



OHIO STATE BOARD OF PHARMACY

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-Equal Opportunity Employer and Service Provider-

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ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-040225-062)

In The Matter Of:

NATHAN JOHN GOIK
2550 Greenway Street #3
Toledo, Ohio 43607
(D.O.B. 04/29/81)

INTRODUCTION

THE MATTER OF NATHAN JOHN GOIK CAME FOR HEARING ON AUGUST 3, 2004 BEFORE THE FOLLOWING MEMBERS OF THE BOARD: LAWRENCE J. KOST, R.Ph. (presiding); GREGORY BRAYLOCK, R.Ph.; SUZANNE R. EASTMAN, R.Ph.; ROBERT P. GIACALONE, R.Ph.; ELIZABETH I. GREGG, R.Ph.; NATHAN S. LIPSYC, R.Ph.; KEVIN J. MILLER, R.Ph.; DOROTHY S. TEATER, PUBLIC MEMBER; AND JAMES E. TURNER, R.Ph.

NATHAN JOHN GOIK WAS REPRESENTED BY DANIEL D. CONNOR AND THE STATE OF OHIO WAS REPRESENTED BY SALLY ANN STEUK, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

State's Witnesses

None

Respondent's Witnesses

1. Nathan John Goik, Respondent
2. Michael Quigley, R.Ph.

State's Exhibits

1. Hearing Request letter from Daniel D. Connor [02-17-04]
- 1A-1B. Procedurals
2. Copy of State Board of Pharmacy Order in re Nathan John Goik[02-05-04]
- 2A. Copy of unsigned Statement of Nathan Goik [not dated]
3. Copy of Akron Police Department Field Arrest/Summons No. 119757 issued to Nathan J. Goik, Incident Report No. 00-19067 [06-10-00]
4. Copy of Report of Arrest/Summons, Case No. 00CRB6857 [06-16-00]
5. Copy of Complaint No. 00CRB6857, Akron Municipal Court [06-10-00]
6. Copy of Discretionary Rehabilitation Program Journal Entry, Case No. 00CRB6857, Akron Municipal Court [09-26-00]
7. Copy of unsigned three-page Statement of Nathan John Goik [not dated]
8. Copy of Court Cost and Fine Receipt No. 1677100, City of Dothan vs. Nathan John Goik, Case No. MC-01-000634-001, City of Dothan Municipal Court (Alabama) [10-07-02]

Respondent's Exhibits

- A-1. Copy of PRO Pharmacist's Recovery Contract for Nathan Goik [12-29-03]
- A-2. Copy of Progress Report from Laurie Maxson, R.N. CI [not dated]
- A-3. Copy of letter from Christine N. Hinko, Ph.D. [07-14-04]
- A-4. Copy of Drug Screen Reports [11-19-03 to 06-21-04]
- A-5. Copy of Support Group Attendance Records [12-15-03 to 07-23-04]
- A-6. Copy of Letter of Support [07-26-04]
- A-7. Copy of Letters of Recommendation [07-20-04 and 07-26-04]
- B. Copy of Drug Screen Reports [01-19-04 to 07-26-04]

DECISION OF THE BOARD

Pursuant to Section 4729.11 of the Ohio Revised Code, and after consideration of the record as a whole, the State Board of Pharmacy hereby approves the Application for Pharmacy Intern Registration submitted by Nathan John Goik.

Further, the Board places Nathan John Goik on probation for two years beginning on the effective date of this Order. The terms of probation are as follows:

- (A) Nathan John Goik must continue compliance with his current P.R.O. treatment contract or establish a new contract, signed within thirty days after the effective date of this Order, with an Ohio Department of Alcohol and Drug Addiction Services (ODADAS) treatment provider or a treatment provider acceptable to the Board for the same length of time and with the same provisions. Nathan John Goik must submit a copy of the new contract to the Board office immediately after signing.
- (B) Nathan John Goik must abide by the contract from the treatment provider and any violation must be reported to the Board immediately.
- (C) Nathan John Goik must not violate the drug laws of the State of Ohio, any other state, or the federal government.
- (D) Nathan John Goik must abide by the rules of the State Board of Pharmacy.
- (E) Nathan John Goik must comply with the terms of this Order.
- (F) Nathan John Goik's license is deemed not in good standing until successful completion of the probationary period.
- (G) Any violation of probation may result in a Board hearing to consider alternative or additional sanctions under Section 4729.16 of the Ohio Revised Code.

