



OHIO STATE BOARD OF PHARMACY

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ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-021025-023)

In The Matter Of:

GEORGE L. PLATAZ, R.Ph.

2255 Par Lane, #G-514

Willoughby, Ohio 44094

(R.Ph. No. 03-2-11512)

INTRODUCTION

THE MATTER OF GEORGE L. PLATAZ CAME FOR HEARING ON OCTOBER 15, 2003, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: ROBERT P. GIACALONE, R.Ph. (presiding); DIANE C. ADELMAN, R.Ph.; GREGORY BRAYLOCK, R.Ph.; SUZANNE R. EASTMAN, R.Ph.; ELIZABETH I. GREGG, R.Ph.; LAWRENCE J. KOST, R.Ph.; NATHAN S. LIPSYC, R.Ph.; DOROTHY S. TEATER, PUBLIC MEMBER; AND JAMES E. TURNER, R.Ph.

GEORGE L. PLATAZ WAS REPRESENTED BY JOHN R. IRWIN, M.D. AND THE STATE OF OHIO WAS REPRESENTED BY SALLY ANN STEUK, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

State's Witnesses

None

Respondent's Witnesses

1. George L. Plataz, R.Ph., Respondent
2. Robert Tschinkel, R.Ph.
3. Rick Bunn

State's Exhibits

1. Reinstatement Hearing Request letter from John R. Irwin, M.D. [10-23-02]
1A-1F. Procedurals
2. Copy of State Board of Pharmacy Order in re George L. Plataz, R.Ph. [02-08-02]
2A. Rx #N659674 [09-26-98]
3. Rx #N663440 [11-02-98]
4. Rx #N666333 [12-01-98]

5. Rx #N669318 [01-02-99]
6. Rx #N673613 [02-11-99]
7. Rx #N675568 [02-27-99]
8. Rx #N680332 [04-11-99]
9. Rx #N686043 [06-05-99]
10. Rx #N688768 [07-02-99]
11. Rx #N692877 [08-13-99]
12. Rx #N732792 [08-14-00]
13. Rx #N733583 [08-22-00]
14. Rx #N740299 [10-21-00]
15. Rx #N746175 [12-11-00]
16. Rx #N755063 [02-23-01]
17. Rx #N768948 [06-15-01]
18. Rx #N774298 [08-01-01]
19. CVS/Revco #4316 Pharmacist's Statement for Patient E [09-26-98 to 08-01-01]
20. Rx #N675565 [02-27-99]
21. Rx #N686044 [06-05-99]
22. Rx #N694251 [08-27-99]
23. Rx #N741925 [11-04-00]
24. Rx #N746749 [12-14-00]
25. Rx #N751627 [01-26-01]
26. Rx #N756556 [03-07-01]
27. Rx #N770723 [06-29-01]
28. Rx #N774768 [08-05-01]
29. Rx #N777238 [08-25-01]
30. CVS/Revco #4316 Pharmacist's Statement for Patient A [02-27-99 to 09-16-01]
31. Rx #N740137 [10-20-00]
32. Rx #N777280 [08-25-01]
33. Rx #N745880 [12-07-00]
34. Rx #N733991 [08-26-00]
35. CVS/Revco #4316 Pharmacist's Statement for Patient B [10-20-00 to 08-25-01]
36. Rx #N737728 [09-28-00]
37. Rx #N739603 [10-16-00]
38. Rx #N741130 [10-30-00]
39. Rx #N744962 [11-30-00]
40. Rx #N747885 [12-26-00]
41. Rx #N753371 [02-09-01]
42. Rx #N756660 [03-07-01]
43. Rx #N761940 [04-18-01]
44. Rx #N768393 [06-11-01]
45. Rx #N770390 [06-27-01]
46. Rx #N773918 [07-29-01]
47. CVS/Revco #4316 Pharmacist's Statement for Patient C [08-23-00 to 07-29-01]
48. Rx #N733570 [08-22-00]
49. Rx #N738807 [10-08-00]
50. Rx #N741745 [11-03-00]
51. Rx #N744963 [11-30-00]
52. Rx #N749889 [01-12-01]
53. Rx #N755064 [02-23-01]
54. Rx #N762257 [04-21-01]
55. Rx #N769071 [06-15-01]
56. Rx #N770618 [06-29-01]
57. Rx #N774706 [08-03-01]

- 58. CVS/Revco #4316 Pharmacist's Statement for Patient D [08-22-00 to 08-03-01]
- 59. Bill of Information, State of Ohio vs. George Plataz, Case No. CR-414767, Cuyahoga County Common Pleas Court [02-21-02]
- 60. Journal Entry (Guilty Pleas) [03-11-02]
- 61. Journal Entry (Sentencing) [04-17-02]

Respondent's Exhibits

- A. PRO Pharmacist's Recovery Contract for George L. Plataz [02-13-02]
- B1-B14. Calendar Pages for January 2002 to February 2003
- C1-C14. Support Group Attendance Records [01-09-02 to 03-23-03]
- D1-13. Calendar Pages for January 2002 to January 2003
- E1-E2. Compass Vision, Inc. Licensee Summary Report [01-01-02 to 01-20-03]
- F. Probation Compliance letter from Patrick Shepard, Probation Officer [01-22-03]
- G-G1. Copy of Restitution Letter to CVS Corporation from George L. Plataz [01-09-03]; Copy of Restitution Payment Check #1277 [01-09-03]
- H1-H8. Eight Letters of Support [12-23-02 to 02-24-03]
- I1-I27. Continuing Pharmaceutical Education Credits and Certificates [02-01-99 to 09-11-02]
- J1-J17. Support Group Attendance Records [03-24-03 to 10-13-03]; Calendar Pages for January 2003 to September 2003
- K1-K9. Calendar Pages for January 2003 to September 2003
- L. Compass Vision, Inc. Licensee Summary Report [01-01-03 to 09-15-03]
- M. Urine Drug Screen Report [09-17-03]
- N. Urine Drug Screen Report [09-30-03]
- O. Continuing Pharmaceutical Education Certificate [04-27-03]
- P. Continuing Pharmaceutical Education Certificate 04-27-03]
- Q1-Q7. Letters of Support [09-08-03 to 10-02-03]

FINDING OF FACT

After having heard the testimony, observed the demeanor of the witnesses, considered the evidence, and weighed the credibility of each, the State Board of Pharmacy finds that George L. Plataz has complied with the terms set forth in the Order of the State Board of Pharmacy, Docket No. D-011004-015, effective February 8, 2002.

DECISION OF THE BOARD

On the basis of the Finding of Fact set forth above, and after consideration of the record as a whole, the State Board of Pharmacy hereby approves the reinstatement of the pharmacist identification card, No. 03-2-11512, held by George L. Plataz to practice pharmacy in Ohio and places George L. Plataz on probation for five years beginning on the effective date of this Order, with the following conditions:

- (A) George L. Plataz must enter into a contract, signed within thirty days after the effective date of this Order, with an Ohio Department of Alcohol and Drug Addiction Services (ODADAS) treatment provider or a treatment provider acceptable to the Board for a period of not less than five years and submit a copy of the signed contract to the Board office before his pharmacist identification card is issued. The contract must provide that:
 - (1) Random, observed urine drug screens shall be conducted at least once each month for the first year and then at least once every three months for the remaining four years.

