



OHIO STATE BOARD OF PHARMACY

77 South High Street, Room 1702; Columbus, OH 43215-6126

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TEL: 614/466-4143

E-MAIL: exec@bop.state.oh.us

FAX: 614/752-4836

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ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-000404-052)

In The Matter Of:

KATHERINE MARIE BLAIR, R.Ph.

5218 Dresden Drive NW

Canton, Ohio 44708

(R.Ph. No. 03-2-16954)

INTRODUCTION

THE MATTER OF KATHERINE MARIE BLAIR CAME FOR HEARING ON DECEMBER 11, 2000, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: SUZANNE L. NEUBER, 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.; AMONTE B. LITTLEJOHN, R.Ph.; DOROTHY S. TEATER, PUBLIC MEMBER; AND JAMES E. TURNER, R.Ph.

KATHERINE MARIE BLAIR WAS REPRESENTED BY JEFFERY W. LARGENT, AND THE STATE OF OHIO WAS REPRESENTED BY SALLY ANN STEUK, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) David Gallagher, Ohio State Board of Pharmacy

Respondent's Witnesses:

- (1) Katherine Marie Blair, R.Ph., Respondent

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1--Copy of six-page Summary Suspension Order/Notice of Opportunity for Hearing letter dated April 4, 2000.
- (2) Exhibit 1A--Hearing Request letter dated April 23, 2000.
- (3) Exhibit 1B--Copy of Hearing Schedule letter dated April 27, 2000.

- (4) Exhibit 1C--Notification of Legal Representation letter dated May 10, 2000.
- (5) Exhibit 1D--Copy of four-page Addendum Notice letter dated May 15, 2000.
- (6) Exhibit 1E--Copy of Pharmacist File Front Sheet of Katherine Marie Blair showing original date of registration as June 23, 1987; and two-page copy of Renewal Application for Pharmacist License, No. 03-2-16954, for a license to practice pharmacy in Ohio from September 15, 1999, through September 15, 2000, of Katherine Marie Blair dated July 31, 1999.
- (7) Exhibit 2--VCR tape from Acme Pharmacy security camera.
- (8) Exhibit 3--Copy of two-page Statement of Katherine Marie Blair dated March 17, 2000.
- (9) Exhibit 4A--Twenty tablets of Watson's hydrocodone/APAP 7.5/750mg voluntarily surrendered to Agent David Gallagher by Katherine Marie Blair on March 17, 2000.
- (10) Exhibit 4B--Two tablets of Vicodin 7.5/750mg ES voluntarily surrendered to Agent David Gallagher by Katherine Marie Blair on March 17, 2000.
- (11) Exhibit 4C--Three capsules of Dexedrine 15mg voluntarily surrendered to Agent David Gallagher by Katherine Marie Blair on March 17, 2000.
- (12) Exhibit 4D--Three tablets of phentermine 37.5mg voluntarily surrendered to Agent David Gallagher by Katherine Marie Blair on March 17, 2000.
- (13) Exhibit 4E--Two tablets of methylphenidate with MD/562 imprint voluntarily surrendered to Agent David Gallagher by Katherine Marie Blair on March 17, 2000.
- (14) Exhibit 4F--One tablet of Lasix 40mg and two capsules of deconamine SR voluntarily surrendered to Agent David Gallagher by Katherine Marie Blair on March 17, 2000.
- (15) Exhibit 5--Copy of three-page Receipt for Drugs voluntarily surrendered to Agent David Gallagher by Katherine Marie Blair on March 17, 2000.
- (16) Exhibit 6--Copy of Prescription No. 4447857.
- (17) Exhibit 7--Acme Pharmacy prescription bag and dispensing container with an Acme Pharmacy #59 dispensing label affixed containing 72 tablets of hydrocodone/APAP 7.5/750mg.
- (18) Exhibit 8--Dispensing container with an Acme Pharmacy #59 dispensing label affixed containing 23 tablets of Lorazepam 1mg and one tablet of Cyclobenzaprine 10mg.
- (19) Exhibit 9--Dispensing container with an Acme Pharmacy #59 dispensing label affixed containing two tablets of Claritin-D.
- (20) Exhibit 10--Dispensing container with an Acme Pharmacy #59 dispensing label affixed containing nine tablets of Orphenadrine Citrate ER 100mg.
- (21) Exhibit 11--Dispensing container with an Acme Pharmacy #59 dispensing label affixed containing 10 tablets of hydrocodone/APAP 5/500mg.
- (22) Exhibit 12--Dispensing container with an Acme Pharmacy #59 dispensing label affixed containing 52 capsules of Fiorinal and Codeine 30mg.

