

ORDER OF THE STATE BOARD OF PHARMACY  
(Docket No. D-000121-042)

In The Matter Of:

**CONNIE A. LANCZ, R.Ph.**  
629 Regina Parkway  
Toledo, Ohio 43612  
(R.Ph. No. 03-2-15206)

INTRODUCTION

THE MATTER OF CONNIE A. LANCZ CAME TO HEARING ON APRIL 5, 2000, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: ROBERT B. CAVENDISH, R.Ph. (presiding); ANN D. ABELE, R.Ph.; DIANE C. ADELMAN, R.Ph.; SUZANNE R. EASTMAN, R.Ph.; ROBERT P. GIACALONE, R.Ph.; LAWRENCE J. KOST, R.Ph.; SUZANNE L. NEUBER, R.Ph.; AND NICHOLAS R. REPKE, PUBLIC MEMBER.

CONNIE A. LANCZ WAS NOT REPRESENTED BY COUNSEL, AND THE STATE OF OHIO WAS REPRESENTED BY SALLY ANN STEUK, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) Dale Fritz, Ohio State Board of Pharmacy

Respondent's Witnesses:

- (1) Connie A. Lancz, Respondent

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1--Copy of seven-page Notice of Opportunity for Hearing letter dated January 21, 2000.
- (2) Exhibit 1A--Copy of Hearing Request letter dated February 18, 2000.
- (3) Exhibit 1B--Copy of Hearing Schedule letter dated February 18, 2000.
- (4) Exhibit 1C--Copy of Pharmacist File Front Sheet of Connie A. Lancz showing original date of registration as August 10, 1983; and two-page copy of Renewal Application for Pharmacist License, No. 03-2-15206, of Connie A. Lancz dated August 14, 1999.
- (5) Exhibit 2--Copy of Drug Corner Pharmacy Patient Prescription Summary of Lucas Montoya for the period from December 1, 1997, to December 27, 1998, dated December 27, 1998.

- (6) Exhibit 3--Copy of two-page Drug Corner Pharmacy Patient Prescription Summary of Sam Mavis for the period from January 1, 1997, to December 27, 1998, dated December 27, 1998.
- (7) Exhibit 4--Copy of three-page Drug Corner Pharmacy Patient Prescription Summary of Phyllis Baker for the period from January 1, 1997, to December 27, 1998, dated December 27, 1998.
- (8) Exhibit 5--Two-page statement of William M. Aring, R.Ph. dated September 1, 1999, notarized on September 3, 1999.
- (9) Exhibit 6--Ten-page copy of eighteen-count Indictment in the Lucas County Common Pleas Court, State of Ohio vs. Ronald Pawlowicz, Frank Lancz and Connie Lancz, Case No. CR99-2458, dated September 8, 1999.

Respondent's Exhibits:

- (1) None

#### 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 Connie A. Lancz was originally licensed in the state of Ohio on August 10, 1983, pursuant to examination, and is currently licensed to practice pharmacy in the state of Ohio.
- (2) Connie A. Lancz did, from on or about October 26, 1997, through October 31, 1998, with purpose to deprive, knowingly obtain or exert control over dangerous drugs, the property of Drug Corner Pharmacy, 1009 W. Sylvania Avenue, Toledo, Ohio, beyond the express or implied consent of the owner and/or by deception, to wit: Connie A. Lancz stole the following controlled substances for personal abuse:

<u>Rx No.</u>	<u>Date</u>	<u>Drug/Strength</u>	<u>Quantity</u>
667287	10/26/97	Diazepam 5mg/ml	10ml
667288	10/26/97	Morphine Sulfate 15mg/ml	40ml
680947	12/22/97	Morphine Sulfate 15mg/ml	40ml
685554	01/12/98	Morphine Sulfate 15mg/ml	40ml
686827	01/16/98	Morphine Sulfate 50mg/ml	20ml
688369	01/22/98	Morphine Sulfate 50mg/ml	20ml
689966	01/29/98	Morphine Sulfate 50mg/ml	20ml
692957	02/09/98	Morphine Sulfate 50mg/ml	20ml
696487	02/24/98	Morphine Sulfate 50mg/ml	20ml
698676	03/04/98	Morphine Sulfate 50mg/ml	20ml
701786	03/17/98	Morphine Sulfate 50mg/ml	20ml
704891	03/30/98	Morphine Sulfate 50mg/ml	20ml
710205	04/23/98	Morphine Sulfate 50mg/ml	20ml
711914	04/30/98	Morphine Sulfate 50mg/ml	20ml
712555	05/04/98	Morphine Sulfate 50mg/ml	20ml

