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OHIO STATE BOARD OF PHARMACY

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THE OHIO STATE BOARD OF PHARMACY  
(Docket No. D-871026-079)

In The Matter Of:

HENRY R. JONES, R.Ph.  
c/o Rite Aid Pharmacy #707  
186 S. Main Street  
Akron, OH 44300

INTRODUCTION

THE MATTER OF HENRY R. JONES CAME TO HEARING ON SEPTEMBER 26, 1988 BEFORE THE FOLLOWING MEMBERS OF THE BOARD: JEROME WIESENHAHN, R.Ph. (presiding); GERALD CLOUSE, R.Ph.; NORMAN LEIBOW, R.Ph.; TIMOTHY MOORE, R.Ph.; BETTY NICHOL, R.Ph.; JOSEPH SABINO, R.Ph.; ROBERT VALENTINE, R.Ph.; AND MELVIN WILCZYNSKI, R.Ph.

HENRY R. JONES WAS NOT REPRESENTED BY COUNSEL, AND THE STATE OF OHIO WAS REPRESENTED BY CHRISTOPHER COSTANTINI, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) Henry R. Jones, Respondent

Respondent's Witnesses:

(None)

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1 - Pharmacist Renewal Application of Henry R. Jones received September 23, 1987.  
(2) Exhibit 2 - Pharmacist Renewal Application of Henry R. Jones received April 18, 1985.  
(3) Exhibit 3A - Prescription #475449.  
(4) Exhibit 3B - Prescription #475767 and Prescription #475768.

Respondent's Exhibits:

(None)

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- (4) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (3) and (5) of the Findings Of Fact constitutes willfully violating, conspiring to violate, attempting to violate and aiding and abetting the violations of Chapter 2925. and 4729. of the Revised Code.

ORDER

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following actions concerning the pharmacist license, No. 03-3-04128, held by Raymond Bonn:

(A) On the basis of paragraph (4) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby imposes a monetary penalty of two thousand five hundred dollars (\$2,500.00), due and owing within thirty (30) days of the issuance of this Order. 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.

(B) On the basis of paragraph (1) through (3) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby suspends the pharmacist identification card held by Raymond Bonn, No. 03-3-04128, for three years.

(C) Further, the Board suspends two years of the three-year suspension imposed in paragraph (B) above on condition that Raymond Bonn:

- (1) Successfully completes a Jurisprudence examination offered by the Board;
- (2) does not violate the drug laws of the state of Ohio, any other state, or the federal government; and
- (3) abides by the rules of the State Board of Pharmacy.

Division (B) of Section 4729.16 of the Revised Code provides in pertinent part that: "Any individual whose identification card is . . . , suspended, . . . , shall return his identification card and certificate of registration to the offices of the state board of pharmacy within ten days after receipt of notice of such action." The 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.

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FINDINGS OF FACT

- (1) From the evidence presented, the State Board of Pharmacy finds that Henry R. Jones failed to renew his identification card on the fifteenth day of September, 1987 as required by Section 4729.12 of the Ohio Revised Code, for 1988, when he did not renew until September 23, 1987.
- (2) From the evidence presented, the State Board of Pharmacy finds that Henry R. Jones failed to renew his identification card on the fifteenth day of September, 1984 as required by Section 4729.12 of the Ohio Revised Code, for 1985, when he did not renew until April 18, 1985.
- (3) From the evidence presented, the State Board of Pharmacy finds that Henry R. Jones did dispense and sell dangerous drugs while not being a registered pharmacist during the lapsed dates of his pharmacist license; in violation of the provisions of Section 4729.28 of the Revised Code.

CONCLUSION OF LAW

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (1) through (3) of the Findings Of Fact constitutes willfully violating the provisions of Chapter 4729. of the Revised Code.

ORDER

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following actions concerning the pharmacist license, No. 03-2-06601, held by Henry R. Jones:

(A) On the basis of paragraph (1) of the Conclusion Of Law set forth above, the State Board of Pharmacy hereby imposes a monetary penalty of five hundred dollars (\$500.00).

(B) Further, the Board suspends four hundred dollars of the monetary penalty imposed in paragraph (A) above on condition that Henry R. Jones:

- (1) does not violate the drug laws of the state of Ohio, any other state, or the federal government; and
- (2) abides by the rules of the State Board of Pharmacy.

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The one hundred dollar monetary penalty that was not suspended in paragraph (B) above is due and owing within thirty (30) days of the issuance of this Order. 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.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF PHARMACY.

MOTION CARRIED.

SO ORDERED.