



OHIO STATE BOARD OF PHARMACY

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-Equal Opportunity Employer and Service Provider-

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SETTLEMENT AGREEMENT WITH THE STATE BOARD OF PHARMACY
(Docket No. D-980311-046)

In The Matter Of:

DARSHAN SINGH BAMBRAH, R.Ph.

33196 Lisa Lane

Solon, Ohio 44139

(R.Ph. No. 03-2-11464)

This Settlement Agreement is entered into by and between Darshan Singh Bambrah 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.

Darshan Singh Bambrah 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 and the right to a formal adjudication hearing on the issues contained herein.

Darshan Singh Bambrah is knowingly and voluntarily acknowledging that, in order to settle the disciplinary charges that have been filed by the Board against him and in order to obviate the need to conduct an administrative hearing to consider possible disciplinary sanctions against Darshan Singh Bambrah's license to practice pharmacy in the state of Ohio, this Agreement is entered into on the basis of the following stipulations, admissions, and understandings:

- (A) 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.
- (B) Darshan Singh Bambrah neither admits nor denies the allegations stated in the Notice; however, the Board has evidence sufficient to sustain the allegations and hereby adjudicates the same:
 - (1) Records of the Board of Pharmacy indicate that Darshan Singh Bambrah was originally licensed in the state of Ohio on October 8, 1975, pursuant to reciprocity, and is currently licensed to practice pharmacy in the state of Ohio. Further, Darshan Singh Bambrah is the Responsible Pharmacist at Finast Pharmacy #33, located in Bedford, Ohio pursuant to Sections 4729.27 and 4729.55 of the Ohio Revised Code and Section 4729-5-16 of the Ohio Administrative Code.

- (2) Darshan Singh Bambrah did, on or about August 5, 1996, knowingly sell a controlled substance in an amount less than bulk when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Darshan Singh Bambrah sold 28 units of Ionamin 30mg for diet to patient #1 pursuant to prescription number 33454111, when not for a legitimate medical purpose and contrary to Rule 4731-11-04 of the Ohio Administrative Code, thus failing to fulfill his corresponding responsibility pursuant to Section 1306.04 of the Code of Federal Regulations and Rule 4729-5-30 of the Ohio Administrative Code. Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.
- (3) Darshan Singh Bambrah did, on or about the following dates, knowingly sell a controlled substance in an amount less than bulk when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: on each occasion Darshan Singh Bambrah sold 28 units of Adipex-P 37.5mg for diet to patient #2 pursuant to the following prescriptions when not for a legitimate medical purpose and contrary to Rule 4731-11-04 of the Ohio Administrative Code, thus failing to fulfill his corresponding responsibility pursuant to Section 1306.04 of the Code of Federal Regulations and Rule 4729-5-30 of the Ohio Administrative Code:

<u>Rx Number</u>	<u>Written</u>	<u>Filled</u>
33448779	04/23/96	04/23/96
33450181	05/07/96	05/18/96
33458532	10/29/96	10/29/96
33459847	11/12/96	11/23/96
33464315	02/13/97	02/15/97

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (4) Darshan Singh Bambrah did, on or about the following dates, knowingly sell a controlled substance in an amount less than bulk when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: on each occasion Darshan Singh Bambrah sold 28 units of Ionamin 30mg for diet to patient #3 pursuant to the following prescriptions when not for a legitimate medical purpose and contrary to Rule 4731-11-04 of the Ohio Administrative Code, thus failing to fulfill his corresponding responsibility pursuant to Section 1306.04 of the Code of Federal Regulations and Rule 4729-5-30 of the Ohio Administrative Code:

<u>Rx Number</u>	<u>Written</u>	<u>Filled</u>
33444314	01/27/96	02/06/96
33453710	07/22/96	07/28/96

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (5) Darshan Singh Bambrach did, on or about the following dates, knowingly sell a controlled substance in an amount less than bulk when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: on each occasion Darshan Singh Bambrach sold 28 units of a controlled substance stimulant for diet to patient #4 pursuant to the following prescriptions when not for a legitimate medical purpose and contrary to Rule 4731-11-04 of the Ohio Administrative Code, thus failing to fulfill his corresponding responsibility pursuant to Section 1306.04 of the Code of Federal Regulations and Rule 4729-5-30 of the Ohio Administrative Code:

<u>Rx Number</u>	<u>Written</u>	<u>Filled</u>	<u>Drug</u>
33442988	12/29/95	01/15/96	lonamin 30mg
33445053	02/10/96	02/20/96	lonamin 30mg
33446367	03/09/96	03/12/96	Adipex-P 37.5mg
33447261	02/24/96	03/27/96	lonamin 30mg
33448730	03/23/96	04/22/96	Adipex-P 37.5mg
33450730	05/28/96	05/28/96	lonamin 30mg
33452719	06/11/96	07/08/96	lonamin 30mg
33454346	07/19/96	08/11/96	lonamin 30mg
33455714	09/06/96	09/07/96	lonamin 30mg
33458013	10/04/96	10/20/96	Adipex-P 37.5mg
33459592	09/20/96	11/18/96	lonamin 30mg
33461816	12/06/96	12/31/96	lonamin 30mg
33463155	10/18/96	01/24/97	Adipex-P 37.5mg
33463556	12/20/96	02/03/97	lonamin 30mg

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (6) Darshan Singh Bambrach did, on or about the following dates, knowingly sell a controlled substance in an amount less than bulk when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: on each occasion Darshan Singh Bambrach sold 28 units of lonamin 30mg for diet to patient #5 pursuant to the following prescriptions when not for a legitimate medical purpose and contrary to Rule 4731-11-04 of the Ohio Administrative Code, thus failing to fulfill his corresponding responsibility pursuant to Section 1306.04 of the Code of Federal Regulations and Rule 4729-5-30 of the Ohio Administrative Code:

<u>Rx Number</u>	<u>Written</u>	<u>Filled</u>
33444245	02/02/96	02/06/96
33445052	02/16/96	02/20/96
33445882	03/01/96	03/05/96
33446686	03/14/96	03/18/96
33448144	04/12/96	04/12/96
33448938	04/26/96	04/26/96
33450341	05/09/96	05/21/96
33452563	05/23/96	None

<u>Rx Number</u>	<u>Written</u>	<u>Filled</u>
33453922	06/21/96	08/01/96
33454509	08/02/96	08/15/96
33455185	08/16/96	08/28/96
33458858	07/19/96	11/05/96
33459783	10/25/96	11/22/96
33461303	11/08/96	12/20/96
33461853	11/22/96	12/31/96
33463434	12/20/96	01/31/97
33464213	01/03/97	02/14/97

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

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

- (A) Darshan Singh Bambrah's pharmacist identification card, No. 03-2-11464, will be placed on probation for two years from the effective date of this agreement. The terms of probation are as follows:
- (1) Darshan Singh Bambrah must not violate the drug laws of the state of Ohio, any other state, or the federal government.
 - (2) Darshan Singh Bambrah must abide by the rules of the Ohio State Board of Pharmacy.
 - (3) Darshan Singh Bambrah must comply with the terms of this Agreement.
- (B) Darshan Singh Bambrah agrees to the imposition of a monetary penalty of two thousand five hundred dollars (\$2,500.00) 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 forms to the State Board of Pharmacy, 77 South High Street, 17th Floor, Columbus, Ohio 43266-0320.

If, in the judgment of the Board, Darshan Singh Bambrah appears to have violated or breached any terms or conditions of this Agreement, the Ohio State Board of Pharmacy reserves the right to, at any time, revoke probation, modify the conditions of probation, and reduce or extend the period of probation, and/or the Board may 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.

Darshan Singh Bambrah 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.

Darshan Singh Bambrah 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. Darshan Singh Bambrah waives any rights of appeal pursuant to Chapter 119. of the Ohio Revised Code.

In the event the Board, in its discretion, does not adopt this Agreement as its Adjudication, 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. Darshan Singh Bambrah agrees that should the Board reject this Agreement and if this case proceeds to hearing, he will assert no claim that the Board was prejudiced by its review and discussion of this Agreement or of any information relating thereto.

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.



Darshan Singh Bambrah, Respondent

4-5-99

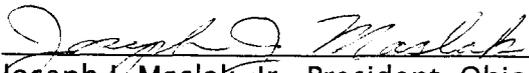
Date of Signature



Samuel V. Butcher, Attorney for Respondent

4/05/99

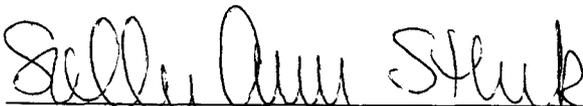
Date of Signature



Joseph J. Maslak, Jr., President, Ohio State Board of Pharmacy

4/14/99

Date of Signature



Sally Ann Steuk, Ohio Assistant Attorney General

4-14-99

Date of Signature