



# OHIO STATE BOARD OF PHARMACY

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ORDER OF THE STATE BOARD OF PHARMACY  
(Docket No. D-930729-001)

In The Matter Of:

**PARAGI UMANG PATEL, R.Ph.**  
549 W. 87th Street  
Burr Ridge, Illinois 60521  
(R.Ph. No. 03-2-16726)

## INTRODUCTION

THE MATTER OF PARAGI UMANG PATEL CAME TO HEARING ON OCTOBER 28, 1993, 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.; SUZANNE L. NEUBER, R.Ph.; RUTH A. PLANT, R.Ph.; AND NICHOLAS R. REPKE, PUBLIC MEMBER.

PARAGI UMANG PATEL WAS REPRESENTED BY THOMAS L. HENDERSON, AND THE STATE OF OHIO WAS REPRESENTED BY ANNE C. BERRY, ASSISTANT ATTORNEY GENERAL.

## SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) Paragi Umang Patel, Respondent

Respondent's Witnesses:

- (1) Paragi Umang Patel, Respondent

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1 - Notice of Opportunity letter dated July 29, 1993.
- (2) Exhibit 1A - Hearing Request letter dated August 24, 1993; and copy of Notice of Opportunity letter dated July 29, 1993.
- (3) Exhibit 1B - Notice of Appearance of Counsel and Certificate of Service dated August 27, 1993.
- (4) Exhibit 1C - Hearing Schedule letter dated August 30, 1993.
- (5) Exhibit 1D - Hearing Schedule letter dated September 9, 1993.
- (6) Exhibit 2 - Pharmacist File Front Sheet of Paragi Patel showing original date of registration as March 6, 1987.

- (7) Exhibit 3 - Illinois Department of Professional Regulation, Certification of Proceedings dated August 31, 1990; State of Illinois, Department of Professional Regulation Notice, No. 89-3141, in the matter of Paragi U. Patel and New City Pharmacy, Inc. dated January 26, 1990; and four-page State of Illinois, Department of Professional Regulation Consent Order, Stipulations, and Conditions, No. 89-3141, in the matter of New City Pharmacy, Inc. and Paragi U. Patel dated January 26, 1990.
- (8) Exhibit 4 - Renewal Application for Pharmacist License, No. 03-2-16726, for a license to practice pharmacy in Ohio from September 15, 1991, to September 15, 1992, of Paragi Umang Patel dated July 1, 1991.

Respondent's Exhibits:

- (1) Exhibit A - Five-page copy of case law, William G. Davies, Plaintiff-Appellant, v. Arthur Murray, Inc., et al., Defendants-Appellees, Gen. No. 53,856, Appellate Court of Illinois, First District, First Division, 124 Ill. App. 2d 141; 260 N.E.2d 240; 1970 Trade Cas. (CCH).

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) Records of the Board of Pharmacy indicate that Paragi Umang Patel was originally licensed in the state of Ohio on March 6, 1987, pursuant to examination, and is currently licensed to practice pharmacy in Ohio.
- (2) Paragi Umang Patel was, on or about January 26, 1990, while practicing pharmacy in the state of Illinois, disciplined by the State of Illinois Department of Professional Regulation for having dispensed anabolic steroids on two occasions in February and July of 1989 to an optometrist. Such conduct is a violation of Illinois laws and/or regulations.
- (3) Paragi Umang Patel did, on or about July 1, 1991, knowingly make a false statement when the statement was made with the purpose to secure the issuance by the Board of Pharmacy of a license, to wit: on her application for renewal of the Ohio pharmacist's license, Paragi Umang Patel indicated that she had not been found guilty by a state agency of a violation of federal drug laws when in fact Ms. Patel had been found by the Illinois Department of Professional Regulation to have committed acts which would be violations of federal drug laws. Such conduct is in violation of Section 2923.13 of the Ohio Revised Code.

CONCLUSION OF LAW

- (1) 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 unprofessional conduct in the practice of pharmacy as provided in Division (A)(2) of Section 4729.16 of the Ohio Revised Code.

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ACTION OF THE BOARD

The State Board of Pharmacy determines the evidence presented was sufficient to conclude that Paragi Umang Patel violated Ohio and/or federal drug laws while practicing pharmacy in Illinois. Therefore, pursuant to Section 3715.57 of the Ohio Revised Code, the State Board of Pharmacy hereby directs the Executive Director to issue a written warning to Paragi Umang Patel.

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

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.

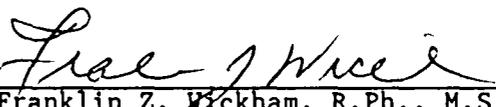
Such an appeal, setting forth the order appealed from and the grounds of the appeal, must be commenced by the filing of a Notice of Appeal with the State Board of Pharmacy and the appropriate court within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Revised Code.

BY ORDER OF THE STATE BOARD OF PHARMACY

ORDER MAILED  
AND EFFECTIVE: FEBRUARY 14, 1994

CERTIFIED MAIL  
Return Receipt  
#P 373 708 546

FZW/so

By   
Franklin Z. Wickham, R.Ph., M.S.  
Executive Director

cc: Gregg Thornton, Assistant Attorney General  
Thomas L. Henderson, Attorney for Respondent; Matan & Smith;  
261 S. Front Street; Columbus, Ohio 43215