<u>Rx No.</u>	<u>Date</u>	<u>Drug/Strength</u>	<u>Quantity</u>
713575	05/08/98	Morphine Sulfate 50mg/ml	20ml
714223	05/12/98	Morphine Sulfate 50mg/ml	20ml
715820	05/19/98	Morphine Sulfate 50mg/ml	20ml
717842	05/28/98	Morphine Sulfate 50mg/ml	20ml
718076	05/29/98	Morphine Sulfate 50mg/ml	20ml
718593	06/01/98	Morphine Sulfate 50mg/ml	20ml
719128	06/03/98	Morphine Sulfate 50mg/ml	20ml
720359	06/09/98	Morphine Sulfate 50mg/ml	20ml
720593	06/10/98	Morphine Sulfate 50mg/ml	20ml
721502	06/15/98	Morphine Sulfate 50mg/ml	20ml
721877	06/16/98	Morphine Sulfate 50mg/ml	20ml
723597	06/25/98	Morphine Sulfate 50mg/ml	20ml
723598	06/25/98	Morphine Sulfate 50mg/ml	20ml
724424	06/30/98	Morphine Sulfate 50mg/ml	20ml
724425	06/30/98	Morphine Sulfate 50mg/ml	20ml
725658	07/07/98	Morphine Sulfate 50mg/ml	20ml
725945	07/08/98	Morphine Sulfate 50mg/ml	20ml
727268	07/14/98	Morphine Sulfate 50mg/ml	20ml
727542	07/15/98	Morphine Sulfate 50mg/ml	20ml
729036	07/22/98	Morphine Sulfate 50mg/ml	20ml
729233	07/23/98	Morphine Sulfate 50mg/ml	20ml
729805	07/27/98	Morphine Sulfate 50mg/ml	20ml
730029	07/28/98	Morphine Sulfate 50mg/ml	20ml
730501	07/30/98	Morphine Sulfate 50mg/ml	20ml
731282	08/04/98	Morphine Sulfate 50mg/ml	20ml
732593	08/11/98	Morphine Sulfate 50mg/ml	20ml
732855	08/12/98	Morphine Sulfate 50mg/ml	20ml
733336	08/14/98	Morphine Sulfate 50mg/ml	20ml
733617	08/17/98	Morphine Sulfate 50mg/ml	20ml
734128	08/19/98	Morphine Sulfate 50mg/ml	20ml
736668	09/02/98	Morphine Sulfate 50mg/ml	20ml
737084	09/04/98	Morphine Sulfate 50mg/ml	20ml
737827	09/09/98	Morphine Sulfate 50mg/ml	20ml
738267	09/11/98	Morphine Sulfate 50mg/ml	20ml
739169	09/16/98	Morphine Sulfate 50mg/ml	20ml
739590	09/18/98	Morphine Sulfate 50mg/ml	20ml
740000	09/21/98	Morphine Sulfate 50mg/ml	20ml
740433	09/23/98	Morphine Sulfate 50mg/ml	20ml
740869	09/25/98	Morphine Sulfate 50mg/ml	20ml
741068	09/27/98	Morphine Sulfate 50mg/ml	20ml
742314	10/02/98	Morphine Sulfate 50mg/ml	20ml
742313	10/02/98	Morphine Sulfate 50mg/ml	20ml
742781	10/05/98	Morphine Sulfate 50mg/ml	20ml
743576	10/08/98	Morphine Sulfate 50mg/ml	20ml
743795	10/09/98	Morphine Sulfate 50mg/ml	20ml
744885	10/15/98	Morphine Sulfate 50mg/ml	20ml
744891	10/15/98	Morphine Sulfate 50mg/ml	20ml

<u>Rx No.</u>	<u>Date</u>	<u>Drug/Strength</u>	<u>Quantity</u>
744896	10/16/98	Morphine Sulfate 50mg/ml	20ml
745447	10/19/98	Morphine Sulfate 50mg/ml	20ml
745474	10/19/98	Morphine Sulfate 50mg/ml	20ml
746135	10/22/98	Morphine Sulfate 50mg/ml	20ml
746751	10/26/98	Morphine Sulfate 50mg/ml	20ml
746812	10/26/98	Morphine Sulfate 50mg/ml	20ml
747789	10/31/98	Morphine Sulfate 50mg/ml	20ml

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

- (3) Connie A. Lancz did, on or about October 26, 1997, knowingly make a false statement in a record required by Chapter 3719. or 4729. of the Revised Code, to wit: Connie A. Lancz created a fictitious patient and entered false prescription information into Drug Corner Pharmacy's automated data system pursuant to the following prescriptions purportedly written by a physician at MCO Hospital:

<u>Rx No.</u>	<u>Date</u>	<u>Drug/Strength</u>	<u>Quantity</u>
667287	10/26/97	Diazepam 5mg/ml	10ml
667288	10/26/97	Morphine Sulfate 15mg/ml	40ml

Such conduct is in violation of Section 2925.23(A) of the Ohio Revised Code.

