



OHIO STATE BOARD OF PHARMACY

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ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-980508-057)

In The Matter Of:

MICHAEL ALLEN GROTHOUSE, R.Ph.

1127 King Richard Parkway
West Carrollton, Ohio 45449
(R.Ph. No. 03-2-16437)

INTRODUCTION

THE MATTER OF MICHAEL ALLEN GROTHOUSE CAME TO HEARING ON AUGUST 4, 1998, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: JOSEPH J. MASLAK, R.Ph. (presiding); ANN D. ABELE, R.Ph.; DIANE C. ADELMAN, R.Ph.; PAUL F. LAMPING, R.Ph.; AMONTE B. LITTLEJOHN, R.Ph.; RUTH A. PLANT, R.Ph.; AND NICHOLAS R. REPKE, PUBLIC MEMBER.

MICHAEL ALLEN GROTHOUSE WAS NOT PRESENT, NOR WAS HE 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) Timothy J. Benedict, R.Ph., Ohio State Board of Pharmacy
- (2) Frederick Williams, Ohio State Board of Pharmacy

Respondent's Witnesses:

- (1) None

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1--Copy of two-page Probation Violation Hearing letter dated May 8, 1998.
- (2) Exhibit 1A--Ohio State Board of Pharmacy Personal Delivery Record of Michael Allen Grothouse dated June 17, 1998.
- (3) Exhibit 1B--Copy of Hearing Schedule letter dated June 11, 1998.

- (4) Exhibit 2--Copy of five-page Order of the State Board of Pharmacy, Docket No. D-920102-090, of Michael Allen Grothouse dated August 11, 1992.
- (5) Exhibit 3--Copy of four-page Order of the State Board of Pharmacy, Docket No. D-920102-090, of Michael Allen Grothouse dated April 21, 1994.
- (6) Exhibit 4--Four-page copy of Compliance Administrator's Report on probationary status of Michael Grotehouse (sic Grothouse), not dated.
- (7) Exhibit 5--Letter from Martha T. Freedman dated May 14, 1998, and attached copy of urine drug screen report of Michael A. Grothouse dated April 21, 1998.
- (8) Exhibit 6--Two-page fax to Tim Benedict or Frank Wick ham from Mike Grothouse dated August 3, 1998, received August 4, 1998.
- (9) Exhibit 7--Two-page fax to Fred Williams from Vandalia Municipal Court received on August 4, 1998.

Respondent's Exhibits:

- (1) None

FINDINGS OF FACT

After having heard the testimony, considered the evidence, observed the demeanor of the witnesses, and weighed their credibility, the State Board of Pharmacy finds the following to be fact:

- (1) On May 8, 1998, Michael Allen Grothouse was notified by letter of his right to a hearing, his rights in such hearing, and his right to submit his contentions in writing.
- (2) As demonstrated by personal delivery record of June 17, 1998, Michael Allen Grothouse received the letter of May 8, 1998, informing him of the allegations against him, and his rights.
- (3) Michael Allen Grothouse responded to the letter of May 8, 1998, by facsimile which was received by the Board on August 4, 1998.
- (4) Records of the Board of Pharmacy indicate that Michael Allen Grothouse was originally licensed in the state of Ohio on August 6, 1986, pursuant to examination. Michael Allen Grothouse's license to practice pharmacy was suspended on October 1, 1992; and, on or about April 21, 1994, his license was reinstated and placed on probation for a period of five years. The terms of probation included entering into a contract with South Community Inc., or an equivalent program acceptable to the Board, for five years, requiring in part that "the treatment program must submit quarterly reports to the Board" and "Michael Allen Grothouse shall submit quarterly progress reports to the Board . . .".
- (5) Michael Allen Grothouse has failed to comply with the Order of the Board, Docket No. D-920102-090, dated April 21, 1994. Failure to submit reports is in violation of Section (1)(b) of the terms of probation as required in the Board's Order.