- (23) Exhibit 13--One Acme Pharmacy prescription bag and pharmacy-type dispensing container with no dispensing label affixed containing 14 tablets of hydrocodone/APAP 7.5/750mg.
- (24) Exhibit 14--One pre-packed "Z-Pak" of Zithromax 250mg with two of the six tablets remaining.
- (25) Exhibit 15--One empty dispensing container with an Acme Pharmacy #59 dispensing label affixed with no Prescription Number listed.
- (26) Exhibits 16 through 16G--Prescriptions numbered 4444665, 6861131, 4446967, 4447116, 4447358, 4447429, 4447460, and 4447849.
- (27) Exhibit 17--Copy of two-page Medical Expenses report of James Skelton at Acme Pharmacy #59 covering January 1, 1997, through March 17, 2000.
- (28) Exhibit 18--Copy of Medical Expenses report of Charles Blair at Acme Pharmacy #59 covering November 1, 1997, through March 21, 2000.
- (29) Exhibit 19--Copy of Statement of Harry McDonnell, D.O. dated March 22, 2000.
- (30) Exhibit 20--Copy of Statement of Robert Bussan, M.D. dated March 23, 2000.
- (31) Exhibit 21--Copy of Pharmacy Daily Log Page Number 14097 for prescription tags dated January 2, 1999, through January 3, 1999.
- (32) Exhibit 22--Copy of Pharmacy Daily Log Page Number 18491 with prescription tags dated January 23, 1999, through January 26, 1999.
- (33) Exhibit 23--Copy of Pharmacy Daily Log Page Number 18445 with prescription tags dated December 30, 1999, through December 31, 1999.
- (34) Exhibit 24--Copy of Pharmacy Daily Log Page Number 18455 with prescription tags dated January 15, 2000, through January 17, 2000.
- (35) Exhibit 25--Copy of Pharmacy Daily Log Page Number 18464 with prescription tags dated January 29, 2000, through January 31, 2000.
- (36) Exhibit 26--Copy of Pharmacy Daily Log Page Number 15256 with prescription tags dated February 22, 2000, through February 23, 2000.
- (37) Exhibit 27--Copy of Pharmacy Daily Log Page Number 15258 with prescription tags dated February 25, 2000, through February 27, 2000.
- (38) Exhibit 28--Copy of Pharmacy Daily Log Page Number 15263 with prescription tags dated March 3, 2000, through March 5, 2000.
- (39) Exhibit 29--Copy of Pharmacy Daily Log Page Number 15267 with prescription tags dated March 7, 2000, through March 11, 2000.
- (40) Exhibit 30--Copy of Ohio State Board of Pharmacy Drug Audit Accountability Sheet of Acme #59 for Fastin 30mg dated April 17, 2000.
- (41) Exhibit 31--Copy of Ohio State Board of Pharmacy Drug Audit Accountability Sheet of Acme #59 for Phentermine 30mg dated April 17, 2000.

