OHIO STATE BOARD OF PHARMACY

77 S. High Street, 17th Floor
Columbus, Ohio 43266-0320
Telephone: 614/466-4143

THE STATE BOARD OF PHARMACY
(Docket No. D-900516-100)

In The Matter Of:

MARK S. WENZEL, D.D.S., R.Ph.
5700 Troy Villa Blvd.
Huber Heights, Ohio 45424
(R.Ph. No. 03-2-12636)

THE MATTER OF MARK S. WENZEL CAME ON FOR CONSIDERATION BY THE STATE BOARD OF PHARMACY ON SEPTEMBER 24, 1990. MOTIONS WERE MADE AND RECORDED THAT THE FOLLOWING ORDER BE ADOPTED:

ORDER

State's Exhibits

(1) Exhibit A - Notice Of Opportunity letter dated May 16, 1990.
(2) Exhibit 1 - Pharmacist File Front Sheet of Mark S. Wenzel showing original date of registration as August 9, 1978.
(3) Exhibit 1A - Certification of State Board of Pharmacy Records Search dated May 14, 1990.
(4) Exhibit 2

(5) Exhibit 3

(6) Exhibit 4

(7) Exhibit 5

(8) Exhibit 6

(9) Exhibit 7

(10) Exhibit 8

(11) Exhibit 9

(12) Exhibit 10

(13) Exhibit 11

(14) Exhibit 12

(15) Exhibit 13 -

(16) Exhibit 14 -

(17) Exhibit 15 -

(18) Exhibit 16 -

(19) Exhibit 17 -

Findings Of Fact

(1) On May 16, 1990, Mark S. Wenzel 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 May 17, 1990, Mark S. Wenzel received the letter of May 16, 1990 informing him of the allegations regarding violations of the Ohio Revised Code, and his rights.

(3) Mark S. Wenzel has not responded in any manner to the letter of May 16, 1990, and has not requested a hearing in this matter.

(4) Upon consideration of the record as a whole, the State Board of Pharmacy finds that records of the Board of Pharmacy indicate that Mark S. Wenzel was originally licensed to practice pharmacy on August 9, 1978, pursuant to examination, and that Mark S. Wenzel has allowed his license to lapse since September 15, 1989.

(5)

(6)

(7)

(8)

(9)

(10)

(11)

(12)

(13)

Conclusions Of Law

(1)

(2)

(3)

Action Of The Board

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following actions concerning the pharmacist license, No. 03-2-12636, held by Mark S. Wenzel:

(A) On the basis of paragraph (1) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby revokes the pharmacist identification card held by Mark S. Wenzel.

(B) On the basis of paragraph (2) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby revokes the pharmacist identification card held by Mark S. Wenzel.

(C) On the basis of paragraph (3) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby imposes a monetary penalty of five thousand dollars ($5,000.00), 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.

Division (B) of Section 4729.16 of the Revised Code provides in pertinent part that: "Any individual whose identification card is revoked, ..., 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.

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.

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
#P 497 578 753

ORDER MAILED: NOVEMBER 8, 1990

By Franklin Z. Wickham
Franklin Z. Wickham, Executive Director

FZW/sb

cc: Jeanny Eaton, Assistant Attorney General