ACTION OF THE BOARD

Pursuant to the Order of the Board dated April 21, 1994, and the Findings of Fact set forth above, the State Board of Pharmacy takes the following actions in the matter of Michael Allen Grothouse:

- (A) The State Board of Pharmacy hereby revokes probation and suspends the pharmacist identification card, No. 03-2-16437, held by Michael Allen Grothouse indefinitely and such suspension is effective as of the date of the mailing of this Order. Pursuant to Rule 4729-9-01(F) of the Ohio Administrative Code, Michael Allen Grothouse 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) Three years after the effective date of this Order, or thereafter, the Board will consider any petition filed by Michael Allen Grothouse for a hearing, pursuant to Chapter 119. of the Revised Code, upon the question of the reinstatement of his license to practice pharmacy in Ohio. The Board will consider the reinstatement of the license only if the following conditions have been met:
- (1) Michael Allen Grothouse must enter into a new contract 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 from the effective date of this Order and, upon signing, submit a copy of the contract to the Board office. The contract must provide:
 - (a) random, **observed** urine drug screens shall be conducted at least every three months. The urine sample must be given within twelve hours of notification. Alcohol must be added to the standard urine drug screen, and must include testing for creatinine or specific gravity of the sample as the dilutional standard;
 - (b) regular attendance, at least three times per week, at an Alcoholics Anonymous, Narcotics Anonymous, and/or similar support group meetings, and at meetings of a professional support group; and
 - (c) the program shall immediately report to the Board of Pharmacy any positive urine screens and/or other violations of the contract.

Results of urine screens must be negative. Any confirmed 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) Michael Allen Grothouse must provide, at the time of petitioning the Board for reinstatement, evidence of his evaluation of chemical dependency status and recommendation for treatment by an ODADAS professional, written documentation from his treatment provider regarding compliance with the program pursuant to the contract; and copies of all urine drug screen reports.

Division (B) of Section 4729.16 of the Ohio Revised Code provides: "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.

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

MOTION CARRIED.

SO ORDERED.



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ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-920102-090)

In The Matter Of:

MICHAEL ALLEN GROTHOUSE, R.Ph.

2309 Crew Circle

Dayton, Ohio 45439

(R.Ph. No. 03-2-16437)

INTRODUCTION

THE MATTER OF MICHAEL ALLEN GROTHOUSE CAME TO HEARING ON APRIL 11, 1994, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: JOSEPH R. SABINO, R.Ph. (presiding); ROBERT B. CAVENDISH, R.Ph.; PAUL F. LAMPING, R.Ph.; AMONTE B. LITTLEJOHN, R.Ph.; WAYNE C. MILLER, R.Ph.; TIMOTHY D. MOORE, R.Ph.; SUZANNE L. NEUBER, R.Ph.; RUTH A. PLANT, R.Ph.; AND NICHOLAS R. REPKE., PUBLIC MEMBER.

MICHAEL ALLEN GROTHOUSE WAS REPRESENTED BY R. MARK HENRY, AND THE STATE OF OHIO WAS REPRESENTED BY GREGG THORNTON, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

(1) None

Respondent's Witnesses:

- (1) Michael Grothouse, Respondent
- (2) Jeana Grothouse
- (3) Timothy J. Benedict, Ohio State Board of Pharmacy

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1 - Hearing Request letter dated February 2, 1994.
- (2) Exhibit 2 - Hearing Schedule letter dated February 14, 1994.