- (42) Exhibit 32--Copy of Ohio State Board of Pharmacy Drug Audit Accountability Sheet of Acme #59 for Adipex-P 37.5mg dated April 17, 2000.
- (43) Exhibit 33--Copy of Ohio State Board of Pharmacy Drug Audit Accountability Sheet of Acme #59 for Phentermine 37.5mg dated April 17, 2000.
- (44) Exhibit 34--Copy of Ohio State Board of Pharmacy Drug Audit Accountability Sheet of Acme #59 for Dexedrine Spansules 15mg dated April 17, 2000.
- (45) Exhibit 35--Copy of Ohio State Board of Pharmacy Drug Audit Accountability Sheet of Acme #59 for Vicodin 5/500mg dated April 17, 2000.
- (46) Exhibit 36--Copy of Ohio State Board of Pharmacy Drug Audit Accountability Sheet of Acme #59 for Hydrocodone/APAP 5/500mg dated April 17, 2000.
- (47) Exhibit 37--Copy of Ohio State Board of Pharmacy Drug Audit Accountability Sheet of Acme #59 for Lortab 10/500mg dated April 17, 2000.
- (48) Exhibit 38--Copy of Ohio State Board of Pharmacy Drug Audit Accountability Sheet of Acme #59 for Hydrocodone/APAP 10/500mg dated April 17, 2000.
- (49) Exhibit 39--Copy of Ohio State Board of Pharmacy Drug Audit Accountability Sheet of Acme #59 for Percocet 5/325mg dated April 17, 2000.
- (50) Exhibit 40--Copy of Ohio State Board of Pharmacy Drug Audit Accountability Sheet of Acme #59 for Endocet 5/325mg dated April 17, 2000.
- (51) Exhibit 41--Copy of Ohio State Board of Pharmacy Drug Audit Accountability Sheet of Acme #59 for Oxycodone/APAP 5/325mg dated April 17, 2000.
- (52) Exhibit 42--Copy of Ohio State Board of Pharmacy Drug Audit Accountability Sheet of Acme #59 for Vicodin ES 7.5/750mg dated April 17, 2000.
- (53) Exhibit 43--Copy of Ohio State Board of Pharmacy Drug Audit Accountability Sheet of Acme #59 for Hydrocodone/APAP 7.5/750mg dated April 17, 2000.
- (54) Exhibit 44--Copy of eight-page Indictment of Katherine Marie Blair, Case No. 2000CR0631, in the Stark County Common Pleas Court dated June 2, 2000.
- (55) Exhibit 45--Certified copies from the Stark County Court of Common Pleas of the following: Change of Plea In Open Court of Katherine Marie Blair, Case No. 00CR0631, dated July 10, 2000; two-page Judgment Entry, Change of Plea, and Pre-Sentence Investigation of Katherine Marie Blair, Case No. 2000CR0631, dated July 13, 2000; and six-page Plea of Guilty of Katherine Marie Blair, Case No. 2000CR0631, dated July 10, 2000.
- (56) Exhibit 46--Copy of six-page Judgment Entry and Sentence in the Stark County Common Pleas Court, Case No. 2000CR0631, State of Ohio vs. Katherine Blair, dated August 11, 2000.
- (57) Exhibit 47--Copy of letter from Joseph M. Lahovich dated April 21, 2000.

Respondent's Exhibits:

- (1) Exhibit A--Letter from Bernadette Charles dated December 4, 2000, with copies of 18 pages of drug test reports with specimen dates from May 2, 2000, through December 4, 2000.
- (2) Exhibit B--Copy of letter from Bernadette Charles dated July 6, 2000.
- (3) Exhibit C--Copy of two-page letter from Bernadette Charles dated July 5, 2000.
- (4) Exhibit D--Copy of letter from Bernadette Charles dated June 20, 2000.
- (5) Exhibit E--Copy of four-page Cumulative Subject Report of Quest Recovery Services for Katherine Blair dated December 5, 2000.
- (6) Exhibit F--Copy of letter from James Mallory dated July 12, 2000.
- (7) Exhibit G--Copy of two-page letter from Albert Weinstein dated December 4, 2000.
- (8) Exhibit H--Copy of Certificate of Participation in Continuing Pharmacy Education for P.R.O. Annual Conference-2000 of Katharine M. Blair dated May 21, 2000.
- (9) Exhibit I--Two-page copy of Pharmacists Rehabilitation Organization Pharmacist's Recovery Contract of Katharine Blair dated November 20, 2000.
- (10) Exhibit J--Copy of Skyland Pines Inc. Statement of Earnings and Deductions of Katharine M. Blair for two-week pay period ending November 18, 2000.
- (11) Exhibit K--Copies of six AA Meetings Attendance Sheets and letter from Diane K. Moot dated December 10, 2000.