Nathan John Goik 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.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF PHARMACY (Aye-8/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 Ohio Revised Code authorizes an appeal from this Order. An order that denied admission to an examination, or denied the issuance or renewal of a license or registration, or revoked or suspended a license, may be appealed to the court of common pleas in the Ohio county of your place of business or in your Ohio county of residence. Any other order may be appealed to the Court of Common Pleas of 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 both the State Board of Pharmacy and the appropriate court within fifteen (15) days after the mailing of this Order and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

BY ORDER OF THE STATE BOARD OF PHARMACY

ORDER MAILED & EFFECTIVE: SEPTEMBER 16, 2004

By: _____
William T. Winsley, M.S., R.Ph., Executive Director



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ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-030307-060)

In The Matter Of:

NATHAN JOHN GOIK
2550 Greenway Street #3
Toledo, Ohio 43607
(D.O.B. 04/29/81)

INTRODUCTION

THE MATTER OF NATHAN JOHN GOIK CAME FOR HEARING ON JANUARY 5, 2004, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: ROBERT P. GIACALONE, R.Ph. (presiding); DIANE C. ADELMAN, R.Ph.; GREGORY BRAYLOCK, R.Ph.; SUZANNE R. EASTMAN, R.Ph.; ELIZABETH I. GREGG, R.Ph.; LAWRENCE J. KOST, R.Ph.; NATHAN S. LIPSYC, R.Ph.; DOROTHY S. TEATER, PUBLIC MEMBER; AND JAMES E. TURNER, R.Ph.

NATHAN JOHN GOIK WAS REPRESENTED BY DANIEL D. CONNOR AND THE STATE OF OHIO WAS REPRESENTED BY SALLY ANN STEUK, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

State's Witnesses

None

Respondent's Witnesses

1. Nathan John Goik, Respondent
2. Dennis Goik
3. Michael Quigley, R.Ph.

State's Exhibits

1. Copy of Proposal to Deny/Notice of Opportunity For Hearing letter [03-07-03]
1A-1F. Procedurals
2. Copy of unsigned Statement of Nathan Goik [not dated]
3. Copy of Akron Police Department Field Arrest/Summons No. 119757 issued to Nathan J. Goik [06-10-00]
4. Copy of Report of Arrest/Summons, Case No. 00CRB6857 [06-16-00]
5. Copy of Complaint No. 00CRB6857 [06-10-00]
6. Copy of Discretionary Rehabilitation Program Screening and Journal Entry, Case No. 00CRB6857, Akron Municipal Court [06-16-00]
7. Copy of unsigned Statement of Nathan John Goik [not dated]

8. Copy of Court Cost and Fine Receipt No. 1677100, City of Dothan vs. Nathan Goik, Case No. MC-01-000634-001, City of Dothan Municipal Court (Alabama) [10-07-02]

Respondent's Exhibits

- A-1. Copy of Assessment and Progress letter from William Kunkle, Certified Chemical Dependency Counselor II [12-10-03]
- A-2. Copy of PRO Pharmacist's Recovery Contract for Nathan Goik [12-29-03]
- A-3. Copy of The Cleveland Clinic Foundation Comprehensive Assessment Report of Nathan Goik [08-21-03]
- A-4. Copy of Assessment and Progress letter from William Kunkle, Certified Chemical Dependency Counselor II [12-10-03]; Integrated Bio Psychosocial Assessment [09-18-03]; Mast test [09-18-03]; Evening Intensive Outpatient Contract [09-29-03], Drug Screen Reports [09-29-03 to 10-23-03]; Integrated Progress Notes [09-29-03 to 10-31-03]; Master Treatment Plan [10-02-03]; Discharge Summary [10-31-03]; AfterCare Contract [10-27-03], Drug Screen Report [11-19-03]
- A-5. Copy of Drug Screen Reports [09-29-03 to 12-22-03]
- A-6. Support Group Attendance Records [10-25-03 to 12-22-03]
- A-7. Copy of The University of Toledo Grade Record of Nathan John Goik for 2003 Fall Quarter
- A-8. Letter of Support [not dated]
- A-9. Copy of pages 2 and 3 of The Toledo Hospital Discharge Summary [10-31-03]