- (3) Exhibit 3 - Order of the Ohio State Board of Pharmacy, Docket No. D-920102-090, in the matter of Michael Allen Grothouse dated August 11, 1992.
- (4) Exhibit 4 - Order of the Ohio State Board of Pharmacy, Docket No. D-920102-090, in the matter of Michael Allen Grothouse dated December 16, 1992.
- (5) Exhibit 5 - Order of the Ohio State Board of Pharmacy, Docket No. D-920102-090, in the matter of Michael Allen Grothouse dated July 1, 1993.
- (6) Exhibit 6 - Letter from Sandra J. Torresani dated July 15, 1993; and South Community Authorization for Release of Information of Michael A. Grothouse dated June 22, 1993.
- (7) Exhibit 7 - Letter from Sandra J. Torresani dated July 21, 1993; two South Community Authorizations for Release of Information of Michael A. Grothouse dated July 19, 1993; and three-page Psychiatric Evaluation of Michael Grothouse dated July 1, 1993.
- (8) Exhibit 8 - Two-page Quarterly Report of Michael A. Grothouse dated July 24, 1993; and copy of AA Meeting Verification Sheet dated from May 7, 1993, to July 1, 1993.
- (9) Exhibit 9 - Two-page letter from Sandra J. Torresani dated August 4, 1993.
- (10) Exhibit 10 - Two-page Quarterly Report of Michael A. Grothouse dated November 6, 1993; copy of two-page letter from Martha T. Freedman dated November 8, 1993; copy of CompuNet Clinical Laboratories Drug Abuse Screen, Urine, of Michael A. Grothouse dated November 16, 1993; and copy of two-page Recovering Pharmacist's Contract of Michael A. Grothouse dated October 20, 1992.
- (11) Exhibit 11 - Two-page letter from Martha T. Freedman dated November 8, 1993; copy of South Community Authorization for Release of Information of Michael A. Grothouse dated November 1, 1993; and South Community Authorization for Release of Information of Michael Grothouse dated November 1, 1993.
- (12) Exhibit 12 - Two-page Quarterly Report of Michael A. Grothouse dated February 6, 1994; letter from Martha T. Freedman dated February 14, 1994; and copy of Order of the State Board of Pharmacy, Docket No. D-920102-090, of Michael Allen Grothouse dated August 11, 1992.
- (13) Exhibit 13 - Letter from Martha T. Freedman dated February 11, 1994.
- (14) Exhibit 14 - Copy of CompuNet Clinical Laboratories Drug Abuse Screen, Urine, of Michael A. Grothouse dated March 8, 1994.

Respondent's Exhibits:

- (1) Exhibit A - Nine-page copy of AA Meeting Verification sheets of Michael Grothouse dated from May 7, 1993, through March 31, 1994.
- (2) Exhibit B - Four-page facsimile: page one, cover sheet; page two and three, letter from R. Mark Henry dated April 13, 1994; page four, Drugscan Urine Substance Abuse Screen Laboratory Report of M. Grothouse dated January 26, 1994; and two-page facsimile: page one, cover sheet; page two, letter from Martha T. Freedman dated April 13, 1994.

FINDING OF FACT

After having heard the testimony, considered the evidence, observed the demeanor of the witnesses, and weighed their credibility, the State Board of Pharmacy finds the following to be fact:

- (1) Michael Allen Grothouse has complied with the requirements of the Order of the State Board of Pharmacy, Docket No. D-920102-090, dated July 1, 1993.

ACTION OF THE BOARD

The State Board of Pharmacy hereby approves the petition for reinstatement of Michael Allen Grothouse's pharmacist identification card to practice pharmacy in the state of Ohio and places him on probation until May 1, 1999. The Board will reinstate the license only when the following conditions have been met and satisfactory evidence of compliance has been submitted to the Board:

- (1) Michael Allen Grothouse must provide evidence that he has entered into a contract with South Community Inc., or an equivalent program acceptable to the Board, for a period of five years. The program must require:
 - (a) random, observed urine screens shall be conducted at least once every three months for the duration of the contract and copies of all results must be forwarded to the Board by the treatment program;
 - (b) regular attendance, at least three times per week, at an Alcoholics Anonymous, Narcotics Anonymous, or a similar support group meeting is required; and Michael Allen Grothouse shall submit quarterly progress reports to the Board that include proof of attendance at such meetings;
 - (c) the treatment program shall immediately report to the Board of Pharmacy any violations of the contract; and
 - (d) the treatment program must submit quarterly reports to the Board.
- (2) Michael Allen Grothouse must provide a copy of the contract to the Board at the time he submits his application for renewal.
- (3) Michael Allen Grothouse must report any change in treatment provider and a copy of the new contract must be forwarded to the Board within 30 days of such action.
- (4) Michael Allen Grothouse must obtain 4.5 C.E.U.s dated subsequent to May 1, 1991; and the original certificates of participation must be submitted at the time of renewal.

Pursuant to paragraph (D)(1) of Rule 4729-3-01 of the Ohio Administrative Code, the State Board of Pharmacy hereby declares that Michael Allen Grothouse's pharmacist identification card is not in good standing and thereby denies the privilege of being a preceptor and training pharmacy interns until May 1, 1999.

