



OHIO STATE BOARD OF PHARMACY

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

-Equal Opportunity Employer and Service Provider-

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SETTLEMENT AGREEMENT WITH THE STATE BOARD OF PHARMACY

(Docket No. D-071127-018)

In The Matter Of:

ANNETTE KRISTINE KALINA, R.Ph.

10813 West Pleasant Valley Road

Parma, Ohio 44130

(R.Ph. No. 03-1-27312)

This Settlement Agreement is entered into by and between Annette Kristine Kalina and the Ohio State Board of Pharmacy, a state agency charged with enforcing the Pharmacy Practice Act and Dangerous Drug Distribution Act, Chapter 4729. of the Ohio Revised Code.

Annette Kristine Kalina voluntarily enters into this Agreement being fully informed of her rights afforded under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel, the right to a formal adjudication hearing on the issues contained herein, and the right to appeal. Annette Kristine Kalina acknowledges that by entering into this agreement she has waived her rights under Chapter 119. of the Revised Code.

Whereas, the Board is empowered by Section 4729.16 of the Ohio Revised Code to suspend, revoke, place on probation, refuse to grant or renew an identification card or enforce a monetary penalty on the license holder for violation of any of the enumerated grounds therein.

Whereas, Annette Kristine Kalina is licensed to practice pharmacy in the State of Ohio.

Whereas, on or about November 27, 2007, pursuant to Chapter 119. of the Ohio Revised Code, Annette Kristine Kalina was notified of the allegations or charges against her, her right to a hearing, her rights in such hearing, and her right to submit contentions in writing. Annette Kristine Kalina requested a hearing; it was scheduled. The November 27, 2007, Notice of Opportunity for Hearing contains the following allegations or charges:

- (1) Records of the State Board of Pharmacy indicate that Annette Kristine Kalina was originally licensed by the State of Ohio as a pharmacist on July 13, 2006, pursuant to examination, and is currently licensed to practice pharmacy in Ohio.
- (2) Annette Kristine Kalina did, on or about July 18, 2006, misbrand a drug, to wit: when Annette Kristine Kalina received a prescription for Atarax, Rx #03053 0426122, she dispensed hydralazine 50 mg, which had not been

specifically prescribed by the physician. The patient subsequently was hospitalized. Such conduct is in violation of Section 3715.52(A)(2) of the Ohio Revised Code.

Annette Kristine Kalina neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated November 27, 2007; however, the Board has evidence sufficient to sustain the allegations and hereby adjudicates the same.

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of a formal hearing at this time, Annette Kristine Kalina knowingly and voluntarily agrees with the State Board of Pharmacy to the following:

- (A) Annette Kristine Kalina agrees to the imposition of a monetary penalty of two hundred fifty dollars (\$250.00) due and owing within thirty days from the effective date of this Agreement. Checks should be made payable to the "Treasurer, State of Ohio" and mailed with the enclosed form to the State Board of Pharmacy, 77 South High Street, Room 1702, Columbus, Ohio 43215-6126.
- (B) Annette Kristine Kalina must obtain, within six months from the effective date of this Agreement, five hours of continuing pharmacy education (0.5 CEUs) on preventing medication errors, which may not also be used for license renewal.

Annette Kristine Kalina acknowledges that she has had an opportunity to ask questions concerning the terms of this agreement and that all questions asked have been answered in a satisfactory manner. Any action initiated by the Board based on alleged violation of this Agreement shall comply with the Administrative Procedure Act, Chapter 119. of the Ohio Revised Code.

Annette Kristine Kalina waives any and all claims or causes of action she may have against the State of Ohio or the Board, and members, officers, employees, and/or agents of either, arising out of matters which are the subject of this Agreement. Annette Kristine Kalina waives any rights of appeal pursuant to Chapter 119. of the Ohio Revised Code.

This Settlement Agreement shall be considered a public record, as that term is used in Section 149.43 of the Ohio Revised Code, and shall become effective upon the date of the Board President's signature below.

_____ Annette Kristine Kalina, R.Ph., Respondent	_____ 02/27/2008 Date of Signature
_____ Gregory Braylock, President, Ohio State Board of Pharmacy	_____ 03/05/2008 Date of Signature
_____ Sally Ann Steuk, Ohio Assistant Attorney General	_____ 03/10/2008 Date of Signature