- (a) The urine sample must be given within twelve hours of notification. The urine drug screen must include testing for creatinine or specific gravity of the sample as the dilutional standard.
 - (b) Results of all drug screens must be negative. Any positive results, including those that may have resulted from ingestion of food, but excluding false positives that resulted from medication legitimately prescribed, indicate a violation of probation.
 - (c) Refusals of urine screens or diluted urine screens are equivalent to a positive result and indicate a violation of probation.
- (2) The intervener/sponsor shall provide copies of all drug screen reports to the Board in a timely fashion.
 - (3) Attendance is required a minimum of three times per week at an Alcoholics Anonymous, Narcotics Anonymous, and/or similar support group meeting.
 - (4) The program shall immediately report to the Board any violations of the contract and/or lack of cooperation.
- (B) George L. Platatz must submit quarterly progress reports to the Board (due January 10, April 10, July 10, and October 10 of each year of probation) that include:
- (1) The written report and documentation provided by the treatment program pursuant to the contract, and
 - (2) A written description of George L. Platatz's progress towards recovery and what George L. Platatz has been doing during the previous three months.
- (C) Other terms of probation are as follows:
- (1) The State Board of Pharmacy hereby declares that George L. Platatz's pharmacist identification card is not in good standing and thereby denies the privilege of being a preceptor and training pharmacy interns pursuant to paragraph (D)(1) of Rule 4729-3-01 of the Ohio Administrative Code.
 - (2) George L. Platatz may not serve as a responsible pharmacist.
 - (3) George L. Platatz may not destroy, assist in, or witness the destruction of controlled substances.
 - (4) George L. Platatz must abide by the contract with his treatment provider and must immediately report any violation of the contract to the Board.
 - (5) George L. Platatz must not violate the drug laws of Ohio, any other state, or the federal government.
 - (6) George L. Platatz must abide by the rules of the State Board of Pharmacy.
 - (7) George L. Platatz must comply with the terms of this Order.

- (D) Any violation of probation may result in a Board hearing to consider alternative or additional sanctions under Section 4729.16 of the Ohio Revised Code.

If George L. Plataz's pharmacist identification card to practice pharmacy in Ohio is not issued within three years of the effective date of this Order, George L. Plataz must also take and pass the North American Pharmacist Licensure Examination (NAPLEX) or an equivalent examination accepted by the Board.

George L. Plataz is hereby advised that the Board may at any time revoke probation for cause, modify the conditions of probation, and reduce or extend the period of probation. At any time during this period of probation, the Board may revoke probation for a violation occurring during the probation period.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF PHARMACY (Aye-8/Nay-0).

MOTION CARRIED.

SO ORDERED.

ORDER EFFECTIVE NOVEMBER 5, 2003



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ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-011004-015)

In The Matter Of:

GEORGE L. PLATAZ, R.Ph.

2755 Pan Lane, Apt. #514

Willoughby, Ohio 44094

(R.Ph. No. 03-2-11512)

INTRODUCTION

THE MATTER OF GEORGE L. PLATAZ CAME FOR HEARING ON JANUARY 8, 2002, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: ANN D. ABELE, R.Ph. (presiding); DIANE C. ADELMAN, R.Ph.; GREGORY BRAYLOCK, R.Ph.; SUZANNE R. EASTMAN, R.Ph.; ROBERT P. GIACALONE, R.Ph.; LAWRENCE J. KOST, R.Ph.; NATHAN S. LIPSYC, R.Ph.; AND JAMES E. TURNER, R.Ph.

GEORGE L. PLATAZ WAS REPRESENTED BY JOHN R. IRWIN, M.D. AND THE STATE OF OHIO WAS REPRESENTED BY SALLY ANN STEUK, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) Lynn Mudra, Ohio State Board of Pharmacy

Respondent's Witnesses:

- (1) George L. Plataz, R.Ph., Respondent
- (2) Robert Tschinkel, R.Ph.
- (3) Todd Jaros, R.Ph.

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1--Copy of eight-page Summary Suspension Order/Notice of Opportunity for Hearing letter dated October 4, 2001.
- (2) Exhibit 1A--Hearing Request letter from John R. Irwin, M.D. dated October 17, 2001.
- (3) Exhibit 1B--Copy of Hearing Schedule letter dated October 22, 2001.
- (4) Exhibit 1C--Copy of eight-page Amendment/Addendum Notice letter dated October 22, 2001.
- (5) Exhibit 1D--Copy of Ohio Pharmacist Computer Record of George Leonard Plataz printed October 4, 2001.
- (6) Exhibit 2--Copy of Customer Receipt for Prescription No. N 659674 00 dated September 26, 1998.
- (7) Exhibit 3--Copy of Customer Receipt for Prescription No. N 663440 00 dated November 2, 1998.
- (8) Exhibit 4--Copy of Customer Receipt for Prescription No. N 666333 00 dated December 1, 1998.
- (9) Exhibit 5--Copy of Customer Receipt for Prescription No. N 669318 00 dated January 2, 1999.
- (10) Exhibit 6--Copy of Customer Receipt for Prescription No. N 673613 00 dated February 11, 1999.
- (11) Exhibit 7--Copy of Customer Receipt for Prescription No. N 675568 00 dated February 27, 1999.
- (12) Exhibit 8--Copy of Customer Receipt for Prescription No. N 680332 00 dated April 11, 1999.
- (13) Exhibit 9--Copy of Customer Receipt for Prescription No. N 686043 00 dated June 5, 1999.
- (14) Exhibit 10--Copy of Customer Receipt for Prescription No. N 688768 00 dated July 2, 1999.
- (15) Exhibit 11--Copy of Customer Receipt for Prescription No. N 692877 00 dated August 13, 1999.
- (16) Exhibit 12--Copy of Customer Receipt for Prescription No. N 732792 00 dated August 14, 2000.
- (17) Exhibit 13--Copy of Customer Receipt for Prescription No. N 733583 00 dated August 22, 2000.
- (18) Exhibit 14--Copy of Customer Receipt for Prescription No. N 740299 00 dated October 21, 2000.
- (19) Exhibit 15--Copy of Customer Receipt for Prescription No. N 746175 00 dated December 11, 2000.

- (20) Exhibit 16--Copy of Customer Receipt for Prescription No. N 755063 00 dated February 23, 2001.
- (21) Exhibit 17--Copy of Customer Receipt for Prescription No. N 768948 00 dated June 15, 2001.
- (22) Exhibit 18--Copy of Customer Receipt for Prescription No. N 774298 00 dated August 1, 2001.
- (23) Exhibit 19--Copy of CVS/REVCO #4316 Pharmacist's Statement report covering September 26, 1998 to August 1, 2001, dated September 17, 2001.
- (24) Exhibit 20--Copy of Customer Receipt for Prescription No. N 675565 00 dated February 27, 1999.
- (25) Exhibit 21--Copy of Customer Receipt for Prescription No. N 686044 00 dated June 5, 1999.
- (26) Exhibit 22--Copy of Customer Receipt for Prescription No. N 694251 00 dated August 27, 1999.
- (27) Exhibit 23--Copy of Customer Receipt for Prescription No. N 741925 00 dated November 4, 2000.
- (28) Exhibit 24--Copy of Customer Receipt for Prescription No. N 746749 00 dated December 14, 2000.
- (29) Exhibit 25--Copy of Customer Receipt for Prescription No. N 751627 00 dated January 26, 2001.
- (30) Exhibit 26--Copy of Customer Receipt for Prescription No. N 756556 00 dated March 7, 2001.
- (31) Exhibit 27--Copy of Customer Receipt for Prescription No. N 770723 00 dated June 29, 2001.
- (32) Exhibit 28--Copy of Customer Receipt for Prescription No. N 774768 00 dated August 25, 2001.
- (33) Exhibit 29--Copy of Customer Receipt for Prescription No. N 777238 00 dated August 25, 2001.
- (34) Exhibit 30--Copy of eleven-page CVS/REVCO #4316 Pharmacist's Statement report covering February 27, 1999 to September 16, 2001, dated September 17, 2001.
- (35) Exhibit 31--Copy of Customer Receipt for Prescription No. N 740137 00 dated October 20, 2000.
- (36) Exhibit 32--Copy of Customer Receipt for Prescription No. N 777280 00 dated August 25, 2001.
- (37) Exhibit 33--Copy of Customer Receipt for Prescription No. N 745880 00 dated December 7, 2000.
- (38) Exhibit 34--Copy of Customer Receipt for Prescription No. N 733991 00 dated August 26, 2000.
- (39) Exhibit 35--Copy of CVS/REVCO #4316 Pharmacist's Statement report covering October 20, 2000 to August 25, 2001, date illegible.
- (40) Exhibit 36--Copy of Customer Receipt for Prescription No. N 737728 00 dated September 28, 2000.
- (41) Exhibit 37--Copy of Customer Receipt for Prescription No. N 739603 00 dated October 16, 2000.
- (42) Exhibit 38--Copy of Customer Receipt for Prescription No. N 741130 00 dated October 30, 2000.
- (43) Exhibit 39--Copy of Customer Receipt for Prescription No. N 744962 00 dated November 30, 2000.
- (44) Exhibit 40--Copy of Customer Receipt for Prescription No. N 747885 00 dated December 26, 2000.
- (45) Exhibit 41--Copy of Customer Receipt for Prescription No. N 753371 00 dated February 9, 2001.

