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

ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-060926-009)

In The Matter Of:

STEVEN RAY GOEBEL, R.Ph.
2361 Middlesex Road
Columbus, Ohio 43220

(R.Ph. No. 03-2-12854)

INTRODUCTION

THE MATTER OF STEVEN RAY GOEBEL CAME FOR HEARING ON FEBRUARY 6, 2007, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: JAMES E. TURNER, R.Ph. (presiding); GREGORY BRAYLOCK, R.Ph.; SUZANNE R. EASTMAN, R.Ph.; ELIZABETH I. GREGG, R.Ph.; NATHAN S. LIPSYC, R.Ph.; KEVIN J. MITCHELL, R.Ph.; AND DOROTHY S. TEATER, PUBLIC MEMBER.

STEVEN RAY GOEBEL WAS REPRESENTED BY ANNA L. BATES. THE STATE OF OHIO WAS REPRESENTED BY SALLY ANN STEUK, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

State's Witness

1. Christopher K. Reed, Ohio State Board of Pharmacy

Respondent's Witness

1. Steven Ray Goebel, R.Ph., Respondent

State's Exhibits

1. Summary Suspension Order/Notice of Opportunity For Hearing letter [09-26-06]
1A-1C. Procedurals
2. State Board of Pharmacy Order in re Steven Ray Goebel, R.Ph. [02-19-87]
3. Indictment, State of Ohio vs. Steven R. Goebel, Case No. 86CR-04-1261, Franklin County Common Pleas Court [04-18-86]
4. Entry of Guilty Plea [09-20-86]
5. Judgment Entry [11-17-86]
6-13. Eight photographs of Steven Goebel [09-19-06 and 09-20-06]
14. Sentence Entry, City of Columbus v. Steven R. Goebel, Case No. 03-194843, Franklin County Municipal Court [12-16-03]; Upper Arlington Citation issued to Steven R. Goebel [09-23-03]
15. Renewal Application for Pharmacist License of Steven Ray Goebel [08-12-04]
16. Drug Audit Accountability Sheet for hydrocodone/APAP 10/325 mg at CVS/Pharmacy #9898 [09-18-06 to 09-20-06]

17. Drug Audit Accountability Sheet for hydrocodone/APAP 10/500 mg at CVS/Pharmacy #9898 [09-18-06 to 09-20-06]
18. Drug Audit Accountability Sheet for hydrocodone/APAP 10/660 mg at CVS/Pharmacy #9898 [09-18-06 to 09-20-06]
19. Drug Audit Accountability Sheet for hydrocodone/APAP 5/500 mg at CVS/Pharmacy #9898 [09-18-06 to 09-20-06]

Respondent's Exhibits

A. Medical Assessment Sealed
B. Medical Discharge Record Sealed
C. Letter from Caroly M. Sellers, MSW LISW LICDC to Anna L. Bates, Attorney [11-06-06]
D. Support Group Attendance Records [10-02-06 to 01-27-07]
E. Agreed Judgment Entry Resolving Plaintiff's Motion for Reallocation of Parental Rights and Responsibilities and Plaintiff's Motion for Contempt, Mary Ann Bickerstaff v. Steve Goebel, Case No. 98DR-04-1744, Franklin County Common Pleas Court, Division of Domestic Relations [02-18-04]
F. Alliance Data Systems Earnings Statements [12-22-06 to 01-13-07]
G-J. Four Letters of Support [01-31-07 to 02-01-07]
K-L. Two Progress Report Letters [01-31-07 to 02-01-07]
M. PRO Pharmacist's Recovery Contract for Steven Goebel [01-16-07]
N. The Lab Company Drug Screen Report [01-26-07]

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 Steven Ray Goebel was originally licensed by the State of Ohio as a pharmacist on May 04, 1979, pursuant to examination, and that his license was summarily suspended on September 26, 2006. Records further reflect prior adjudication wherein the Board suspended Steven Ray Goebel's license to practice pharmacy for having committed theft of drugs, drug abuse, and for being addicted to or abusing drugs to such a degree as to render him unfit to practice pharmacy.

