



OHIO STATE BOARD OF PHARMACY

65 S. Front Street, Room 504
Columbus, Ohio 43266-0320
Telephone: 614/466-4143

03-2-0874

THE STATE BOARD OF PHARMACY
(Docket No. D-880105-131)

In The Matter Of:

CARLOS F. KHABBAZ, R.Ph.
2185 Bell Oak Drive
Kettering, Ohio 45440

THE MATTER OF CARLOS F. KHABBAZ CAME ON FOR CONSIDERATION BY THE STATE BOARD OF PHARMACY ON FEBRUARY 12, 1988. MOTIONS WERE MADE AND RECORDED THAT THE FOLLOWING ORDER BE ADOPTED:

ORDER

State's Exhibits

- (1) Exhibit A - Notice of Opportunity For A Hearing dated January 5, 1988.
- (2) Exhibit B - Letter received by the Board office on February 8, 1988 from Carlos Khabbaz setting forth his position and contentions.
- (3) Exhibit C - Renewal applications with due dates of August 1, 1987 and August 1, 1978.
- (4) Exhibit D - Prescriptions numbered 036764, 036735, 036404, 036015, 036011, 036010, 035873, 035666, and 035652.

Findings Of Fact

- (1) On January 5, 1988, Carlos F. Khabbaz 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 return receipt of January 9, 1988, Carlos F. Khabbaz received the letter of January 5, 1988 informing him of the allegations regarding the late renewal of his license, and his rights.
- (3) Carlos F. Khabbaz submitted a letter, received February 8, 1988, setting forth his position and contentions in writing, and has not requested a hearing in this matter.

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Order of the Board

- (4) The State Board of Pharmacy finds that Carlos F. Khabbaz 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 December 22, 1987.
- (5) The State Board of Pharmacy finds that Carlos F. Khabbaz failed to renew his identification card on the fifteenth day of September, 1978 as required by Section 4729.12 of the Ohio Revised Code, for 1979, when he did not renew until September 18, 1978.
- (6) The State Board of Pharmacy finds that Carlos F. Khabbaz 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 Ohio Revised Code.

Conclusions Of Law

- (1) The State Board of Pharmacy concludes that the conduct set forth in paragraphs (4) and (5) of the Findings Of Fact constitutes willfully violating Section 4729.12 of the Ohio Revised Code.
- (2) The State Board of Pharmacy concludes that the conduct set forth in paragraph (6) of the Findings Of Fact constitutes willfully violating Section 4729.28 of the Ohio Revised Code.

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy hereby imposes a monetary penalty of one hundred dollars (\$100.00), 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, 65 S. Front Street, Room 504, 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.

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 Revised Code authorizes an appeal from this Order. Such an appeal may be taken to the court of common pleas in the county in which your place of business is located or to said court of the county in which you reside. If you do not have a place of business in Ohio and are not a resident of Ohio, you may appeal to the Court of Common Pleas in Franklin County, Ohio.

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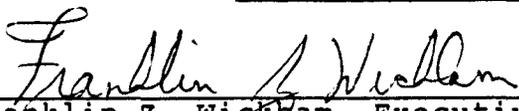
Such an appeal, setting forth the order appealed from and the grounds of the appeal, must be commenced by the filing of a Notice of Appeal with the State Board of Pharmacy and the appropriate court within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Revised Code.

BY ORDER OF THE STATE BOARD OF PHARMACY

CERTIFIED MAIL
Return Receipt

ORDER ISSUED: MAY 17, 1988

FZW/sb

By 
Franklin Z. Wickham, Executive Director

cc: Christopher Costantini, Assistant Attorney General