- (4) Connie A. Lancz did, from on or about May 29, 1998, through October 26, 1998, knowingly make a false statement in a record required by Chapter 3719. or 4729. of the Revised Code, to wit: Connie A. Lancz created fictitious patients and entered false prescription information into Drug Corner Pharmacy's automated data system pursuant to the following prescriptions purportedly written by Dr. Daniel J. Radecki:

<u>Rx No.</u>	<u>Date</u>	<u>Drug/Strength</u>	<u>Quantity</u>
718076	05/29/98	Morphine Sulfate 50mg/ml	20ml
719128	06/03/98	Morphine Sulfate 50mg/ml	20ml
720593	06/10/98	Morphine Sulfate 50mg/ml	20ml
721877	06/16/98	Morphine Sulfate 50mg/ml	20ml
723597	06/25/98	Morphine Sulfate 50mg/ml	20ml
724424	06/30/98	Morphine Sulfate 50mg/ml	20ml
725658	07/07/98	Morphine Sulfate 50mg/ml	20ml
727268	07/14/98	Morphine Sulfate 50mg/ml	20ml
729036	07/22/98	Morphine Sulfate 50mg/ml	20ml
729805	07/27/98	Morphine Sulfate 50mg/ml	20ml
731282	08/04/98	Morphine Sulfate 50mg/ml	20ml
732593	08/11/98	Morphine Sulfate 50mg/ml	20ml
733336	08/14/98	Morphine Sulfate 50mg/ml	20ml
734128	08/19/98	Morphine Sulfate 50mg/ml	20ml
736668	09/02/98	Morphine Sulfate 50mg/ml	20ml
737827	09/09/98	Morphine Sulfate 50mg/ml	20ml
739169	09/16/98	Morphine Sulfate 50mg/ml	20ml
740000	09/21/98	Morphine Sulfate 50mg/ml	20ml

740869	09/25/98	Morphine Sulfate 50mg/ml	20ml
741068	09/27/98	Morphine Sulfate 50mg/ml	20ml
<u>Rx No.</u>	<u>Date</u>	<u>Drug/Strength</u>	<u>Quantity</u>
742314	10/02/98	Morphine Sulfate 50mg/ml	20ml
743576	10/08/98	Morphine Sulfate 50mg/ml	20ml
744885	10/15/98	Morphine Sulfate 50mg/ml	20ml
744895	10/16/98	Morphine Sulfate 50mg/ml	20ml
745447	10/19/98	Morphine Sulfate 50mg/ml	20ml
746751	10/26/98	Morphine Sulfate 50mg/ml	20ml

Such conduct is in violation of Section 2925.23(A) of the Ohio Revised Code.

- (5) Connie A. Lancz did, from on or about December 22, 1997, through October 31, 1998, knowingly make a false statement in a record required by Chapter 3719. or 4729. of the Revised Code, to wit: Connie A. Lancz created fictitious patients and entered false prescription information into Drug Corner Pharmacy's automated data system pursuant to the following prescriptions purportedly written by a physician at St. Luke's Hospital:

<u>Rx No.</u>	<u>Date</u>	<u>Drug/Strength</u>	<u>Quantity</u>
680947	12/22/97	Morphine Sulfate 15mg/ml	40ml
685554	01/12/98	Morphine Sulfate 15mg/ml	40ml
686827	01/16/98	Morphine Sulfate 50mg/ml	20ml
688369	01/22/98	Morphine Sulfate 50mg/ml	20ml
689966	01/29/98	Morphine Sulfate 50mg/ml	20ml
692957	02/09/98	Morphine Sulfate 50mg/ml	20ml
696487	02/24/98	Morphine Sulfate 50mg/ml	20ml
698676	03/04/98	Morphine Sulfate 50mg/ml	20ml
701786	03/17/98	Morphine Sulfate 50mg/ml	20ml
704891	03/30/98	Morphine Sulfate 50mg/ml	20ml
710205	04/23/98	Morphine Sulfate 50mg/ml	20ml
711914	04/30/98	Morphine Sulfate 50mg/ml	20ml
712555	05/04/98	Morphine Sulfate 50mg/ml	20ml
713575	05/08/98	Morphine Sulfate 50mg/ml	20ml
714223	05/12/98	Morphine Sulfate 50mg/ml	20ml
715820	05/19/98	Morphine Sulfate 50mg/ml	20ml
717842	05/28/98	Morphine Sulfate 50mg/ml	20ml
718593	06/01/98	Morphine Sulfate 50mg/ml	20ml
720359	06/09/98	Morphine Sulfate 50mg/ml	20ml
721502	06/15/98	Morphine Sulfate 50mg/ml	20ml
723598	06/25/98	Morphine Sulfate 50mg/ml	20ml
724425	06/30/98	Morphine Sulfate 50mg/ml	20ml
725945	07/08/98	Morphine Sulfate 50mg/ml	20ml
727542	07/15/98	Morphine Sulfate 50mg/ml	20ml
729233	07/23/98	Morphine Sulfate 50mg/ml	20ml
730029	07/28/98	Morphine Sulfate 50mg/ml	20ml
730501	07/30/98	Morphine Sulfate 50mg/ml	20ml
732855	08/12/98	Morphine Sulfate 50mg/ml	20ml