(2) Steven Ray Goebel is addicted to or abusing drugs and/or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy, to wit: Steven Ray Goebel was previously adjudicated by the Board for having abused drugs; Steven Ray Goebel has been recently observed stealing hydrocodone with APAP while practicing pharmacy; and Steven Ray Goebel has had a driving under the influence conviction about which he lied to the Board on his renewal application. Such conduct indicates that Steven Ray Goebel is within the ambit of Sections 3719.121 and/or 4729.16(A)(3) of the Ohio Revised Code.

(3) Steven Ray Goebel did, between September 19, 2006, and September 20, 2006, with purpose to deprive the owner, CVS/Pharmacy #9898, knowingly obtain or exert control over dangerous drugs beyond the scope of the express or implied consent of the owner, to wit: while practicing pharmacy, Steven Ray Goebel stole the following Schedule III Controlled Substances:

hydrocodone/APAP 10/325 mg	69 tablets or 65.1% of total stock
hydrocodone/APAP 10/500 mg	16 tablets or 7.2% of total stock

hydrocodone/APAP 10/660 mg	8 tablets or 3.6% of total stock
hydrocodone/APAP 5/500 mg	31 tablets or 2.0% of total stock

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

(4) Steven Ray Goebel did, on or about August 12, 2004, knowingly make a false statement with purpose to secure the issuance of a license or registration, to wit: Steven Ray Goebel indicated on his pharmacist license renewal application that he had not been charged with a crime when in fact Steven Ray Goebel had been convicted of Driving under the Influence in violation of Section 353.01 of the Upper Arlington City Ordinances. Steven Ray Goebel was convicted on December 16, 2003. City of Upper Arlington vs. Steven R. Goebel, Case No. 03 TRC 194843, Franklin County Municipal Court. Such conduct is in violation of Section 2921.13 of the Ohio Revised Code.

CONCLUSIONS OF LAW

(1) The State Board of Pharmacy concludes that paragraph (3) of the Findings of Fact constitutes being guilty of gross immorality as provided in Division (A)(1) of Section 4729.16 of the Ohio Revised Code.

(2) The State Board of Pharmacy concludes that paragraph (3) of the Findings of Fact constitutes 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) The State Board of Pharmacy concludes that paragraphs (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) The State Board of Pharmacy concludes that paragraph (4) of the Findings of Fact constitutes being guilty of committing fraud, misrepresentation, or deception in applying for or securing a license or identification card issued by the Board under Chapter 4729. of the Revised Code as provided in Division (A)(10) of Section 4729.16 of the Ohio Revised Code.

DECISION OF THE BOARD

(A) On the basis of the Findings of Fact and paragraph (1) of the Conclusions of Law set forth above, the State Board of Pharmacy hereby revokes permanently the pharmacist identification card, No. 03-2-12854, held by Steven Ray Goebel effective as of the date of the mailing of this Order.

(B) On the basis of the Findings of Fact and paragraph (2) of the Conclusions of Law set forth above, the State Board of Pharmacy hereby revokes permanently the pharmacist identification card, No. 03-2-12854, held by Steven Ray Goebel effective as of the date of the mailing of this Order.

(C) On the basis of the Findings of Fact and paragraph (3) of the Conclusions of Law set forth above, the State Board of Pharmacy hereby revokes permanently the pharmacist identification card, No. 03-2-12854, held by Steven Ray Goebel effective as of the date of the mailing of this Order.

(D) On the basis of the Findings of Fact and paragraph (4) of the Conclusions of Law set forth above, the State Board of Pharmacy hereby revokes permanently the pharmacist identification card, No. 03-2-12854, held by Steven Ray Goebel effective as of the date of the mailing of this Order.

Pursuant to Section 4729.16(B) of the Ohio Revised Code, Steven Ray Goebel must return his 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.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF PHARMACY (Aye-6/Nay-0).