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 Katherine Marie Blair was originally licensed in the state of Ohio on June 23, 1987, pursuant to reciprocity, and on April 4, 2000, Katherine Marie Blair's license was summarily suspended in accordance with Divisions (A) and (B) of Section 3719.121 of the Ohio Revised Code.
- (2) Katherine Marie Blair is addicted to liquor or drugs or impaired physically or mentally to such a degree as to render her unfit to practice pharmacy, to wit: Katherine Marie Blair admitted to an agent of the Board that she has a "serious addiction" to controlled substances; Katherine Marie Blair has been abusing drugs since the mid-1980's; Katherine Marie Blair has abused approximately five tablets of hydrocodone products per day during the past two years, which has increased to approximately twenty tablets per day; and, Katherine Marie Blair has consumed drugs while practicing pharmacy. During Katherine Marie Blair's own attempts to stop her abuse, Katherine Marie Blair admitted experiencing withdrawal symptoms. Further, Katherine Marie Blair has admitted

stealing the controlled substances she has abused, and Katherine Marie Blair voluntarily surrendered the following drugs from her purse that Katherine Marie Blair kept as a daily "stash":

<u>Drug</u>	<u>Quantity</u>
Hydrocodone 7.5mg/APAP 750mg	20
Vicodin ES	2
Dexedrine 15mg	3
Phentermine 37.5mg	3
Methylphenidate ER 20mg	2
Lasix 40mg	1
Generic Deconamine SR	2

Such conduct indicates that Katherine Marie Blair falls within the ambit of Sections 3719.121 and 4729.16(A)(3) of the Ohio Revised Code.

- (3) Katherine Marie Blair did, from on or about March 9, 2000, through March 15, 2000, with purpose to deprive, knowingly obtain or exert control over controlled substances, the property of Acme Pharmacy #59, beyond the express or implied consent of the owner, to-wit: Katherine Marie Blair was observed and has admitted to stealing 36 unit doses of Vicodin ES and 123 unit doses of hydrocodone 7.5mg/APAP 750mg, Schedule III controlled substances, from her employer. Such conduct is in violation of Section 2913.02 of the Ohio Revised Code.

- (4) Katherine Marie Blair did, from on or about August 17, 1998, through March 5, 2000, with purpose to deprive, knowingly obtain or exert control over dangerous drugs, the property of Acme Pharmacy #59, beyond the express or implied consent of the owner, to wit: Katherine Marie Blair was observed and has admitted to stealing the following dangerous drugs which were obtained from Katherine Marie Blair's residence:

<u>Drug</u>	<u>Quantity</u>
Lorazepam 1mg	23
Cyclobenzaprine 10mg	1
Claritin-D	2
Orphenadrine Citrate ER 100mg	9
Hydrocodone 5mg/APAP 500mg	10
Fiorinal & Codeine 30mg	52
Hydrocodone 7.5mg/APAP 750mg	14
Zithromax 250mg Z-Pak	1 pack containing 2 of 6

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

- (5) Katherine Marie Blair did, on or about the following dates, knowingly affix a false or forged label to a package or receptacle containing dangerous drugs when the conduct was not in accordance with Chapters 3719. and 4729. of the Ohio Revised Code, to wit: when stealing drugs, Katherine Marie Blair created

the following false labels and placed them on prescription drug vials:

<u>Rx No.</u>	<u>Date</u>	<u>Drug</u>	<u>Quantity</u>
4447857	03-10-00	Hydrocodone 7.5mg/APAP 750mg	120
none	08-14-99	Claritin-D 12 hour tabs	30
6879149	01-18-00	Claritin-D 10/240	14
6854382	08-17-98	Norflex 100mg tabs	30
4447854	02-15-00	Hydrocodone 5mg/APAP 500mg	20

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

- (6) Katherine Marie Blair did, on or about December 30, 1998, through February 14, 2000, intentionally make, utter, or sell, or knowingly possess false or forged prescriptions, to wit: when stealing drugs and/or trafficking in drugs, Katherine Marie Blair created the following prescriptions to cover for her theft of drugs:

<u>Rx No.</u>	<u>Date</u>	<u>Drug</u>	<u>Quantity.</u>
4444665	12/30/98	Propoxyphene 100mg/APAP 650mg	20
6861131	12/30/98	Daypro 600mg	10
4446977	10/19/99	Hydrocodone 7.5mg/APAP 750mg	50
4447116	11/08/99	Hydrocodone 7.5mg/APAP 750mg	50
4447358	12/10/99	Hydrocodone 7.5mg/APAP 750mg	50
4447429	12/18/99	Hydrocodone 7.5mg/APAP 750mg	50
4447460	12/21/99	Hydrocodone 10mg/APAP 500mg	50
4447849	02/14/00	Hydrocodone 10mg/APAP 500mg	50

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

- (7) Katherine Marie Blair did, from on or about January 3, 1999, through March 10, 2000, knowingly make a false statement in a prescription order, report, or record required by Chapter 3719. or 4729. of the Revised Code, to wit: when stealing drugs and/or trafficking in drugs, Katherine Marie Blair created the following prescription refills and maintained them on file at Acme Pharmacy #59 to cover for her theft of drugs:

<u>Rx No.</u>	<u>Date</u>	<u>Drug</u>	<u>Quantity</u>
4444665	01/03/99	Propoxyphene 100mg/APAP 650mg	20
6861131	01/03/99	Daypro 600mg	10
6861131	01/25/99	Daypro 600mg	10
4447460	12/31/99	Hydrocodone 10mg/APAP 500mg	50
4447460	01/16/00	Hydrocodone 10mg/APAP 500mg	50
4447460	01/29/00	Hydrocodone 10mg/APAP 500mg	50
4447849	02/22/00	Hydrocodone 10mg/APAP 500mg	50

4447849	02/26/00	Hydrocodone 10mg/APAP 500mg	50
4447849	03/03/00	Hydrocodone 10mg/APAP 500mg	50
4447849	03/10/00	Hydrocodone 10mg/APAP 500mg	50

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

- (8) Katherine Marie Blair did, from on or about October 19, 1999, through December 18, 1999, knowingly sell a controlled substance in an amount exceeding five times the bulk amount but does not exceed fifty times the bulk amount when not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Katherine Marie Blair sold the following Schedule III controlled substances pursuant to prescriptions which were not written by a licensed health professional authorized to prescribe drugs:

<u>Rx No.</u>	<u>Date</u>	<u>Drug</u>	<u>Quantity</u>
4446977	10/19/99	Hydrocodone 7.5mg/APAP 750mg	50
4447116	11/08/99	Hydrocodone 7.5mg/APAP 750mg	50
4447358	12/10/99	Hydrocodone 7.5mg/APAP 750mg	50
4447429	12/18/99	Hydrocodone 7.5mg/APAP 750mg	50

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (9) Katherine Marie Blair did, on or about December 21, 1999, through March 10, 2000, knowingly sell a controlled substance in an amount exceeding five times the bulk amount but does not exceed fifty times the bulk amount when not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Katherine Marie Blair sold the following Schedule III controlled substances pursuant to prescriptions which were not written by a licensed health professional authorized to prescribe drugs:

<u>Rx No.</u>	<u>Date</u>	<u>Drug</u>	<u>Quantity</u>
4447460	12/21/99	Hydrocodone 10mg/APAP 500mg	50
4447460	12/31/99	Hydrocodone 10mg/APAP 500mg	50
4447460	01/16/00	Hydrocodone 10mg/APAP 500mg	50
4447460	01/29/00	Hydrocodone 10mg/APAP 500mg	50
4447849	02/14/00	Hydrocodone 10mg/APAP 500mg	50
4447849	02/22/00	Hydrocodone 10mg/APAP 500mg	50
4447849	02/26/00	Hydrocodone 10mg/APAP	50

4447849	03/03/00	500mg Hydrocodone 10mg/APAP	50
4447849	03/10/00	500mg Hydrocodone 10mg/APAP	50

