, from May of 1998, through August 21, 1998, intentionally make and/or knowingly possess a false or forged prescription, to wit: Roderick Keith Crenshaw admitted creating false computer-generated prescriptions to cover for his theft of controlled substances. Such conduct is in violation of Section 2925.23 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 (5) 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 paragraph (5) of the Findings of Fact constitutes 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 paragraph (7) 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 2925. 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 10, 1998.

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following actions in the matter of Roderick Keith Crenshaw:

- (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 suspends indefinitely the pharmacist identification card, No. 03-1-17559, held by Roderick Keith Crenshaw 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 suspends indefinitely the pharmacist identification card, No. 03-1-17559, held by Roderick Keith Crenshaw 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 suspends indefinitely the pharmacist identification card, No. 03-1-17559, held by Roderick Keith Crenshaw effective as of the date of the mailing of this Order.

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 license to the offices of the state board of pharmacy within ten days after receipt of notice of such action." The wall 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.