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 Ohio Revised Code authorizes an appeal from this Order. An order that denied admission to an examination, or denied the issuance or renewal of a license or registration, or revoked or suspended a license, may be appealed to the court of common pleas in the Ohio county of your place of business or in your Ohio county of residence. Any other order may be appealed to the Court of Common Pleas of 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 both the State Board of Pharmacy and the appropriate court within fifteen (15) days after the mailing of this Order and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

BY ORDER OF THE STATE BOARD OF PHARMACY

ORDER MAILED & EFFECTIVE: _____

CERTIFIED MAIL / Return Receipt
7004 2510 0006 9804 5728

By: _____
William T. Winsley, M.S., R.Ph., Executive Director

WTW/lf

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

September 26, 2006

Steven Ray Goebel, R.Ph.
2361 Middlesex Road
Columbus, Ohio 43220

Re: Ohio Registered Pharmacist
Number 03-2-12854

Dear Mr. Goebel:

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 State Board of Pharmacy indicate that you were originally licensed in the State of Ohio on May 04, 1979, pursuant to examination, and are currently licensed to practice pharmacy in the State of Ohio. Records further reflect prior adjudication wherein the Board suspended your license to practice pharmacy for having committed theft of drugs, drug abuse, and for being addicted to or abusing drugs to such a degree as to render you unfit to practice pharmacy.

(2) You are addicted to or abusing drugs and/or impaired physically or mentally to such a degree as to render you unfit to practice pharmacy, to wit: you were previously adjudicated by the Board for having abused drugs; you have been recently observed stealing hydrocodone with APAP while practicing pharmacy; and you have had a driving under the influence conviction about which you lied to the Board on your renewal application. Such conduct indicates that you are within the ambit of Sections 3719.121 and/or 4729.16(A)(3) of the Ohio Revised Code.

(3) You did, between September 19, 2006, and September 20, 2006, with purpose to deprive the owner, CVS/Pharmacy #9898, knowingly obtain or exert control over dangerous drugs beyond the scope of the express or implied consent of the owner, to wit: while practicing pharmacy, you stole the following Schedule III Controlled Substances:

Hydrocodone/APAP 10/325 mg	69 tablets or 65.1% of total stock
Hydrocodone/APAP 10/500 mg	16 tablets or 7.2% of total stock
Hydrocodone/APAP 10/660 mg	8 tablets or 3.6% of total stock
Hydrocodone/APAP 5/500 mg	31 tablets or 2.0% of total stock

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

(4) You did, on or about August 12, 2004, knowingly make a false statement with purpose to secure the issuance of a license or registration, to wit: you indicated on your pharmacist license renewal application that you had not been charged with a crime when in fact you had been convicted of Driving under the Influence in violation of Section 353.01 of the Upper Arlington City Ordinances. You were convicted on December 16, 2003. City of Upper Arlington vs. Steven R. Goebel, Case No. 03 TRC 194843, Franklin County Municipal Court. Such conduct is in violation of Section 2921.13 of the Ohio Revised Code.

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 SECTIONS 3719.121(B) OF THE OHIO REVISED CODE, YOU ARE HEREBY NOTIFIED THAT YOUR REGISTRATION AND LICENSE TO PRACTICE PHARMACY IN THE STATE OF OHIO IS 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;

(10) Has committed fraud, misrepresentation, or deception in applying for or securing a license or identification card issued by the board under this chapter or under Chapter 3715. or 3719. of the Revised Code.

IF YOU DESIRE A HEARING, such request shall be mailed to the State Board of Pharmacy, 77 South High Street, Room 1702, Columbus, Ohio 43215-6126. YOUR REQUEST MUST BE IN WRITING, AND MUST BE RECEIVED IN THE OFFICE OF THE OHIO STATE BOARD OF PHARMACY ON OR PRIOR TO THE THIRTIETH (30TH) DAY FOLLOWING THE MAILING DATE OF THIS NOTICE. 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 there is no request for such a hearing received by the Board on or prior to the thirtieth (30th) day following the mailing of this notice, the Ohio 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.

