



OHIO STATE BOARD OF PHARMACY

65 S. FRONT STREET, ROOM 504
COLUMBUS, OHIO 43215
TELEPHONE: 614/466-4143

THE STATE BOARD OF PHARMACY

vs

MARJORIE ANN KLAPKA

THE MATTER OF MARJORIE ANN KLAPKA, DOCKET NO. 6-143-3, WAS HEARD PURSUANT TO CHAPTERS 119. AND 4729. OF THE REVISED CODE ON WEDNESDAY, MARCH 5, 1986. AFTER CONSIDERATION OF THE EVIDENCE ADDUCED, MOTIONS WERE MADE AND RECORDED TO ADOPT THE FOLLOWING ORDER:

ORDER

Findings Of Fact

- (1) From the evidence presented, the State Board of Pharmacy finds that Marjorie Ann Klapka failed to renew her identification card on the fifteenth day of September, as required by Section 4729.12 of the Ohio Revised Code, for 1984, when she did not renew until January 5, 1986.
- (2) From the evidence presented, the State Board of Pharmacy finds that Marjorie Ann Klapka did dispense and sell dangerous drugs while not being a registered pharmacist, or pharmacy intern under the personal supervision of a registered pharmacist during the lapsed period of her pharmacy intern license. Such conduct is in violation of Section 4729.28 of the Revised Code.
- (3) From the evidence presented, the State Board of Pharmacy finds that Marjorie Ann Klapka did obtain remuneration by fraud, misrepresentation, or deception, to wit: Ms. Klapka did misrepresent herself as a pharmacist and obtain pharmacist wages while being employed at Trumbull Memorial Hospital, 1350 E. Market Street, Warren, Ohio 44483.

Conclusions Of Law

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (1) through (3) of the Findings Of Fact constitutes gross immorality.

MARJORIE ANN KLAPKA

Page Two

Order of the Board

- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (1) through (3) of the Findings Of Fact constitutes dishonesty and unprofessional conduct in the practice of pharmacy.
- (3) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (1) through (3) of the Findings Of Fact constitutes willful violations of the provisions of Chapter 4729. of the 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 hereby imposes a monetary penalty of two thousand dollars (\$2,000.00), due and owing within thirty (30) days of the issuance of this Order. Said monetary penalty should be made payable to the "Treasurer, State of Ohio" and mailed to the State Board of Pharmacy, 65 S. Front Street, Room 504, Columbus, Ohio 43266-0320, with the enclosed form.

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

ORDER ISSUED: April 1, 1984

FZW/sb

By

Franklin Z. Wickham
Franklin Z. Wickham, Executive Director

cc/John E. Breen, Assistant Attorney General
Richard Siehl, Attorney; 65 E. State St.; Columbus, Ohio 43215