



OHIO STATE BOARD OF PHARMACY

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SETTLEMENT AGREEMENT WITH THE STATE BOARD OF PHARMACY (Docket No. D-060112-058)

In The Matter Of:

ALAN RAY WOLFORD, R.Ph.
114 East Pike Street
Barnesville, Ohio 43713
(R.Ph. No. 03-2-08847)

This Settlement Agreement is entered into by and between Alan Ray Wolford 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.

Alan Ray Wolford voluntarily enters into this Agreement being fully informed of his 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. Alan Ray Wolford acknowledges that by entering into this agreement he has waived his 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, Alan Ray Wolford is licensed to practice pharmacy in the State of Ohio.

Whereas, on or about January 12, 2006, pursuant to Chapter 119. of the Ohio Revised Code, Alan Ray Wolford was notified of the allegations or charges against him, his right to a hearing, his rights in such hearing, and his right to submit contentions in writing. Alan Ray Wolford requested a hearing; it was scheduled. The January 12, 2006, Notice of Opportunity for Hearing contains the following allegations or charges:

- (1) Records of the State Board of Pharmacy indicate that Alan Ray Wolford was originally licensed by the State of Ohio on August 14, 1967, pursuant to examination, and his license to practice pharmacy lapsed on September 15, 1977. Alan Ray Wolford was re-licensed by examination on March 1, 1984, and his license lapsed on September 15, 2005.
- (2) Alan Ray Wolford is abusing drugs and/or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy, to wit: Alan Ray Wolford has admittedly stolen Viagra from eight different pharmacies on ten different occasions in an ongoing attempt to commit suicide. Alan Ray Wolford indicated to a Board agent that he intended to ingest large quantities of the drug over a period of time

so as to cause a heart attack or stroke. Alan Ray Wolford has further indicated that he has suffered from depression for several years. Such conduct indicates that Alan Ray Wolford is within the ambit of Section 4729.16(A)(3) of the Ohio Revised Code.

- (3) Alan Ray Wolford did, on or about the following dates, with purpose to deprive, knowingly obtain or exert control over dangerous drugs, the property of CVS, beyond the express or implied consent of the owner, to wit: Alan Ray Wolford has admittedly stolen the following:

<u>Date of Theft</u>	<u>Drug</u>	<u>Quantity</u>	<u>Pharmacy</u>
April, 2005	Viagra 100 mg	60 tablets	CVS #2735
May 10, 2005	Viagra 100 mg	60 tablets	CVS #3992
April, 2005	Viagra 100 mg	60 tablets	CVS #3410
May 07, 2005	Viagra 100 mg	60 tablets	CVS #6946
May 08, 2005	Viagra 100 mg	60 tablets	CVS #6946
May 06, 2005	Viagra 100 mg	60 tablets	CVS #3405
May 12, 2005	Viagra 100 mg	30 tablets	CVS #6159
May 13, 2005	Viagra 100 mg	30 tablets	CVS #6159
May 04, 2005	Viagra 100 mg	60 tablets	CVS #5717
May 11, 2005	Viagra 100 mg	60 tablets	CVS #3484

Such conduct is in violation of Section 2913.02 of the Ohio Revised Code.

Alan Ray Wolford neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated January 12, 2006; 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, Alan Ray Wolford knowingly and voluntarily agrees with the State Board of Pharmacy to the following:

The Board of Pharmacy hereby suspends indefinitely the pharmacist identification card, No. 03-2-08847, held by Alan Ray Wolford. Pursuant to Rule 4729-9-01(F) of the Ohio Administrative Code, Alan Ray Wolford may not be employed by or work in a facility licensed by the Board to possess or distribute dangerous drugs during such period of suspension. Division (B) of Section 4729.16 of the Revised Code provides that: "Any individual whose identification card is revoked, suspended, or refused, shall return his identification card and certificate of registration to the offices of the state board of pharmacy within ten days after receipt of the notice of such action." The certificate and identification card should be forwarded by certified mail, return receipt requested. Further, Alan Ray Wolford must petition the Board, pursuant to a Revised Code Chapter 119. hearing, for reinstatement of his license to practice pharmacy in Ohio.

Alan Ray Wolford acknowledges that he 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.

Alan Ray Wolford waives any and all claims or causes of action he 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. Alan Ray Wolford 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.

Alan Ray Wolford, R.Ph., Respondent

09/12/2006
Date of Signature

Umberto A. DeBeneditto, Attorney for Respondent

09/12/2006
Date of Signature

James E. Turner, President, Ohio State Board of Pharmacy

09/12/2006
Date of Signature

Sally Ann Steuk, Ohio Assistant Attorney General

09/12/2006
Date of Signature