- (46) Exhibit 42--Copy of Customer Receipt for Prescription No. N 756660 00 dated March 7, 2001.
- (47) Exhibit 43--Copy of Customer Receipt for Prescription No. N 761940 00 dated April 18, 2001.
- (48) Exhibit 44--Copy of Customer Receipt for Prescription No. N 768393 00 dated June 11, 2001.
- (49) Exhibit 45--Copy of Customer Receipt for Prescription No. N 770390 00 dated June 27, 2001.
- (50) Exhibit 46--Copy of Customer Receipt for Prescription No. N 773918 00 dated July 29, 2001.
- (51) Exhibit 47--Copy of CVS/RESCO #4316 Pharmacist's Statement report covering August 23, 2000 to July 29, 2001, date illegible.
- (52) Exhibit 48--Copy of Customer Receipt for Prescription No. N 733570 00 dated August 22, 2000.
- (53) Exhibit 49--Copy of Customer Receipt for Prescription No. N 738807 00 dated October 8, 2000.
- (54) Exhibit 50--Copy of Customer Receipt for Prescription No. N 741745 00 dated November 3, 2000.
- (55) Exhibit 51--Copy of Customer Receipt for Prescription No. N 744963 00 dated November 30, 2000.
- (56) Exhibit 52--Copy of Customer Receipt for Prescription No. N 749889 00 dated January 12, 2001.
- (57) Exhibit 53--Copy of Customer Receipt for Prescription No. N 755064 00 dated February 23, 2001.
- (58) Exhibit 54--Copy of Customer Receipt for Prescription No. N 762257 00 dated April 21, 2001.
- (59) Exhibit 55--Copy of Customer Receipt for Prescription No. N 769071 00 dated June 15, 2001.
- (60) Exhibit 56--Copy of Customer Receipt for Prescription No. N 770618 00 dated June 29, 2001.
- (61) Exhibit 57--Copy of Customer Receipt for Prescription No. N 774706 00 dated October 3, 2001.
- (62) Exhibit 58--Copy of CVS/RESCO #4316 Pharmacist's Statement report covering August 22, 2000 to August 3, 2001, date illegible.

Respondent's Exhibits:

- (1) Exhibit A--Three-page PRO Inc. Pharmacist's Recovery Contract of George Plataz dated October 10, 2001.
- (2) Exhibits B to B4--Five pages of support group attendance records dated from September 19, 2001 to December 26, 2001.
- (3) Exhibits C to C2--Copy of three-page Cleveland Clinic Foundation Lab Results Summary of George L. Plataz dated from August 20, 2001 to April 17, 2002.
- (4) Exhibit D--Letter from Rudy Kump, M.A., CCDCIII dated November 19, 2001.
- (5) Exhibit E--Copy of letter from Rudy Kump, M.A. CCDCIII dated January 4, 2002.
- (6) Exhibit F--Copy of letter from Terry A. King, MD dated October 14, 1999.
- (7) Exhibit G--Copy of letter from Terry Alan King, MD dated March 16, 2000.
- (8) Exhibit H--Copy of letter from Robert F. Tschinkel dated January 2, 2002.
- (9) Exhibit I1--Copy of handwritten prescription for George Plataz for Revia 50mg dated November 13, 2001 with typed notes signed by George Plataz.
- (10) Exhibits I2 to I6--Copy of five pages of Quest Diagnostics drug screen reports for specimens collected from George L. Plataz on October 25, 2001, November 11, 2001, and December 16, 2001.

(11) Exhibit J--Support group attendance record dated from December 27, 2001 to January 7, 2002.

FINDINGS OF FACT

After having heard the testimony, observed the demeanor of the witnesses, considered the evidence, and weighed the credibility of each, the State Board of Pharmacy finds the following to be fact:

- (1) Records of the State Board of Pharmacy indicate that George L. Plataz was originally licensed by the State of Ohio on February 5, 1976, pursuant to reciprocity, and that his license to practice pharmacy in the state of Ohio was summarily suspended effective October 4, 2001.
- (2) George L. Plataz is addicted to liquor or drugs or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy, to wit: George L. Plataz admitted to a Board agent that he was addicted to narcotics; George L. Plataz admitted that he consumed for personal abuse eight Percocet daily. Such conduct indicates that George L. Plataz falls within the ambit of Sections 3719.121(A) and (B), and 4729.16(A)(3) of the Ohio Revised Code.
- (3) George L. Plataz did, on or about the following dates, with purpose to deprive, knowingly obtain or exert control over dangerous drugs, the property of CVS/pharmacy #6301, beyond the express or implied consent of the owner, to wit: George L. Plataz stole the following controlled substances from his employer:

<u>Drug</u>	<u>Schedule</u>	<u>Date</u>	<u>Quantity</u>	<u>Rx #</u>
Dexedrine Spansules 15mg	II	09/26/98	50	N 659674
Dexedrine Spansules 15mg	II	11/02/98	50	N 663440
Dexedrine Spansules 15mg	II	12/01/98	50	N 666333
Dexedrine Spansules 15mg	II	01/02/99	50	N 669318
Dexedrine Spansules 15mg	II	02/11/99	49	N 673613
Dexedrine Spansules 15mg	II	02/27/99	50	N 675568
Dexedrine Spansules 15mg	II	04/11/99	50	N 680332
Dexedrine Spansules 15mg	II	06/05/99	50	N 686043
Dexedrine Spansules 15mg	II	07/02/99	50	N 688768
Dexedrine Spansules 15mg	II	08/13/99	50	N 692877
Dexedrine Spansules 15mg	II	08/14/00	24	N 732792
Dexedrine Spansules 15mg	II	08/22/00	24	N 733583
Dexedrine Spansules 15mg	II	10/21/00	30	N 740299
Dexedrine Spansules 15mg	II	12/11/00	30	N 746175
Dexedrine Spansules 15mg	II	02/23/01	30	N 755063
Dexedrine Spansules 15mg	II	06/15/01	36	N 768948
Dexedrine Spansules 15mg	II	08/01/01	36	N 774298
IC Endocet	II	08/22/00	120	N 733570
IC Endodan	II	02/27/99	100	N 675565
IC Endodan	II	06/05/99	90	N 686044
IC Endocet	II	08/27/99	120	N 694251
IC Endodan	II	10/20/00	100	N 740137
IC Endodan	II	11/30/00	120	N 744963
IC Endodan	II	12/26/00	100	N 747885
IC Oxycodone	II	01/12/01	120	N 749889
IC Endodan	II	02/23/01	100	N 755064