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (10) Katherine Marie Blair did, on or about December 30, 1998, and again on or about January 3, 1999, knowingly sell a controlled substance in an amount exceeding the bulk amount but does not exceed five times the bulk amount when not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: on each occasion Katherine Marie Blair sold 20 unit doses of Propoxyphene 100mg/APAP 650mg, a Schedule III controlled substance, pursuant to prescription number 4444665 which was not written by a licensed health professional authorized to prescribe drugs. Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.
- (11) Katherine Marie Blair did, on or about the following dates, sell at retail dangerous drugs, to wit: on each occasion Katherine Marie Blair created prescriptions and/or sold dangerous drugs which were not written by a licensed health professional authorized to prescribe drugs.

<u>Rx No.</u>	<u>Date</u>	<u>Drug</u>	<u>Quantity</u>
6861131	12/30/98	Daypro 600mg	10
6861131	01/03/99	Daypro 600mg	10
6861131	01/25/99	Daypro 600mg	10

Such conduct is in violation of Section 4729.51(C)(1) of the Ohio Revised Code.

- (12) Katherine Marie Blair did, from on or about July 5, 1998, through March 17, 2000, with purpose to deprive, knowingly obtain or exert control over controlled substances, the property of Acme Pharmacy #59, beyond the express or implied consent of the owner, to wit: Katherine Marie Blair stole the following controlled substances from her employer:

<u>Drug</u>	<u>Quantity</u>
Phentermine 30mg capsules	22
Phentermine 37.5mg tablets	161
Dexedrine 15mg capsules	165
hydrocodone 5mg/APAP 500mg tablets	1,635
hydrocodone 10mg/APAP 500mg tablets	1,854
oxycodone 5.325mg/APAP tablets	3,787
hydrocodone 7.5mg/APAP 750mg tablets	10,651

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

- (13) Katherine Marie Blair did, from on or about July 5, 1998, through March 17, 2000, knowingly sell a controlled substance in an amount exceeding five times the bulk amount but does not exceed fifty times the bulk amount when not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Katherine Marie Blair supplied Patient (A), a family member, with 161 unit doses of Phentermine 37.5mg tablets, a Schedule IV controlled substance, without authorization from a licensed health professional authorized to prescribe drugs and without a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.
- (14) Katherine Marie Blair did, from on or about July 5, 1998, through March 17, 2000, knowingly sell a controlled substance in an amount exceeding five times the bulk amount but does not exceed fifty times the bulk amount when not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Katherine Marie Blair supplied Patient (A), a family member, with 165 unit doses of Dexedrine 15mg capsules, a Schedule II controlled substance without authorization from a licensed health professional authorized to prescribe drugs and without a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.
- (15) Katherine Marie Blair did, from on or about July 5, 1998, through March 17, 2000, knowingly sell a controlled substance in an amount exceeding fifty times the bulk amount when not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Katherine Marie Blair supplied Patient (B) with 1,854 unit doses of hydrocodone 10mg/APAP 500mg tablets, a Schedule III controlled substance, without authorization from a licensed health professional authorized to prescribe drugs and without a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.
- (16) Katherine Marie Blair did, from on or about July 5, 1998, through March 17, 2000, knowingly sell a controlled substance in an amount exceeding one hundred times the bulk amount and when not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Katherine Marie Blair supplied Patient (B) with 3,787 unit doses of oxycodone 5mg/APAP 325mg tablets, a Schedule II controlled substance, without authorization from a licensed health professional authorized to prescribe drugs and without a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A) 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 (3) through (10) and (12) through (16) of the Findings of Fact constitutes 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 (3) through (16) 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 (2) 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 (5) through (11) and (13) through (16) 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 Katherine Marie Blair on April 4, 2000.

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following actions in the matter of Katherine Marie Blair:

- (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. 03-2-16954, held by Katherine Marie Blair 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. 03-2-16954, held by Katherine Marie Blair 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. 03-2-16954, held by Katherine Marie Blair 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. 03-2-16954, held by Katherine Marie Blair effective as of the date of the mailing of this Order.

Pursuant to Section 4729.16(B) of the Ohio Revised Code, Katherine Marie Blair 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.