The Board further stipulates that Michael Allen Grothouse may not serve as a responsible pharmacist until May 1, 1999.

The Board may at any time revoke probation for cause, modify the conditions of probation, and reduce or extend the period of probation. At any time

during this period of probation, the Board may revoke probation for a violation occurring during the probation period.

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

MOTION CARRIED.

SO ORDERED.



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ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D—920102—090)

In The Matter Of:

MICHAEL ALLEN GROTHOUSE, R.Ph.
2309 Crew Circle Dayton, Ohio 45439
(R.Ph. No. 03-2-16437)

INTRODUCTION ON

THE MATTER OF MICHAEL ALLEN GROTHOUSE CAME TO HEARING ON APRIL 27, 1993, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: TIMOTHY D. MOORE, R.Ph. (presiding); ROBERT B. CAVENDISH, R.Ph.; METTA LOU HENDERSON, R.Ph.; PAUL F. LAMPING, R.Ph.; WAYNE C. MILLER, R.Ph.; RUTH A. PLANT, R.Ph.; NICHOLAS R. REPKE; JOSEPH R. SABINO, R.Ph.; AND ROBERT W. VALENTINE, R.Ph.

MICHAEL ALLEN GROTHOUSE WAS NOT REPRESENTED BY COUNSEL, AND THE STATE OF OHIO WAS REPRESENTED BY RONDA ANDERSON AND CINDY MARTIN, ASSISTANT ATTORNEYS GENERAL.

SUMMARY OF EVIDENCE

(A) Testimony State's Witnesses:

- (1) Michael Allen Grothouse, Respondent
- (2) Timothy J. Benedict, Ohio State Board of Pharmacy

Respondent's Witnesses:

- (1) None

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1 - Hearing Request letter, not dated, received at the Board office on March 22, 1993.
- (2) Exhibit 2 - Hearing Schedule letter dated March 25, 1993.
- (3) Exhibit 3 - Order of the State Board of Pharmacy, Docket No. D-920102-090, of Michael Allen Grothouse dated August 11, 1992.
- (4) Exhibit 4 - Order of the State Board of Pharmacy, Docket No. D-920102-090, of Michael Allen Grothouse dated December 16, 1992.

Respondent's Exhibits:

- (1) Exhibit A - Letter from Jeff Scurlock dated February 5, 1993, *and* attached two-page patient information of Mike Grothouse.
- (2) Exhibit B - Letter from Sandra J. Torresani dated March 24, 1993, and attached Release of Information form of Michael Grothouse dated March 1, 1993.
- (3) Exhibit B1 - Copy of letter from Sandra J. - Torresani dated March 24, 1993, with notation on bottom initialed ST.
- (4) Exhibit C - Letter from Rosemary K. L. Federle dated March 25, 1993.
- (5) Exhibit D - Letter from Rosemary K. L. Federle dated April 6, 1993, and attached copy of letter from Rosemary K. L. Federle dated March 25, 1993.
- (6) Exhibit E - Two-page Pharmacists Rehabilitation Organization, Inc. Recovering Pharmacist's Contract of Mike Grothouse dated October 20, 1992.
- (7) Exhibit F - Copy of Allied Clinical Labs, Drug Screen Urinalysis, of Mike Grothouse dated November 11, 1992, and attached Authorization for Release of Information form of Michael Grothouse dated December 21, 1992.
- (8) Exhibit G - Two-page copy of CompuNet Clinical Laboratories, Drug Screen Urinalysis, of Michael A. Grothouse dated March 2, 1993.

FINDINGS OF FACT

After having heard the testimony, considered the evidence, observed the demeanor of the witnesses, and weighed their credibility, the State Board of Pharmacy finds the following to be fact:

- (1) Michael Allen Grothouse has not complied with the requirements of the Board's Order dated August 11, 1992.
- (2) Michael Allen Grothouse has not submitted evidence of a full psychiatric or psychological evaluation and a professional opinion regarding his ability to practice pharmacy safely. Michael Allen Grothouse has not provided a recommended treatment plan by a professional.