<u>Drug</u>	<u>Schedule</u>	<u>Date</u>	<u>Quantity</u>	<u>Rx #</u>
IC Endodan	II	03/07/01	100	N 756660
IC Endodan	II	06/29/01	120	N 770618
IC Endodan	II	07/29/01	120	N 773918
IC Endodan	II	08/03/01	120	N 774706
IC Endodan	II	08/25/01	120	N 777238
IC Oxycodone	II	10/08/00	100	N 738807
IC Oxycodone	II	10/16/00	120	N 739603
IC Oxycodone	II	11/03/00	120	N 741745
IC Oxycodone	II	12/14/00	120	N 746749
IC Oxycodone	II	04/21/01	100	N 762257
IC Oxycodone	II	06/29/01	120	N 770723
IC Oxycodone	II	08/25/01	100	N 777280
OxyContin 20mg	II	09/28/00	30	N 737728
OxyContin 20mg	II	10/30/00	30	N 741130
OxyContin 20mg	II	11/04/00	20	N 741925
OxyContin 20mg	II	11/30/00	30	N 744962
OxyContin 20mg	II	01/26/01	40	N 751627
OxyContin 20mg	II	02/09/01	60	N 753371
OxyContin 20mg	II	03/07/01	30	N 756556
OxyContin 20mg	II	06/15/01	60	N 769071
OxyContin 20mg	II	06/27/01	60	N 770390
OxyContin 20mg	II	08/05/01	60	N 774768
IC Endodan	II	04/18/01	120	N 761940
IC Endodan	II	06/11/01	120	N 768393
OxyContin 20mg	II	08/26/00	20	N 733991
OxyContin 20mg	II	12/07/00	60	N 745880

Such conduct violates Section 2913.02 of the Ohio Revised Code.

- (4) George L. Plataz did, on or about the following dates, knowingly possess or use a controlled substance when not in accordance with Chapters 3719. and 4729. of the Ohio Revised Code, to wit: George L. Plataz admitted to possessing the following drugs:

<u>Drug</u>	<u>Schedule</u>	<u>Date</u>	<u>Quantity</u>	<u>Rx #</u>
Dexedrine Spansules 15mg	II	09/26/98	50	N 659674
Dexedrine Spansules 15mg	II	11/02/98	50	N 663440
Dexedrine Spansules 15mg	II	12/01/98	50	N 666333
Dexedrine Spansules 15mg	II	01/02/99	50	N 669318
Dexedrine Spansules 15mg	II	02/11/99	49	N 673613
Dexedrine Spansules 15mg	II	02/27/99	50	N 675568
Dexedrine Spansules 15mg	II	04/11/99	50	N 680332
Dexedrine Spansules 15mg	II	06/05/99	50	N 686043
Dexedrine Spansules 15mg	II	07/02/99	50	N 688768
Dexedrine Spansules 15mg	II	08/13/99	50	N 692877
Dexedrine Spansules 15mg	II	08/14/00	24	N 732792
Dexedrine Spansules 15mg	II	08/22/00	24	N 733583
Dexedrine Spansules 15mg	II	10/21/00	30	N 740299
Dexedrine Spansules 15mg	II	12/11/00	30	N 746175
Dexedrine Spansules 15mg	II	02/23/01	30	N 755063
Dexedrine Spansules 15mg	II	06/15/01	36	N 768948
Dexedrine Spansules 15mg	II	08/01/01	36	N 774298

<u>Drug</u>	<u>Schedule</u>	<u>Date</u>	<u>Quantity</u>	<u>Rx #</u>
IC Endocet	II	08/22/00	120	N 733570
IC Endodan	II	02/27/99	100	N 675565
IC Endodan	II	06/05/99	90	N 686044
IC Endocet	II	08/27/99	120	N 694251
IC Endodan	II	10/20/00	100	N 740137
IC Endodan	II	11/30/00	120	N 744963
IC Endodan	II	12/26/00	100	N 747885
IC Oxycodone	II	01/12/01	120	N 749889
IC Endodan	II	02/23/01	100	N 755064
IC Endodan	II	03/07/01	100	N 756660
IC Endodan	II	06/29/01	120	N 770618
IC Endodan	II	07/29/01	120	N 773918
IC Endodan	II	08/03/01	120	N 774706
IC Endodan	II	08/25/01	120	N 777238
IC Oxycodone	II	10/08/00	100	N 738807
IC Oxycodone	II	10/16/00	120	N 739603
IC Oxycodone	II	11/03/00	120	N 741745
IC Oxycodone	II	12/14/00	120	N 746749
IC Oxycodone	II	04/21/01	100	N 762257
IC Oxycodone	II	06/29/01	120	N 770723
IC Oxycodone	II	08/25/01	100	N 777280
OxyContin 20mg	II	09/28/00	30	N 737728
OxyContin 20mg	II	10/30/00	30	N 741130
OxyContin 20mg	II	11/04/00	20	N 741925
OxyContin 20mg	II	11/30/00	30	N 744962
OxyContin 20mg	II	01/26/01	40	N 751627
OxyContin 20mg	II	02/09/01	60	N 753371
OxyContin 20 mg	II	03/07/01	30	N 756556
OxyContin 20mg	II	06/15/01	60	N 769071
OxyContin 20mg	II	06/27/01	60	N 770390
OxyContin 20mg	II	08/05/01	60	N 774768
IC Endodan	II	04/18/01	120	N 761940
IC Endodan	II	06/11/01	120	N 768393
OxyContin 20mg	II	08/26/00	20	N 733991
OxyContin 20mg	II	12/07/00	60	N 745880

Such conduct violates Section 2925.11 of the Ohio Revised Code.

- (5) George L. Plataz did, on or about the following dates, intentionally make, utter, or sell, or knowingly possess false or forged prescriptions, to wit: when stealing drugs and/or trafficking in drugs, George L. Plataz created the following prescriptions to cover for his theft of drugs:

<u>Drug</u>	<u>Schedule</u>	<u>Date</u>	<u>Quantity</u>	<u>Rx #</u>
Dexedrine Spansules 15mg	II	09/26/98	50	N 659674
Dexedrine Spansules 15mg	II	11/02/98	50	N 663440
Dexedrine Spansules 15mg	II	12/01/98	50	N 666333
Dexedrine Spansules 15mg	II	01/02/99	50	N 669318
Dexedrine Spansules 15mg	II	02/11/99	49	N 673613
IC Endodan	II	02/27/99	100	N 675565
Dexedrine Spansules 15mg	II	02/27/99	50	N 675568
Dexedrine Spansules 15mg	II	04/11/99	50	N 680332

<u>Drug</u>	<u>Schedule</u>	<u>Date</u>	<u>Quantity</u>	<u>Rx #</u>
Dexedrine Spansules 15mg	II	06/05/99	50	N 686043
IC Endodan	II	06/05/99	90	N 686044
Dexedrine Spansules 15mg	II	07/02/99	50	N 688768
Dexedrine Spansules 15mg	II	08/13/99	50	N 692877
IC Endocet	II	08/27/99	120	N 694251
Dexedrine Spansules 15mg	II	08/14/00	24	N 732792
IC Endocet	II	08/22/00	120	N 733570
Dexedrine Spansules 15mg	II	08/22/00	24	N 733583
OxyContin 20mg	II	09/28/00	30	N 737728
IC Oxycodone	II	10/08/00	100	N 738807
IC Oxycodone	II	10/16/00	120	N 739603
IC Endodan	II	10/20/00	100	N 740137
Dexedrine Spansules 15mg	II	10/21/00	30	N 740299
OxyContin 20mg	II	10/30/00	30	N 741130
IC Oxycodone	II	11/03/00	120	N 741745
OxyContin 20mg	II	11/04/00	20	N 741925
OxyContin 20mg	II	11/30/00	30	N 744962
IC Endodan	II	11/30/00	120	N 744963
Dexedrine Spansules 15mg	II	12/11/00	30	N 746175
IC Oxycodone	II	12/14/00	120	N 746749
IC Endodan	II	12/26/00	100	N 747885
IC Oxycodone	II	01/12/01	120	N 749889
OxyContin 20mg	II	01/26/01	40	N 751627
OxyContin 20mg	II	02/09/01	60	N 753371
Dexedrine Spansules 15mg	II	02/23/01	30	N 755063
IC Endodan	II	02/23/01	100	N 755064
OxyContin 20mg	II	03/07/01	30	N 756556
IC Endodan	II	03/07/01	100	N 756660
IC Oxycodone	II	04/21/01	100	N 762257
Dexedrine Spansules 15mg	II	06/15/01	36	N 768948
OxyContin 20mg	II	06/15/01	60	N 769071
OxyContin 20mg	II	06/27/01	60	N 770390
IC Endodan	II	06/29/01	120	N 770618
IC Oxycodone	II	06/29/01	120	N 770723
IC Endodan	II	07/29/01	120	N 773918
Dexedrine Spansules 15mg	II	08/01/01	36	N 774298
IC Endodan	II	08/03/01	120	N 774706
OxyContin 20mg	II	08/05/01	60	N 774768
IC Endodan	II	08/25/01	120	N 777238
IC Oxycodone	II	08/25/01	100	N 777280
IC Endodan	II	04/18/01	120	N 761940
IC Endodan	II	06/11/01	120	N 768393
OxyContin 20mg	II	08/26/00	20	N 733991
OxyContin 20mg	II	12/07/00	60	N 745880

