



# OHIO STATE BOARD OF PHARMACY

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## ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-990908-016)

In The Matter Of:

**DANIEL PAUL POIGNON, R.Ph.**

3319 Beaumont Drive  
Toledo, Ohio 43608  
(R.Ph. No. 03-2-15675)

### INTRODUCTION

THE MATTER OF DANIEL PAUL POIGNON CAME FOR HEARING ON NOVEMBER 6, 2000, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: SUZANNE L. NEUBER, R.Ph. (presiding); DIANE C. ADELMAN, R.Ph.; SUZANNE R. EASTMAN, R.Ph.; ROBERT P. GIACALONE, R.Ph.; LAWRENCE J. KOST, R.Ph.; AMONTE B. LITTLEJOHN, R.Ph.; DOROTHY S. TEATER, PUBLIC MEMBER; AND JAMES E. TURNER, R.Ph.

DANIEL PAUL POIGNON 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 R. Fritz, Jr., Ohio State Board of Pharmacy

Respondent's Witnesses:

- (1) Daniel Paul Poignon, R.Ph., Respondent

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1--Copy of four-page Summary Suspension Order/Notice of Opportunity for Hearing letter dated September 8, 1999.
- (2) Exhibit 1A--Hearing Request letter dated October 20, 1999.
- (3) Exhibit 1B--Copy of Hearing Schedule letter dated October 22, 1999.

- (4) Exhibit 1C--Copy of Amendment/Addendum Notice letter dated October 29, 1999.
- (5) Exhibit 1D--Continuance Request letter dated October 26, 1999.
- (6) Exhibit 1E--Copy of Hearing Schedule letter dated November 2, 1999.
- (7) Exhibit 1F--Continuance Request letter dated May 18, 2000.
- (8) Exhibit 1G--Copy of Hearing Schedule letter dated May 19, 2000.
- (9) Exhibit 1H--Letter from Daniel P. Poignon dated September 28, 2000.
- (10) Exhibit 1I--Copy of Hearing Schedule letter dated October 30, 2000.
- (11) Exhibit 1J--Copy of Pharmacist File Front Sheet of Daniel Paul Poignon showing original date of registration as August 8, 1984; and two-page copy of Renewal Application for Pharmacist License, No. 03-2-15675, for a license to practice pharmacy in Ohio from September 15, 1998, through September 15, 1999, of Daniel Paul Poignon dated August 5, 1998.
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Respondent's Exhibits:

- (1)
- (2) Exhibit B1--Copy of pages 20 through 29 of the Record of the Proceedings -- September 5, 6, 7, 2000, in the matter of Derek Edward Duckworth, R.Ph.
- (3) Exhibit B2--Copy of pages 30 through 35 of the Record of the Proceedings -- April 3, 4, 5, 2000, in the matter of Connie A. Lancz, R.Ph.
- (4) Exhibit C--Copy of four-page Summary Suspension Order/Notice of Opportunity for Hearing, of Daniel Paul Poignon dated September 8, 1999.
- (5)
- (6)
- (7)
- (8) Exhibit G--Letter from Jean Broughton of McLeod Health dated October 10, 2000.

- (9) Exhibit H--Copy of letter to Steven L. Crossmock from Daniel P. Poignon dated October 29, 2000.
- (10) Exhibits I1 through I13--Letters of Reference/Recommendation/Character from the following: Gerald and Betty Poignon dated October 31, 2000; Lisa Bachmayer dated November 1, 2000; Rachel M. Cready dated November 2, 2000; Sandra Patterson dated October 24, 2000; Terry McElfresh dated October 30, 2000; Zachary Poignon, not dated; Michael P, not dated; Danielle Poignon, not dated; Joni Wysocki dated October 18, 2000; Shawn M. Dowling dated October 26, 2000; Sean McConnell dated October 19, 2000 with two-page Aftercare Discharge Summary report; and two letters from Danielle Poignon to Daniel Poignon, not dated.

#### 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 Daniel Paul Poignon was originally licensed in the state of Ohio on August 8, 1984, pursuant to examination, and on September 8, 1999, Daniel Paul Poignon's license was summarily suspended in accordance with Section 3719.121(B) of the Ohio Revised Code.
- (2)
- (3)
- (4)
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- (7)
- (8)

#### CONCLUSIONS OF LAW

- (1)
- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (2) through (8) 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)

- (4) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (2), (5), and (6) 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., 3719., or 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 3719.121 of the Ohio Revised Code, the State Board of Pharmacy hereby removes the Summary Suspension Order issued to Daniel Paul Poignon on September 8, 1999.

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following actions in the matter of Daniel Paul Poignon:

- (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 the pharmacist identification card, No. 03-2-15675, held by Daniel Paul Poignon 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 the pharmacist identification card, No. 03-2-15675, held by Daniel Paul Poignon 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 the pharmacist identification card, No. 03-2-15675, held by Daniel Paul Poignon 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 the pharmacist identification card, No. 03-2-15675, held by Daniel Paul Poignon effective as of the date of the mailing of this Order.

Pursuant to Section 4729.16(B) of the Ohio Revised Code, Daniel Paul Poignon 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.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF  
PHARMACY.

MOTION CARRIED.

SO ORDERED.

Order effective: September 18, 2000