



OHIO STATE BOARD OF PHARMACY

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

-Equal Opportunity Employer and Service Provider-

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URL: <http://www.state.oh.us/pharmacy/>

SETTLEMENT AGREEMENT WITH THE STATE BOARD OF PHARMACY

(Docket No. D-040107-051)

In The Matter Of:

ELAINE L. WOLL, R.Ph.

4468 Classic Drive

Cincinnati, Ohio 45241

(R.Ph. No. 03-2-13136)

This Settlement Agreement is entered into by and between Elaine L. Woll 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.

Elaine L. Woll voluntarily enters into this Agreement being fully informed of her rights afforded under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel, the right to a formal adjudication hearing on the issues contained herein, and the right to appeal. Elaine L. Woll acknowledges that by entering into this agreement she has waived her rights under Chapter 119. of the Revised Code.

Whereas, the Board is empowered by Section 4729.16 of the Ohio Revised Code to suspend, revoke, place on probation, refuse to grant or renew an identification card or enforce a monetary penalty on the license holder for violation of any of the enumerated grounds therein.

Whereas, Elaine L. Woll is licensed to practice pharmacy in the State of Ohio.

Whereas, on or about January 7, 2004, pursuant to Chapter 119. of the Ohio Revised Code, Elaine L. Woll was notified of the allegations or charges against her, her right to a hearing, her rights in such hearing, and her right to submit contentions in writing. Elaine L. Woll requested a hearing; it was scheduled and continued. The January 7, 2004, Notice of Opportunity for Hearing contains the following allegations or charges:

- (1) Records of the Board of Pharmacy indicate that Elaine L. Woll was originally licensed in the State of Ohio on August 9, 1978, pursuant to examination, and is currently licensed to practice pharmacy in the State of Ohio.
- (2)
- (3)
- (4)

(5)

Elaine L. Woll neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated January 7, 2004; however, the Board has evidence sufficient to sustain the allegations and hereby adjudicates the same.

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

- (A) Elaine L. Woll's pharmacist identification card, No. 03-2-13136, will be placed on probation for two years, effective from the date of this Agreement.
- (B) Elaine L. Woll agrees to the imposition of a monetary penalty of five thousand dollars (\$5,000.00) 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 form to the State Board of Pharmacy, 77 South High Street, Room 1702, Columbus, Ohio 43215-6126
- (C)
- (D) The terms of probation are as follows:
 - (1) The State Board of Pharmacy hereby declares that Elaine L. Woll's pharmacist identification card is not in good standing.
 - (2) Elaine L. Woll must, during the period of probation, notify any future employers of her probation and its terms.
 - (3) Elaine L. Woll must not violate the drug laws of the State of Ohio, any other state, or the federal government.
 - (4) Elaine L. Woll must abide by the rules of the Ohio State Board of Pharmacy.
 - (5) Elaine L. Woll must comply with the terms of this Agreement.

If, in the judgment of the Board, Elaine L. Woll 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.

Elaine L. Woll acknowledges that she 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.

Elaine L. Woll waives any and all claims or causes of action she 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. Elaine L. Woll waives any rights of appeal pursuant to Chapter 119. of the Ohio Revised Code.

This Settlement Agreement shall be considered a public record, as that term is used in Section 149.43 of the Ohio Revised Code, and shall become effective upon the date of the Board President's signature below.

Elaine L. Woll, R.Ph., Respondent

04/19/04
Date of Signature

Peter Rosenwald, Attorney for Respondent

04/20/04
Date of Signature

Robert P. Giacalone, President, Ohio State Board of Pharmacy

05/04/04
Date of Signature

Sally Ann Steuk, Ohio Assistant Attorney General

05/05/04
Date of Signature