Such conduct violates Section 2925.23(B) of the Ohio Revised Code.

- (6) George L. Plataz did, on or about the following dates, knowing he had no privilege to do so, and with purpose to defraud or knowing that he was facilitating a fraud, falsify writing, data, or record, to wit: George L. Plataz entered dispensing records in the following patients' drug dispensing profiles when they did not receive the drugs:

<u>Patient</u>	<u>Drug</u>	<u>Schedule</u>	<u>Date</u>	<u>Quantity</u>	<u>Rx #</u>
A	IC Endodan	II	02/27/99	100	N 675565
A	IC Endodan	II	06/05/99	90	N 686044
A	IC Endocet	II	08/27/99	120	N 694251
A	OxyContin 20mg	II	11/04/00	20	N 741925
A	IC Oxycodone	II	12/14/00	120	N 746749
A	OxyContin 20mg	II	01/26/01	40	N 751627
A	OxyContin 20mg	II	03/07/01	30	N 756556
A	IC Oxycodone	II	06/29/01	120	N 770723
A	OxyContin 20mg	II	08/05/01	60	N 774768
A	IC Endodan	II	08/25/01	120	N 777238
B	IC Endodan	II	10/20/00	100	N 740137
B	IC Oxycodone	II	08/25/01	100	N 777280
C	OxyContin 20mg	II	09/28/00	30	N 737728
C	IC Oxycodone	II	10/16/00	120	N 739603
C	OxyContin 20mg	II	10/30/00	30	N 741130
C	OxyContin 20mg	II	11/30/00	30	N 744962
C	IC Endodan	II	12/26/00	100	N 747885
C	OxyContin 20mg	II	02/09/01	60	N 753371
C	IC Endodan	II	03/07/01	100	N 756660
C	OxyContin 20mg	II	06/27/01	60	N 770390
C	IC Endodan	II	07/29/01	120	N 773918
D	IC Endocet	II	08/22/00	120	N 733570
D	IC Oxycodone	II	10/08/00	100	N 738807
D	IC Oxycodone	II	11/03/00	120	N 741745
D	IC Endodan	II	11/30/00	120	N 744963
D	IC Oxycodone	II	01/12/01	120	N 749889
D	IC Endodan	II	02/23/01	100	N 755064
D	IC Oxycodone	II	04/21/01	100	N 762257
D	OxyContin 20mg	II	06/15/01	60	N 769071
D	IC Endodan	II	06/29/01	120	N 770618
D	IC Endodan	II	08/03/01	120	N 774706
E	Dexedrine Spansules 15mg	II	09/26/98	50	N 659674
E	Dexedrine Spansules 15mg	II	11/02/98	50	N 663440
E	Dexedrine Spansules 15mg	II	12/01/98	50	N 666333
E	Dexedrine Spansules 15mg	II	01/02/99	50	N 669318
E	Dexedrine Spansules 15mg	II	02/11/99	49	N 673613
E	Dexedrine Spansules 15mg	II	02/27/99	50	N 675568
E	Dexedrine Spansules 15mg	II	04/11/99	50	N 680332
E	Dexedrine Spansules 15mg	II	06/05/99	50	N 686043
E	Dexedrine Spansules 15mg	II	07/02/99	50	N 688768
E	Dexedrine Spansules 15mg	II	08/13/99	50	N 692877
E	Dexedrine Spansules 15mg	II	08/14/00	24	N 732792
E	Dexedrine Spansules 15mg	II	08/22/00	24	N 733583
E	Dexedrine Spansules 15mg	II	10/21/00	30	N 740299
E	Dexedrine Spansules 15mg	II	12/11/00	30	N 746175
E	Dexedrine Spansules 15mg	II	02/23/01	30	N 755063
E	Dexedrine Spansules 15mg	II	06/15/01	36	N 768948
E	Dexedrine Spansules 15mg	II	08/01/01	36	N 774298
C	IC Endodan	II	04/18/01	120	N 761940
C	IC Endodan	II	06/11/01	120	N 768393
B	OxyContin 20mg	II	08/26/00	20	N 733991
B	OxyContin 20mg	II	12/07/00	60	N 745880

Such conduct violates Section 2913.42 of the Ohio Revised Code.

CONCLUSIONS OF LAW

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (3) through (6) of the Findings of Fact constitute being guilty of gross immorality as provided in Division (A)(1) of Section 4729.16 of the Ohio Revised Code.
- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (3) through (6) of the Findings of Fact constitute being guilty of dishonesty and unprofessional conduct in the practice of pharmacy as provided in Division (A)(2) of Section 4729.16 of the Ohio Revised Code.
- (3) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraph (2) of the Findings of Fact constitutes being addicted to or abusing liquor or drugs or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy as provided in Division (A)(3) of Section 4729.16 of the Ohio Revised Code.
- (4) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (4) and (5) of the Findings of Fact constitute being guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of provisions of Chapter 2925. of the Revised Code as provided in Division (A)(5) of Section 4729.16 of the Ohio Revised Code.

ACTION OF THE BOARD

Pursuant to Section 3719.121 of the Ohio Revised Code, the State Board of Pharmacy hereby removes the Summary Suspension Order issued to George L. Plataz on October 4, 2001.

Pursuant to Section 4729.16 of the Ohio Revised Code, and on the basis of the Findings of Fact and Conclusions of Law set forth above, the State Board of Pharmacy hereby suspends indefinitely the pharmacist identification card, No. 03-03-2-11512, held by George L. Plataz and such suspension is effective as of the date of the mailing of this Order.

- (A) George L. Plataz, pursuant to Rule 4729-9-01(F) of the Ohio Administrative Code, may not be employed by or work in a facility licensed by the State Board of Pharmacy to possess or distribute dangerous drugs during such period of suspension.
- (B) George L. Plataz, pursuant to Section 4729.16(B) of the Ohio Revised Code, must return the identification card and license (wall certificate) to the office of the State Board of Pharmacy within ten days after receipt of this Order unless the Board office is already in possession of both. The identification card and wall certificate should be sent by certified mail, return receipt requested.

Further, after one year from the effective date of this Order, the Board will consider any petition filed by George L. Plataz for a hearing, pursuant to Ohio Revised Code Chapter 119., for reinstatement. The Board will only consider reinstatement of the license to practice pharmacy in Ohio if the following conditions have been met:

- (A) George L. Plataz must enter into a contract, signed within thirty days after the effective date of this Order, with an Ohio Department of Alcohol and Drug Addiction Ser-

vices (ODADAS) treatment provider or a treatment provider acceptable to the Board for a period of not less than five years and, upon signing, mail a copy of the contract to the Board office. The contract must provide that:

(1) Random, observed urine drug screens shall be conducted at least once each month.