<u>Rx No.</u>	<u>Date</u>	<u>Drug/Strength</u>	<u>Quantity</u>
733617	08/17/98	Morphine Sulfate 50mg/ml	20ml
737084	09/04/98	Morphine Sulfate 50mg/ml	20ml
738267	09/11/98	Morphine Sulfate 50mg/ml	20ml
739590	09/18/98	Morphine Sulfate 50mg/ml	20ml
740433	09/23/98	Morphine Sulfate 50mg/ml	20ml
742313	10/02/98	Morphine Sulfate 50mg/ml	20ml
742781	10/05/98	Morphine Sulfate 50mg/ml	20ml
743795	10/09/98	Morphine Sulfate 50mg/ml	20ml
744891	10/15/98	Morphine Sulfate 50mg/ml	20ml
745474	10/19/98	Morphine Sulfate 50mg/ml	20ml
746135	10/22/98	Morphine Sulfate 50mg/ml	20ml
746812	10/26/98	Morphine Sulfate 50mg/ml	20ml
747789	10/31/98	Morphine Sulfate 50mg/ml	20ml

Such conduct is in violation of Section 2925.23(A) of the Ohio Revised Code.

- (6) Connie A. Lancz is addicted to and/or abusing liquor or drugs or impaired physically or mentally to such a degree as to render her unfit to practice pharmacy, to wit: Connie A. Lancz admitted having a two-year addiction to Morphine; Connie A. Lancz has stolen approximately 1,420ml of Morphine Sulfate in a one-year period; and Connie A. Lancz sought treatment from Charter Hospital due to her addiction. Such conduct indicates that Connie A. Lancz falls within the ambit of Section 4729.16(A)(3) 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 (2) through (5) of the Findings of Fact constitute being guilty of a felony and 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 (2) through (5) 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 (6) 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 her 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 (2) through (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 Chapters 2925., 3719., and 4729. 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 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. 03-2-15206, held by Connie A. Lancz and such suspension is effective as of the date of the mailing of this Order.

- (A) Connie A. Lancz, 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 Board of Pharmacy to possess or distribute dangerous drugs during such period of suspension.
- (B) Connie A. Lancz, pursuant to Section 4729.16(B) of the Ohio Revised Code, must return the identification card and wall certificate to the office of the State Board of Pharmacy within ten days after receipt of this Order. The identification card and wall certificate should be forwarded by certified mail, return receipt requested.

Further, May 1, 2005, or thereafter, the Board will consider any petition filed by Connie A. Lancz 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) Connie A. Lancz must obtain, within ninety days of the effective date of this Order, a full psychiatric or psychological evaluation, by a licensed psychiatrist or psychologist, that includes a recommended treatment plan. Connie A. Lancz must abide by the treatment plan as designed by the professional.
- (B) Connie A. Lancz must enter into a contract, signed 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, upon signing, submit 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 screen must include testing for creatinine or specific gravity of the sample as the dilutional standard.
    - (b) Methylphenidate and alcohol must be added to the standard urine drug screen. A Breathalyzer may be used to test for alcohol, but the test must be conducted by an appropriately certified individual within twelve hours of notification.
    - (c) Results of all drug and alcohol 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) Regular attendance, a minimum of three times per week, at an Alcoholics Anonymous, Narcotics Anonymous, and/or similar support group meeting is required.
  - (3) The program shall immediately report to the Ohio Board of Pharmacy any violations of the contract and/or lack of cooperation.
- (C) Connie A. Lancz must provide, at the reinstatement petition hearing, documentation of the following:
- (1) Compliance with the licensed psychiatrist's or psychologist's recommended treatment plan;
  - (2) A report by the licensed psychiatrist or psychologist regarding Connie A. Lancz's fitness for readmission into the practice of pharmacy;
  - (3) Compliance with the contract required above (e.g.-proof of giving the urine sample within twelve hours of notification, copies of all urine screen reports, meeting attendance records, treatment program reports, etc.);
  - (4) Compliance with the continuing pharmacy education requirements as set forth in Chapter 4729-7 of the Ohio Administrative Code in effect on the date of petitioning the Board for reinstatement;
  - (5) Compliance with the terms of this Order.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF PHARMACY (Aye-7/Nay-0).  
MOTION CARRIED.  
SO ORDERED.

**ORDER EFFECTIVE APRIL 12, 2000**