BY ORDER OF THE STATE BOARD OF PHARMACY

THE STATE BOARD OF PHARMACY

In The Matter Of:

STEVEN RAY GOEBEL, R.Ph.
5102 Merry Oak Court
Gahanna, Ohio 43230

THE MATTER OF STEVEN RAY GOEBEL, DOCKET NO. D-861218-091, WAS HEARD PURSUANT TO CHAPTERS 119. AND 4729. OF THE REVISED CODE ON MONDAY, JANUARY 26, 1987. AFTER CONSIDERATION OF THE EVIDENCE ADDUCED, MOTIONS WERE MADE AND RECORDED THAT THE FOLLOWING ORDER BE ADOPTED:

ORDER

Findings Of Fact

(1) From the evidence presented, the State Board of Pharmacy finds that Steven Ray Goebel, between September 15, 1979 and October 19, 1984 at White's Pharmacy, Inc., 5130 Sedalia Drive, Columbus, Ohio 43227, obtained or exerted control over approximately 15,780ml of Tussionex Suspension, approximately 7,920ml of Hycotuss Expectorant, approximately 4,434 tablets of Percodan, approximately 4,135 tablets of Percocet-5, approximately 4,020 tablets of Vicodin, approximately 3,393 tablets of Valium-10mg, approximately 2,667 tablets of Tussionex, approximately 1,239 tablets of Valium-2mg, approximately 1,229 capsules of Placidyl-500mg, approximately 880 capsules of Placidyl-200mg, approximately 736 tablets of Hycodan, approximately 710 capsules of Placidyl-750mg, approximately 465 tablets of Quaalude-300mg, approximately 412 tablets of Talwin-50mg, approximately 360 capsules of Ionamin-30mg, approximately 250 capsules of Tussionex, approximately 224 tablets of Dexedrine-5mg, approximately 110 tablets of Ritalin-20mg, approximately 100 tablets of Dilaudid-4mg, approximately 100 tablets of Anexsia-D, approximately 91 tablets of Levo-Dromoran, approximately 47 capsules of Seconal-100mg, approximately 40 capsules of Phenaphen #4, and approximately 35 capsules of Tuinal-200mg without the consent or beyond the consent of the owner. Such conduct is in violation of Section 2925.21(A) of the Revised Code.

(2) From the evidence presented, the State Board of Pharmacy finds that Steven Ray Goebel, between October 20, 1984 and April 5, 1986 at White's Pharmacy, Inc., 4057 E. Livingston Avenue, Columbus, Ohio 43227, obtained or exerted control over approximately 10,249 tablets of Percocet-5, approximately 8,850ml of Tussionex Suspension, approximately 7,500ml of Hycotuss Expectorant, approximately 6,137 tablets of Vicodin-5mg, approximately 5,356 tablets of Percodan, approximately 3,185 capsules of Hycodan-5mg, approximately 2,274 tablets of Anexsia-D, approximately 2,261 tablets of

Tussionex-5mg, approximately 1,304 tablets of Valium-5mg, approximately 1,134 capsules of Placidyl-500mg, approximately 527 tablets of Valium-10mg, approximately 510ml of Robitussin DC, approximately 341 tablets of Tylenol #4, approximately 300ml of Hycodan Syrup, approximately 240 capsules of Tylox-5mg, approximately 208 capsules of Ionamin-30mg, approximately 150 tablets of Bufferin #3, approximately 144 tablets of Dexedrine-5mg, approximately 144 capsules of Fiorinal #3, approximately 115 capsules of Placidyl-750mg, approximately 105 tablets of Demerol-50mg, approximately 101 tablets of Ritalin-20mg, approximately 90 capsules of Phenaphen #4, approximately 61 tablets of Ritalin-10mg, and approximately 60 capsules of Placidyl-200mg without the consent or beyond the consent of the owner. Such conduct is in violation of Section 2925.21(A) of the Revised Code.