ACTION OF THE BOARD

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy hereby denies the petition for reinstatement of the pharmacist identification card to practice pharmacy in Ohio by Michael Allen Grothouse.

Further, Michael Allen Grothouse may petition to appear before the Board in twelve months; however, prior to petitioning the Board and being scheduled for an appearance, Mr. Grothouse must submit all documents required as set forth in the Order of the Board, Docket No. D-920102-090, dated August 11, 1992.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF PHARMACY (Aye-8/Nay-0).

MOTION CARRIED.

SO ORDERED.

BY ORDER OF THE STATE BOARD OF PHARMACY
ORDER MAILED AND EFFECTIVE: JULY 1, 1993

By: FZW/so Franklin Z. Wick ham, R.Ph., M.S.
Executive Director



OHIO STATE BOARD OF PHARMACY

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OHIO STATE BOARD OF PHARMACY

(Docket No. D-920102-090)

In The Matter Of:

MICHAEL ALLEN GROTHOUSE, R. Ph.

5729 Pennywell Drive Huber Heights, Ohio 45424-5431

(R.Ph. No. 03-2-16437)

Introduction

THE MATTER OF MICHAEL ALLEN GROTHOUSE CAME TO HEARING ON JUNE 25, 1992 BEFORE THE FOLLOWING MEMBERS OF THE BOARD: BETTY J. NICHOL, R.Ph. (presiding); METTA LOU HENDERSON, R.Ph.; PAUL F. LAMPING, R.Ph.; NORMAN D. LEIBOW, R.Ph.; TIMOTHY D. MOORE, R.Ph.; RUTH A. PLANT, R.Ph.; AND JOSEPH R. SABINO, R.Ph.

MICHAEL ALLEN GROTHOUSE WAS REPRESENTED BY DEBORAH HUNT, AND THE STATE OF OHIO WAS REPRESENTED BY RONDA ANDERSON AND ANNE BERRY, ASSISTANT ATTORNEYS GENERAL.

Summary Of Evidence

(A) Testimony

State's Witnesses:

(1) Michael Allen Grothouse, Respondent

Respondent's Witnesses:

(1) Jim Rosselio, Jr.

(2) Michael Allen Grothouse, Respondent

(B) Exhibits

State's Exhibits:

(1) Exhibit A - Notice of Opportunity letter dated January 2, 1992.

(2) Exhibit B - Letter from A. Mark Segreti, Jr. dated January 29, 1992; and four-page Request for Adjudication Hearing and Certificate of Service dated January 29, 1992. (3) Exhibit C - Hearing Schedule letter dated February 5, 1992.

(4) Exhibit D - Continuance Request letter dated March 27, 1992.

(5) Exhibit E - Hearing Schedule letter dated March 30, 1992.

- (6) Exhibit F - Letter from Chantal Brooks-Husman dated May 8, 1992; and Notice of Withdrawal of Counsel dated May 8, 1992.
- (7) Exhibit 1 - Pharmacist File Front Sheet of Michael Allen Grothouse showing original date of licensure as August 6, 1986.
- (8) Exhibit 2 - Renewal Application for Pharmacist License, No. 03-2-16437, for a license to practice pharmacy in Ohio from September 15, 1991 to September 15, 1992 of Michael Allen Grothouse dated May 24, 1991.
- (9) Exhibit 3 - Nineteen-page copy of West Carrollton Police Department Incident Report, No. 198-91, of Michael A. Grothouse dated January 27, 1991.
- (10) Exhibit 3A - Three-page copy of West Carrollton Police Department Incident Report, No. 525-91, of Michael Grothouse dated March 12, 1991.
- (11) Exhibit 4 - Two-page Laboratory Report from Gary R. Shaffer, Miami Valley Regional Crime Laboratory, dated February 4, 1991; and Affidavit of Gary R. Shaffer signed and notarized on February 4, 1991.