FINDINGS OF FACT

After having heard the testimony, observed the demeanor of the witnesses, considered the evidence, and weighed the credibility of each, the State Board of Pharmacy finds the following to be fact:

- (1) Records of the State Board of Pharmacy indicate that Nathan John Goik applied to the State Board of Pharmacy for Registration as a Pharmacy Intern in Ohio on April 29, 2002.
- (2) Nathan John Goik did, on or about June 10, 2000, knowingly use, or possess with purpose to use, drug paraphernalia, to wit: Nathan John Goik was arrested for possession of a pipe used for smoking marijuana, a Schedule I controlled substance. Such conduct is in violation of Section 2925.14 of the Ohio Revised Code. Further, on said date, Nathan John Goik was arrested for underage possession of alcohol in violation of Section 91.62(E) of the Akron City Code, with said charges being dismissed after he completed a "Discretionary Rehabilitation Program."
- (3) Nathan John Goik did, on or about March 18, 2001, knowingly possess or use a controlled substance when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Nathan John Goik was arrested in Dothan, Alabama, for Possession Of Marijuana, a Schedule I controlled substance. Such conduct, if committed in Ohio, is in violation of Section 2925.11 of the Ohio Revised Code. Nathan John Goik was fined \$610.50 and ordered into a diversion program, City of Dothan vs. Nathan Goik, Case No. MC-01634, City of Dothan Municipal Court (Alabama). Until September of 2002, Nathan John Goik refused to pay the fine, and did not comply with the court's order to enter into the diversion program.

- (4) Nathan John Goik did, on or about September 3, 2002, knowingly make a false statement with purpose to mislead a public official in performing his official function, to wit: Nathan John Goik lied to Board agents, who were investigating a matter, with purpose to divert their attention away from his drug abuse and drug-related conviction in the State of Alabama. Such conduct is in violation of Section 2921.13 of the Ohio Revised Code (Falsification).

CONCLUSIONS OF LAW

- (1) The State Board of Pharmacy concludes that paragraphs (2) through (4) of the Findings of Fact constitute not being of good moral character and habits as provided in paragraph (C) of Rule 4729-5-04 of the Ohio Administrative Code.
- (2) The State Board of Pharmacy concludes that paragraphs (2) through (4) of the Findings of Fact constitute being addicted to or abusing liquor or drugs as provided in paragraph (D) of Rule 4729-5-04 of the Ohio Administrative Code.

DECISION OF THE BOARD

Pursuant to Section 4729.11 of the Ohio Revised Code and Rule 4729-5-04 of the Ohio Administrative Code, and after consideration of the record as a whole, the State Board of Pharmacy hereby denies the Application for Registration As An Intern submitted by Nathan John Goik on April 29, 2002.

Further, on or after August 1, 2004, the Board will consider any petition filed by Nathan John Goik for a hearing, pursuant to Ohio Revised Code Chapter 119., for registration as an Ohio Pharmacy Intern.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF PHARMACY (Aye-5/Nay-3).

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 Ohio Revised Code authorizes an appeal from this Order. An order that denied admission to an examination, or denied the issuance or renewal of a license or registration, or revoked or suspended a license, may be appealed to the court of common pleas in the Ohio county of your place of business or in your Ohio county of residence. Any other order may be appealed to the Court of Common Pleas of 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 both the State Board of Pharmacy and the appropriate court within fifteen (15) days after the mailing of this Order and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

BY ORDER OF THE STATE BOARD OF PHARMACY

ORDER MAILED & EFFECTIVE: FEBRUARY 5, 2004

By: _____
William T. Winsley, M.S., R.Ph., Executive Director