(a) The urine sample must be given within twelve hours of notification. The urine drug screen must include testing for creatinine or specific gravity of the sample as the dilutional standard.

(b) Results of all drug screens must be negative. Any positive results, including those which may have resulted from ingestion of food, but excluding false positives which resulted from medication legitimately prescribed, indicates a violation of the contract.

(2) Attendance is required a minimum of three times per week at an Alcoholics Anonymous, Narcotics Anonymous, and/or similar support group meeting.

(3) The program shall immediately report to the Board any violations of the contract and/or lack of cooperation.

(B) George L. Plataz must demonstrate satisfactory proof to the Board that he is no longer addicted to or abusing drugs or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy.

(C) George L. Plataz must provide, at the reinstatement petition hearing, documentation of the following:

(1) Compliance with the contract required above (e.g.-proof of giving the sample within twelve hours of notification and copies of all drug screen reports, meeting attendance records, treatment program reports, etc.);

(2) Compliance with the continuing pharmacy education requirements set forth in Chapter 4729-7 of the Ohio Administrative Code as applicable and in effect on the date of petitioning the Board for reinstatement;

(3) Compliance with the terms of this Order.

(D) If reinstatement is not accomplished within three years of the effective date of this Order, George L. Plataz must show successful completion of the NAPLEX examination or an equivalent examination approved by the Board.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF PHARMACY (Aye-6/Nay-1).

MOTION CARRIED.

SO ORDERED.

ORDER EFFECTIVE FEBRUARY 8, 2002



OHIO STATE BOARD OF PHARMACY

77 South High Street, Room 1702; Columbus, OH 43215-6126

-Equal Opportunity Employer and Service Provider-

TEL: 614/466-4143

E-MAIL: exec@bop.state.oh.us

FAX: 614/752-4836

TTY/TDD: Use the Ohio Relay Service: 1-800/750-0750

URL: <http://www.pharmacy.ohio.gov>

SUMMARY SUSPENSION ORDER/NOTICE OF OPPORTUNITY FOR HEARING

October 4, 2001

George L. Plataz, R.Ph.
2755 Pan Lane, Apt. #514
Willoughby, Ohio 44094

Re: Ohio Registered Pharmacist
Number 03-2-11512

Dear Mr. Plataz:

In accordance with Section 3719.121(A) of the Ohio Revised Code, the Board has determined that you are addicted to the use of controlled substances. In accordance with Section 3719.121(B) of the Ohio Revised Code, the Board has determined that there is clear and convincing evidence that the continuation of your professional practice presents a danger of immediate and serious harm to others. The reasons for the Board's action are that you have committed any and/or all of the following acts:

- (1) Records of the Board of Pharmacy indicate that you were originally licensed in the state of Ohio on February 5, 1976, pursuant to reciprocity, and are currently licensed to practice pharmacy in the State of Ohio
- (2) You are addicted to liquor or drugs or impaired physically or mentally to such a degree as to render you unfit to practice pharmacy, to wit: you admitted to a Board agent that you are addicted to narcotics; you have admitted that you consume for personal abuse eight Percocet daily. Such conduct indicates that you fall within the ambit of Sections 3719.121(A), 3719.121(B), and 4729.16(A)(3) of the Ohio Revised Code.
- (3) You did, on or about the following dates, with purpose to deprive, knowingly obtain or exert control over dangerous drugs, the property of CVS Pharmacy #6301, beyond the express or implied consent of the owner, to wit you stole the following controlled substances from your employer:

Drug	Schedule	Date	Quantity	Rx #
Dexedrine Spansules 15 mg	2	09/26/98	50	N 659674
Dexedrine Spansules 15 mg	2	11/02/98	50	N 663440
Dexedrine Spansules 15 mg	2	12/01/98	50	N 666333
Dexedrine Spansules 15 mg	2	01/02/99	50	N 669318
Dexedrine Spansules 15 mg	2	02/11/99	49	N 673613
Dexedrine Spansules 15 mg	2	02/27/99	50	N 675568
Dexedrine Spansules 15 mg	2	04/11/99	50	N 680332
Dexedrine Spansules 15 mg	2	06/05/99	50	N 686043

Dexedrine Spansules 15 mg	2	07/02/99	50	N 688768
Dexedrine Spansules 15 mg	2	08/13/99	50	N 692877
Dexedrine Spansules 15 mg	2	08/14/00	24	N 732792
Dexedrine Spansules 15 mg	2	08/22/00	24	N 733583
Dexedrine Spansules 15 mg	2	10/21/00	30	N 740299
Dexedrine Spansules 15 mg	2	12/11/00	30	N 746175
Dexedrine Spansules 15 mg	2	02/23/01	30	N 755063
Dexedrine Spansules 15 mg	2	06/15/01	36	N 768948
Dexedrine Spansules 15 mg	2	08/01/01	36	N 774298
IC Endocet	2	08/22/00	120	N 733570
IC Endodan	2	02/27/99	100	N 675565
IC Endodan	2	06/05/99	90	N 686044
IC Endodan	2	08/27/99	120	N 694251
IC Endodan	2	10/20/00	100	N 740137
IC Endodan	2	11/30/00	120	N 744963
IC Endodan	2	12/26/00	100	N 747885
IC Endodan	2	01/12/01	120	N 749889
IC Endodan	2	02/23/01	100	N 755064
IC Endodan	2	03/07/01	100	N 756660
IC Endodan	2	06/29/01	120	N 770618
IC Endodan	2	07/29/01	120	N 773918
IC Endodan	2	08/03/01	120	N 774706
IC Endodan	2	08/25/01	120	N 777238
IC Oxycodone	2	10/08/00	100	N 738807
IC Oxycodone	2	10/16/00	120	N 739603
IC Oxycodone	2	11/03/00	120	N 741745
IC Oxycodone	2	12/14/00	120	N 746749
IC Oxycodone	2	04/21/01	100	N 762257
IC Oxycodone	2	06/26/01	120	N 770723
IC Oxycodone	2	08/25/01	100	N 777280
Oxycontin 20 mg	2	09/28/00	30	N 737728
Oxycontin 20 mg	2	10/30/00	30	N 741130
Oxycontin 20 mg	2	11/04/00	20	N 741925
Oxycontin 20 mg	2	11/30/00	30	N 744962
Oxycontin 20 mg	2	01/26/01	40	N 751627
Oxycontin 20 mg	2	02/09/01	60	N 753371
Oxycontin 20 mg	2	03/07/01	30	N 756556
Oxycontin 20 mg	2	06/15/01	60	N 769071
Oxycontin 20 mg	2	06/27/01	60	N 770390
Oxycontin 20 mg	2	08/05/01	60	N 774768
IC Endodan	2	04/18/01	120	N 761940
IC Endodan	2	06/11/01	120	N 768393
Oxycontin 20 mg	2	08/26/00	20	N 733991
Oxycontin 20 mg	2	12/07/00	60	N 745880

Such conduct violates Section 2913.02 of the Ohio Revised Code.
[paragraph amended by Notice dated 10/22/01]

- (4) You did knowingly possess or use a controlled substance when not in accordance with Chapters 3719., 4729. of the Ohio Revised Code to wit: you admitted to possessing the following drugs:

Drug	Schedule	Date	Quantity	Rx #
Dexedrine Spansules 15 mg	2	09/26/98	50	N 659674
Dexedrine Spansules 15 mg	2	11/02/98	50	N 663440
Dexedrine Spansules 15 mg	2	12/01/98	50	N 666333
Dexedrine Spansules 15 mg	2	01/02/99	50	N 669318
Dexedrine Spansules 15 mg	2	02/11/99	49	N 673613
Dexedrine Spansules 15 mg	2	02/27/99	50	N 675568
Dexedrine Spansules 15 mg	2	04/11/99	50	N 680332
Dexedrine Spansules 15 mg	2	06/05/99	50	N 686043
Dexedrine Spansules 15 mg	2	07/02/99	50	N 688768
Dexedrine Spansules 15 mg	2	08/13/99	50	N 692877
Dexedrine Spansules 15 mg	2	08/14/00	24	N 732792
Dexedrine Spansules 15 mg	2	08/22/00	24	N 733583
Dexedrine Spansules 15 mg	2	10/21/00	30	N 740299
Dexedrine Spansules 15 mg	2	12/11/00	30	N 746175
Dexedrine Spansules 15 mg	2	02/23/01	30	N 755063
Dexedrine Spansules 15 mg	2	06/15/01	36	N 768948
Dexedrine Spansules 15 mg	2	08/01/01	36	N 774298
IC Endocet	2	08/22/00	120	N 733570
IC Endodan	2	02/27/99	100	N 675565
IC Endodan	2	06/05/99	90	N 686044
IC Endodan	2	08/27/99	120	N 694251
IC Endodan	2	10/20/00	100	N 740137
IC Endodan	2	11/30/00	120	N 744963
IC Endodan	2	12/26/00	100	N 747885
IC Endodan	2	01/12/01	120	N 749889
IC Endodan	2	02/23/01	100	N 755064
IC Endodan	2	03/07/01	100	N 756660
IC Endodan	2	06/29/01	120	N 770618
IC Endodan	2	07/29/01	120	N 773918
IC Endodan	2	08/03/01	120	N 774706
IC Endodan	2	08/25/01	120	N 777238
IC Oxycodone	2	10/08/00	100	N 738807
IC Oxycodone	2	10/16/00	120	N 739603
IC Oxycodone	2	11/03/00	120	N 741745
IC Oxycodone	2	12/14/00	120	N 746749
IC Oxycodone	2	04/21/01	100	N 762257
IC Oxycodone	2	06/26/01	120	N 770723
IC Oxycodone	2	08/25/01	100	N 777280
Oxycontin 20 mg	2	09/28/00	30	N 737728
Oxycontin 20 mg	2	10/30/00	30	N 741130
Oxycontin 20 mg	2	11/04/00	20	N 741925
Oxycontin 20 mg	2	11/30/00	30	N 744962
Oxycontin 20 mg	2	01/26/01	40	N 751627
Oxycontin 20 mg	2	02/09/01	60	N 753371
Oxycontin 20 mg	2	03/07/01	30	N 756556
Oxycontin 20 mg	2	06/15/01	60	N 769071
Oxycontin 20 mg	2	06/27/01	60	N 770390
Oxycontin 20 mg	2	08/05/01	60	N 774768
IC Endodan	2	04/18/01	120	N 761940
IC Endodan	2	06/11/01	120	N 768393
Oxycontin 20 mg	2	08/26/00	20	N 733991
Oxycontin 20 mg	2	12/07/00	60	N 745880

Such conduct violates Section 2925.11 of the Ohio Revised Code.
[paragraph amended by Notice dated 10/22/01]

- (5) You did, on or about the following dates, intentionally make, utter, or sell, or knowingly possess false or forged prescriptions, to wit: when stealing drugs and/or trafficking in drugs, you created the following prescriptions to cover for your theft of drugs:

Drug	Schedule	Date	Quantity	Rx #
Dexedrine Spansules 15 mg	2	09/26/98	50	N 659674
Dexedrine Spansules 15 mg	2	11/02/98	50	N 663440
Dexedrine Spansules 15 mg	2	12/01/98	50	N 666333
Dexedrine Spansules 15 mg	2	01/02/99	50	N 669318
Dexedrine Spansules 15 mg	2	02/11/99	49	N 673613
IC Endodan	2	02/27/99	100	N 675565
Dexedrine Spansules 15 mg	2	02/27/99	50	N 675568
Dexedrine Spansules 15 mg	2	04/11/99	50	N 680332
Dexedrine Spansules 15 mg	2	06/05/99	50	N 686043
IC Endodan	2	06/05/99	90	N 686044
Dexedrine Spansules 15 mg	2	07/02/99	50	N 688768
Dexedrine Spansules 15 mg	2	08/13/99	50	N 692877
IC Endodan	2	08/27/99	120	N 694251
Dexedrine Spansules 15 mg	2	08/14/00	24	N 732792
IC Endocet	2	08/22/00	120	N 733570
Dexedrine Spansules 15 mg	2	08/22/00	24	N 733583
Oxycontin 20 mg	2	09/28/00	30	N 737728
IC Oxycodone	2	10/08/00	100	N 738807
IC Oxycodone	2	10/16/00	120	N 739603
IC Endodan	2	10/20/00	100	N 740137
Dexedrine Spansules 15 mg	2	10/21/00	30	N 740299
Oxycontin 20 mg	2	10/30/00	30	N 741130
IC Oxycodone	2	11/03/00	120	N 741745
Oxycontin 20 mg	2	11/04/00	20	N 741925
Oxycontin 20 mg	2	11/30/00	30	N 744962
IC Endodan	2	11/30/00	120	N 744963
Dexedrine Spansules 15 mg	2	12/11/00	30	N 746175
IC Oxycodone	2	12/14/00	120	N 746749
IC Endodan	2	12/26/00	100	N 747885
IC Endodan	2	01/12/01	120	N 749889
Oxycontin 20 mg	2	01/26/01	40	N 751627
Oxycontin 20 mg	2	02/09/01	60	N 753371
Dexedrine Spansules 15 mg	2	02/23/01	30	N 755063
IC Endodan	2	02/23/01	100	N 755064
Oxycontin 20 mg	2	03/07/01	30	N 756556
IC Endodan	2	03/07/01	100	N 756660
IC Oxycodone	2	04/21/01	100	N 762257
Dexedrine Spansules 15 mg	2	06/15/01	36	N 768948
Oxycontin 20 mg	2	06/15/01	60	N 769071
Oxycontin 20 mg	2	06/27/01	60	N 770390
IC Endodan	2	06/29/01	120	N 770618
IC Oxycodone	2	06/26/01	120	N 770723
IC Endodan	2	07/29/01	120	N 773918
Dexedrine Spansules 15 mg	2	08/01/01	36	N 774298
IC Endodan	2	08/03/01	120	N 774706

Oxycontin 20 mg	2	08/05/01	60	N 774768
IC Endodan	2	08/25/01	120	N 777238
IC Oxycodone	2	08/25/01	100	N 777280
IC Endodan	2	04/18/01	120	N 761940
IC Endodan	2	06/11/01	120	N 768393
Oxycontin 20 mg	2	08/26/00	20	N 733991
Oxycontin 20 mg	2	12/07/00	60	N 745880

Such conduct violates Section 2925.23(B) of the Ohio Revised Code.
[paragraph amended by Notice dated 10/22/01]

- (6) You did, on or about the following dates, knowing you have no privilege to do so, and with purpose to defraud or knowing that you were facilitating a fraud, falsify writing, data, or record: to wit, you entered dispensing records in the following patients' drug dispensing profiles when they did not receive the drugs:

Patient	Drug	Schedule	Date	Quantity	Rx #
A	IC Endodan	2	02/27/99	100	N 675565
A	IC Endodan	2	06/05/99	90	N 686044
A	IC Endodan	2	08/27/99	120	N 694251
A	Oxycontin 20 mg	2	11/04/00	20	N 741925
A	IC Oxycodone	2	12/14/00	120	N 746749
A	Oxycontin 20 mg	2	01/26/01	40	N 751627
A	Oxycontin 20 mg	2	03/07/01	30	N 756556
A	IC Oxycodone	2	06/26/01	120	N 770723
A	Oxycontin 20 mg	2	08/05/01	60	N 774768
A	IC Endodan	2	08/25/01	120	N 777238
B	IC Endodan	2	10/20/00	100	N 740137
B	IC Oxycodone	2	08/25/01	100	N 777280
C	Oxycontin 20 mg	2	09/28/00	30	N 737728
C	IC Oxycodone	2	10/16/00	120	N 739603
C	Oxycontin 20 mg	2	10/30/00	30	N 741130
C	Oxycontin 20 mg	2	11/30/00	30	N 744962
C	IC Endodan	2	12/26/00	100	N 747885
C	Oxycontin 20 mg	2	02/09/01	60	N 753371
C	IC Endodan	2	03/07/01	100	N 756660
C	Oxycontin 20 mg	2	06/27/01	60	N 770390
C	IC Endodan	2	07/29/01	120	N 773918
D	IC Endocet	2	08/22/00	120	N 733570
D	IC Oxycodone	2	10/08/00	100	N 738807
D	IC Oxycodone	2	11/03/00	120	N 741745
D	IC Endodan	2	11/30/00	120	N 744963
D	IC Endodan	2	01/12/01	120	N 749889
D	IC Endodan	2	02/23/01	100	N 755064
D	IC Oxycodone	2	04/21/01	100	N 762257
D	Oxycontin 20 mg	2	06/15/01	60	N 769071
D	IC Endodan	2	06/29/01	120	N 770618
D	IC Endodan	2	08/03/01	120	N 774706
E	Dexedrine Spansules 15 mg	2	09/26/98	50	N 659674
E	Dexedrine Spansules 15 mg	2	11/02/98	50	N 663440
E	Dexedrine Spansules 15 mg	2	12/01/98	50	N 666333
E	Dexedrine Spansules 15 mg	2	01/02/99	50	N 669318
E	Dexedrine Spansules 15 mg	2	02/11/99	49	N 673613
E	Dexedrine Spansules 15 mg	2	02/27/99	50	N 675568
E	Dexedrine Spansules 15 mg	2	04/11/99	50	N 680332
E	Dexedrine Spansules 15 mg	2	06/05/99	50	N 686043
E	Dexedrine Spansules 15 mg	2	07/02/99	50	N 688768
E	Dexedrine Spansules 15 mg	2	08/13/99	50	N 692877
E	Dexedrine Spansules 15 mg	2	08/14/00	24	N 732792

E	Dexedrine Spansules 15 mg	2	08/22/00	24	N 733583
E	Dexedrine Spansules 15 mg	2	10/21/00	30	N 740299
E	Dexedrine Spansules 15 mg	2	12/11/00	30	N 746175
E	Dexedrine Spansules 15 mg	2	02/23/01	30	N 755063
E	Dexedrine Spansules 15 mg	2	06/15/01	36	N 768948
E	Dexedrine Spansules 15 mg	2	08/01/01	36	N 774298
C	IC Endodan	2	04/18/01	120	N 761940
C	IC Endodan	2	06/11/01	120	N 768393
B	Oxycontin 20 mg	2	08/26/00	20	N 733991
B	Oxycontin 20 mg	2	12/07/00	60	N 745880

Such conduct violates Section 2913.42 of the Ohio Revised Code.

[paragraph amended by Notice dated 10/22/01]

YOU ARE HEREBY NOTIFIED that Section 3719.121(A) of the Ohio Revised Code states, in pertinent part: "any ... pharmacist, ... who is or becomes addicted to the use of controlled substances, shall be suspended by the board that authorized the person's license, certificate, or registration..."

YOU ARE HEREBY NOTIFIED that Section 3719.121(B) of the Ohio Revised Code states, in pertinent part:

- (B) If the board under which a person has been issued a license, . . . , determines that there is clear and convincing evidence that continuation of the person's professional practice or method of prescribing or personally furnishing controlled substances presents a danger of immediate and serious harm to others, the board may suspend the person's license, . . . , without a prior hearing.

WHEREFORE, PURSUANT TO SECTION 3719.121(A) and (B) OF THE OHIO REVISED CODE, YOU ARE HEREBY NOTIFIED THAT YOUR REGISTRATION AND LICENSE TO PRACTICE PHARMACY IN THE STATE OF OHIO ARE HEREBY SUSPENDED. FURTHER, PURSUANT TO RULE 4729-9-01(F) OF THE OHIO ADMINISTRATIVE CODE, DURING THIS TERM OF SUSPENSION YOU MAY NOT BE EMPLOYED BY OR WORK IN ANY FACILITY LICENSED BY THE BOARD OF PHARMACY TO POSSESS OR DISTRIBUTE DANGEROUS DRUGS. This suspension shall remain in effect until an adjudicatory hearing has been held pursuant to Chapter 119. of the Revised Code, and a final Order has been issued, during which time you may not engage in the practice of pharmacy.

YOU ARE FURTHER NOTIFIED that Section 4729.16 of the Ohio Revised Code states, in pertinent part:

- (A) The State Board of Pharmacy, after notice and hearing in accordance with Chapter 119. of the Ohio Revised Code, may revoke, suspend, limit, place on probation, or refuse to grant or renew an identification card under this chapter, or may impose a monetary penalty or forfeiture not to exceed in severity any fine designated under the Ohio Revised Code for a similar offense, or in the case of a violation of a section of the Ohio Revised Code that does not bear a penalty, a monetary penalty or forfeiture of no more than five hundred dollars, if the Board finds a pharmacist or pharmacy intern:

- (1) Guilty of a felony or gross immorality;

- (2) Guilty of dishonesty or unprofessional conduct in the practice of pharmacy;
- (3) Addicted to or abusing liquor or drugs or impaired physically or mentally to such a degree as to render the pharmacist or pharmacy intern unfit to practice pharmacy;
- (4) Has been convicted of a misdemeanor related to, or committed in, the practice of pharmacy;
- (5) Guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of any of the provisions of this chapter, sections 3715.52 to 3715.72 or Chapter 2925. or 3719. of the Revised Code;
- (6) Guilty of permitting anyone other than a pharmacist or pharmacy intern to practice pharmacy;
- (7) Guilty of knowingly lending the pharmacist's or pharmacy intern's name to an illegal practitioner of pharmacy or having professional connection with an illegal practitioner of pharmacy;
- (8) Guilty of dividing or agreeing to divide remuneration made in the practice of pharmacy with any other individual, including, but not limited to, any licensed health professional authorized to prescribe drugs or any owner, manager, or employee of a health care facility, residential care facility, or nursing home;
- (9) Has violated the terms of a consult agreement entered into pursuant to section 4729.39 of the Revised Code.

IF YOU REQUEST A HEARING within 30 days of the time of the mailing of this notice, such will be afforded. Such request shall be mailed to the State Board of Pharmacy, 77 South High Street, Room 1702, Columbus, Ohio 43215-6126. You may appear at such hearing in person, by your attorney, or by such other representative as is permitted to practice before the agency, or you may present your position, arguments or contentions in writing; and, at this hearing, you may also present evidence and examine any witnesses appearing for and against you.

YOU ARE FURTHER ADVISED that if you do not request such a hearing within thirty (30) days of the mailing of this notice, the State Board of Pharmacy, upon consideration of the aforementioned allegations against you, may take action without such a hearing.

Division (B) of Section 4729.16 of the Revised Code provides in pertinent part 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 notice of such action." The certificate and identification card should be forwarded by certified mail, return receipt requested.

(D-011004-015)

BY ORDER OF THE STATE BOARD OF PHARMACY

SUMMARY SUSPENSION EFFECTIVE OCTOBER 4, 2001

*This remains in effect until an Order is issued by the Board or a Settlement Agreement is signed.
(Order Effective February 8, 2002)*