Respondent's Exhibits:

- (1) None

Findings Of Fact

- (1) From the evidence presented, the State Board of Pharmacy finds that records of the Board indicate that Michael Allen Grothouse was originally licensed in the state of Ohio on August 6, 1986, pursuant to examination, and is currently licensed to practice pharmacy in Ohio.
- (2) From the evidence presented, the State Board of Pharmacy finds that Michael Allen Grothouse did, on or about January 27, 1991, knowingly obtain, possess, and/or use a controlled substance when the conduct was not in accordance with Chapters 3719. and 4729. of the Ohio Revised Code, to wit: while lying unconscious in an apartment building hallway, Michael Allen Grothouse possessed the following controlled substances outside of the confines of a pharmacy when he did not possess a valid prescription:

Drug	Quantity	Schedule
Hydrocodone w/ Acetaminophen 5/500	5 tablets	III
Halcion .25mg	1 tablet	IV
Diphenoxylate HCl w/ Atropine Sulfate 2.5/0.025	131 tablets	V

Such conduct is in violation of Section 2925.11 of the Ohio Revised Code.

- (3) From the evidence presented, the State Board of Pharmacy finds that Michael Allen Grothouse did, on or about January 27, 1991, while not being a licensed terminal distributor of dangerous drugs or a practitioner, possess for sale at retail a dangerous drug, to wit: while lying unconscious in an apartment building hallway, Michael Allen Grothouse possessed the following dangerous drugs:

Drug	Quantity
Chlorzoxazone 500mg	4 tablets
Propranolol 20mg	51 tablets
Propranolol 40mg	27 tablets
Bumex	3 tablets
Dicyclomine	1 tablet

Such conduct is in violation of Section 4729.51(C) of the Revised Code.

- (4) From the evidence presented, the State Board of Pharmacy finds that Michael Allen Grothouse is addicted to or abusing liquor or drugs or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy, to wit: Michael Allen Grothouse was found by police officers lying unconscious in a public hallway and in illegal and improper possession of dangerous drugs and controlled substances.
- (5) From the evidence presented, the State Board of Pharmacy finds that Michael Allen Grothouse did, on or about January 27, 1991, with the purpose to deprive the owner, K-Mart Pharmacy *3033, 224 E. Dayton-Yellow Spring, Fairborn, Ohio 45324, knowingly obtain or exert control over such property beyond the scope of the express or implied consent of the owner, when the property was a dangerous drug, to wit: Michael Allen Grothouse took from the pharmacy, without permission to do so, the following dangerous drugs:

Drug	Quantity
Hydrocodone w/Acetaminophen5/500	5 tablets
Halcion .25mg	1 tablet

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

Conclusions Of Law

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraph (5) of the Findings Of Fact constitutes being guilty of dishonesty in the practice of pharmacy as provided in Division (A)(2) 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 (4) of the Findings Of Fact constitute 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)(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 paragraphs (2) and (3) of the Findings Of Fact constitute being guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of any of the provisions of Sections 3715.52 to 3715.72 or 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 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following actions concerning the pharmacist license, No. 03-2- 16437, held by Michael Allen Grothouse:

- (A) On the basis of paragraphs (1), (2), and (3) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby suspends the identification card held by Michael Allen Grothouse indefinitely, effective October 1, 1992.
- (B) Further, the Board will suspend the suspension imposed in paragraph (A) above, and place Mr. Grothouse on probation for five years provided that Michael Allen Grothouse appears before the Board in September, 1992, and the following conditions have been met and satisfactory evidence submitted to the Board:
 - (1) Michael Allen Grothouse must seek counseling by a professional psychiatrist or psychologist and present results of a full psychiatric or psychological evaluation and a professional opinion regarding Mr. Grothouse's ability to practice pharmacy safely. Mr. Grothouse must continue with counseling and follow a treatment plan designed and recommended by this professional.
 - (2) Michael Allen Grothouse must provide evidence that he has entered into a contract with the Pharmacists Rehabilitation Organization, Inc. (PRO), or an equivalent program acceptable to the Board, for a period of five years. The contract must provide that:
 - (a) random observed urine screens shall be conducted at least every three months, and copies of the results immediately forwarded to the Board of Pharmacy office,
 - (b) regular attendance at an Alcoholics Anonymous, Narcotics Anonymous, or a similar support group meeting is required during outpatient treatment and/or during aftercare,
 - (c) the program will immediately report to the Board of Pharmacy any violations of the contract.
 - (3) Michael Allen Grothouse must submit a copy of the PRO contract to the Board as soon as it has been agreed to by the program.
 - (4) Michael Allen Grothouse must submit quarterly progress reports to the Board that include:
 - (a) the written report and documentation provided by the treatment program pursuant to the PRO contract,
 - (b) the written reports and documentation provided by the counselor regarding treatment,
 - (c) written description of his progress towards recovery and what he has been doing during the previous three months regarding both treatment plans.