(3) From the evidence presented, the State Board of Pharmacy finds that Steven Ray Goebel was indicted by the Franklin County Court of Common Pleas on April 18, 1986, to wit: 10 tablets of Hycodan, a Schedule III controlled substance and prescription drug, and 18 tablets of Percocet-5, a Schedule II controlled substance and prescription drug, were obtained by him by committing a theft offense; in violation of Section 2925.21 of the Revised Code.

(4) From the evidence presented, the State Board of Pharmacy finds that Steven Ray Goebel has knowingly obtained, possessed, and used various controlled substances on numerous occasions while being licensed as a pharmacist; in violation of Section 2925.11 of the Revised Code.

(5) From the evidence presented, the State Board of Pharmacy finds that Steven Ray Goebel is addicted to or abusing drugs to such a degree as to render him unfit to practice pharmacy; in that, Mr. Goebel admitted to the Columbus Police Department, that he has taken drugs for personal use, on various occasions while being licensed as a pharmacist.

(6) From the evidence presented, the State Board of Pharmacy finds that Steven Ray Goebel, on April 5, 1986, while being processed following his arrest for Theft of Drugs, was found to be in illegal possession of nine (9) unit doses of Tussionex. Such conduct is prohibited by Section 2925.11 of the Revised Code.

(7) From the evidence presented, the State Board of Pharmacy finds that Steven Ray Goebel, on or about April 5, 1986 in Franklin County, did maintain in his custody, possession and control dangerous drugs in a place other than a location licensed as a terminal distributor of dangerous drugs and/or a wholesale distributor of dangerous drugs. Such drugs were also not obtained lawfully for medical purposes from or upon the prescription of a practitioner. Such conduct is in violation of Division (C) of Section 4729.51 of the Revised Code.

(8) From the evidence presented, the State Board of Pharmacy finds that Steven Ray Goebel, on or about September 23, 1986, pled guilty to one (1) count of theft of drugs, Section 2925.21, a felony of the fourth degree in Franklin County Common Pleas Court, to wit: On December 15, 1986, Steven Ray Goebel committed one count of theft of drugs, a violation of Section 2925.21 of the Ohio Revised Code, to wit: 5 Percodan tablets.

(9) From the evidence presented, the State Board of Pharmacy finds that Steven Ray Goebel, between November 23, 1986 and December 15, 1986 at Mercy Health Pharmacy, 1464 S. High Street, Columbus, Ohio, obtained or exerted control over approximately 271 tablets of Percocet, without the consent or beyond the consent of the owner. Such conduct is in violation of Section 2925.21(A) of the Revised Code.

Conclusions Of Law

(1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraph (8) of the Findings Of Fact constitutes being guilty of a felony.

(2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (1), (2), and (4) through (9) of the Findings Of Fact constitutes gross immorality.

(3) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (1), (2), and (4) through (9) of the Findings Of Fact constitutes dishonesty and unprofessional conduct in the practice of pharmacy.

(4) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (4) and (5) of the Findings Of Fact constitutes being addicted to or abusing drugs to such a degree as to render Mr. Goebel unfit to practice pharmacy.

(5) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (1), (2), and (4) through (9) of the Findings Of Fact constitutes willfully violating the provisions of Chapters 2925., 3715., 3719., and 4729. of the Ohio Revised Code.

Pursuant to Section 4729.16 of the Ohio Revised Code, and the foregoing Findings Of Fact and Conclusions Of Law, the State Board of Pharmacy takes the following actions concerning the pharmacist license held by Steven Ray Goebel, No. 03-2-12854:

(A) On the basis of paragraphs (1) through (5) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby suspends the pharmacist identification card held by Steven Ray Goebel indefinitely.

(B) Further, Steven Ray Goebel may petition the Board for reinstatement of his identification card 12 months following the effective date of this Order provided he is under contract to Pharmacist Rehabilitation Organization, Inc. and monthly reports on his progress have been filed with the Board.

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