OHIO STATE BOARD OF PHARMACY

77 S. High Street, 17th Floor
Columbus, Ohio 43266-0320
Telephone: 614/466-4143

THE STATE BOARD OF PHARMACY
(Docket No. D-910911-048)

In The Matter Of:

MARILYNN K. FULTON, R.Ph.
6616 Elmer Drive
Toledo, Oio 43615
(R.Ph. No. 03-2-06462)

CONSENT AGREEMENT

This Consent Agreement is entered into by and between Marilynn K. Fulton, R.Ph. 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.

Marilynn K. Fulton 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 and the right to a formal adjudication hearing on the issues contained herein.

This Agreement is entered into on the basis of the following stipulations, admissions, and understandings:

1. The Ohio State Board of Pharmacy 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 impose a monetary penalty on the license holder for violation of any of the enumerated grounds.

2. Marilynn K. Fulton is licensed to practice pharmacy in the State of Ohio.

3. Marilynn K. Fulton is knowingly and voluntarily acknowledging that she allowed her license to lapse from September 16, 1990 to October 18, 1990, and from September 16, 1989 to October 11, 1989, and practiced pharmacy while the license was lapsed.

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, Marilynn K. Fulton knowingly and voluntarily agrees with the State Board of Pharmacy to the following:

1. Marilynn K. Fulton agrees to the imposition of a monetary penalty of five hundred dollars ($500.00).

2. Marilynn K. Fulton understands that the State Board of Pharmacy will suspend four hundred dollars ($400.00) of the monetary penalty on condition that Marilynn K. Fulton does not further violate any laws under Chapter 4729. of the Ohio Revised Code.

3. The one hundred dollar ($100.00) monetary penalty that was not suspended is due and owing within thirty (30) days of the effective date of this Agreement. The monetary penalty should be made payable to the "Treasurer, State of Ohio" and mailed to the State Board of Pharmacy, 77 S. High Street, 17th Floor, Columbus, Ohio 43266-0320, with the enclosed form.

4. If Marilynn K. Fulton violates any laws under Chapter 4729., she agrees to the imposition of the portion of the monetary penalty the Board originally suspended.

If, in the judgement of the Board, Marilynn K. Fulton appears to have violated or breached any terms or conditions of this Agreement, the Ohio State Board of Pharmacy reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including but not limited to, alleged violation of the laws of Ohio occurring before the effective date of this Agreement.

Marilynn K. Fulton 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.

Marilynn K. Fulton 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.

In the event the Board, at its discretion, does not approve this Agreement, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. Marilynn K. Fulton agrees that should the Board reject this Agreement and if this case proceeds to hearing, she will assert no claim that the Board was

prejudiced by its review and discussion of this Agreement or of any information relating thereto.

This Consent 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 last date of signature below.

SIGNATURE OF PHARMACIST/RESPONDENT	DATE OF SIGNATURE
SIGNATURE OF OHIO BOARD OF PHARMACY PRESIDENT	DATE OF SIGNATURE
SIGNATURE OF OHIO ASSISTANT ATTORNEY GENERAL	DATE OF SIGNATURE