Pursuant to paragraph (D)(1) of Rule 4729-3-01 of the Ohio Administrative Code, the State Board of Pharmacy hereby declares that Michael Allen Grothouse's pharmacist identification card is not in good standing and thereby denies the privilege of being a preceptor and training pharmacy interns for a period of five years. The Board further stipulates that Michael Allen Grothouse may not serve as a responsible pharmacist during this five-year period.

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

MOTION CARRIED.

SO ORDERED.

BY ORDER OF THE STATE BOARD OF PHARMACY
ORDER MAILED: August 11, 1992
By: FZW/so Franklin Z. Wickham, R.Ph., M.S.
Executive Director



OHIO STATE BOARD OF PHARMACY

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ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-920102-090)

In The Matter Of:

MICHAEL ALLEN GROTHOUSE, R.Ph.
2309 Crew Circle Dayton, Ohio 45439
(R.Ph. No. 03-2-16437)

INTRODUCTION

THE MATTER OF MICHAEL ALLEN GROTHOUSE CAME TO BEARING ON OCTOBER 22, 1992 BEFORE THE FOLLOWING MEMBERS OF THE BOARD: TIMOTHY D. MOORE, R.Ph. (presiding); ROBERT B. CAVENDISH, R.Ph.; METTA LOU HENDERSON, R.Ph.; PAUL F. LAMPING, R.Ph.; WAYNE C. MILLER, R.Ph.; RUTH A. PLANT, R.Ph.; NICHOLAS R. REPKE; AND JOSEPH R. SABINO, R.Ph.

MICHAEL ALLEN GROTHOUSE WAS NOT REPRESENTED BY COUNSEL, AND THE STATE OF OHIO WAS REPRESENTED BY RONDA ANDERSON, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

(1) Michael Allen Grothouse, Respondent

Respondent's Witnesses:

(1) None

(B) Exhibits

State's Exhibits:

(1) Exhibit 1 - Two-page letter from Deborah D. Hunt dated September 16, 1992.

(2) Exhibit 2 - Bearing Schedule letter dated September 18, 1992.

(3) Exhibit 3 - Ohio State Board of Pharmacy Order, Docket No. D-920102-090, of Michael Allen Grothouse dated August 11, 1992.

Respondent's Exhibits:

- (1) Exhibit A - Two-page copy of Pharmacists Rehabilitation Organization, Inc., Recovering Pharmacist's Contract of Mike Grothouse dated October 20, 1992.

FINDINGS OF FACT

- (1) From the evidence presented, the State Board of Pharmacy finds that Michael Allen Grothouse has not complied with the requirements of the Board's Order dated August 11, 1992.
- (2) From the evidence presented, the State Board of Pharmacy finds that Michael Allen Grothouse has not submitted evidence of seeking counseling by a professional psychiatrist or psychologist. Michael Allen Grothouse has not presented results of a full psychiatric or psychological evaluation and a professional opinion regarding his ability to practice pharmacy safely. Michael Allen Grothouse has not submitted evidence of continued counseling, nor has he provided a recommended treatment plan by a professional.

ACTION OF THE BOARD

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy hereby denies the petition for reinstatement of the pharmacist identification card to practice pharmacy in Ohio held by Michael Allen Grothouse.

Further, Mr. Grothouse may petition the Board for reinstatement when he can provide evidence that he has met the conditions set forth in the Board's Order of August 11, 1992.

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

MOTION CARRIED.

SO ORDERED.

BY ORDER OF THE STATE BOARD OF PHARMACY

ORDER MAILED AND EFFECTIVE: DECEMBER 16, 1992

By: Franklin Z Wickham, R.Ph., MS.
Executive Director