



# OHIO STATE BOARD OF PHARMACY

77 South High Street, 17th Floor; Columbus, Ohio 43266-0320

-Equal Opportunity Employer and Service Provider-

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URL: <http://www.state.oh.us/pharmacy/>

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## SETTLEMENT AGREEMENT WITH THE STATE BOARD OF PHARMACY (Docket No. 971023-012)

In the Matter of:

**SARAH ANNE HUDSON-DiSALLE, R.Ph.**

1197 S. Fourth Street  
Columbus, Ohio 43206  
(R.Ph. No. 03-2-21028)

This Settlement Agreement is entered into by and between Sarah Anne Hudson-DiSalle, R.Ph. and the Ohio State Board of Pharmacy, a state agency charged with enforcing the Pharmacy Practice Act and Dangerous Drug Distribution Act, Chapter 4729. of the Ohio Revised Code.

Sarah Anne Hudson-DiSalle enters into this Agreement being fully informed of her rights afforded under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudication hearing on the issues contained herein.

Sarah Anne Hudson-DiSalle is knowingly and voluntarily acknowledging that, in order to settle the disciplinary charges that have been filed by the Board against her, and in order to obviate the need to conduct an administrative hearing to consider the disciplinary sanctions against her license to practice pharmacy in the state of Ohio, Sarah Anne Hudson-DiSalle enters into this Agreement on the basis of the following stipulations, admissions, and understandings:

- (A) The Ohio State Board of Pharmacy is empowered by Section 4729.16 of the Ohio Revised Code to suspend, revoke, place on probation, refuse to grant or renew an identification card, or impose a monetary penalty on the license holder for violation of any of the enumerated grounds.
- (B) Sarah Anne Hudson-DiSalle neither admits nor denies the allegations stated in the Notice; however, the Board has evidence sufficient to sustain the allegations and hereby adjudicates the same:
  - (1) Records of the Board of Pharmacy indicate that Sarah Anne Hudson-DiSalle was originally licensed in the state of Ohio on July 27, 1995, pursuant to examination, and is currently licensed to practice pharmacy in the state of Ohio. Further, during the relevant time periods stated herein, Sarah Anne Hudson-DiSalle was employed as a pharmacist at Medic Discount Drug #927 located in North Royalton, Ohio.

- (2) Sarah Anne Hudson-DiSalle did, on or about the following dates, knowingly sell a controlled substance in an amount less than bulk when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: on each occasion Sarah Anne Hudson-DiSalle sold 28 units of Adipex-P 37.5mg for diet to patient #1 pursuant to the following prescriptions which were not issued for a legitimate medical purpose pursuant to Rule 4731-11-04 of the Ohio Administrative Code, and thereby failing to fulfill her corresponding responsibility pursuant to Section 1306.04 of the Code of Federal Regulations and Rule 4729-5-30 of the Ohio Administrative Code:

<u>Rx Number</u>	<u>Date</u>
91279	12/07/96
92216	12/24/96
93035	01/08/97
93717	01/22/97

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

- (3) Sarah Anne Hudson-DiSalle did, on or about the following dates, knowingly sell a controlled substance in an amount less than bulk when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: on each occasion Sarah Anne Hudson-DiSalle sold 28 units of Adipex-P 37.5mg for diet to patient #2 pursuant to the following prescriptions which were not issued for a legitimate medical purpose pursuant to Rule 4731-11-04 of the Ohio Administrative Code, and thereby failing to fulfill her corresponding responsibility pursuant to Section 1306.04 of the Code of Federal Regulations and Rule 4729-5-30 of the Ohio Administrative Code:

<u>Rx Number</u>	<u>Date</u>
89633	11/05/96
92480	12/30/96

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

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of a formal hearing at this time, Sarah Anne Hudson-DiSalle knowingly and voluntarily agrees with the State Board of Pharmacy to the following:

- (1) Sarah Ann Hudson-DiSalle's identification card, No. 03-2-21028, will be placed on probation for two years. The terms of probation are as follows:
- (1) Pursuant to paragraph (D)(1) of Rule 4729-3-01 of the Ohio Administrative Code, the State Board of pharmacy hereby declares that Sarah Ann Hudson-DiSalle's pharmacist identification card is not in good standing and thereby denies the privilege of being a preceptor and training pharmacy interns.

- (2) Sarah Ann Hudson-DiSalle must not violate the drug laws of the state of Ohio, any other state, or the federal government.
- (3) Sarah Ann Hudson-DiSalle must abide by the rules of the Ohio State Board of Pharmacy.
- (4) Sarah Ann Hudson-DiSalle must comply with the terms of this Settlement.

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.

- (B) Sarah Ann Hudson-DiSalle agrees to the imposition of a monetary penalty of seven hundred fifty dollars (\$750.00) due and owing within thirty days from the effective date of this Agreement. The monetary penalty should be made payable to the "Treasurer, State of Ohio" and mailed with the enclosed form to the State Board of Pharmacy, 77 South High Street, 17th Floor, Columbus, Ohio 43266-0320.

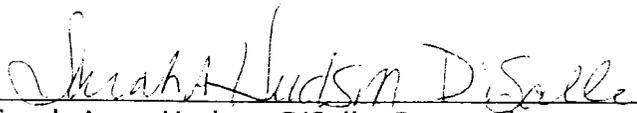
If, in the judgment of the Board, Sarah Ann Hudson-DiSalle appears to have violated or breached any terms or conditions of this Agreement, the Ohio State Board of Pharmacy reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including but not limited to, alleged violation of the laws of Ohio occurring before the effective date of this Agreement.

Sarah Ann Hudson-DiSalle acknowledges that she has had an opportunity to ask questions concerning the terms of this agreement and that all questions asked have been answered in a satisfactory manner. Any action initiated by the Board based on alleged violation of this Agreement shall comply with the Administrative Procedure Act, Chapter 119. of the Ohio Revised Code.

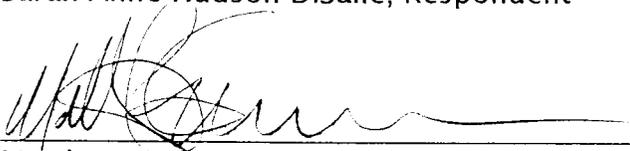
Sarah Ann Hudson-DiSalle waives any and all claims or causes of action she may have against the State of Ohio or the Board, and its members, officers, employees, and/or agents of either, arising out of matters which are the subject of this Agreement. Sarah Ann Hudson-DiSalle waives any rights of appeal pursuant to Chapter 119. of the Ohio Revised Code.

In the event the Board, in its discretion, does not approve this Agreement, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. Sarah Ann Hudson-DiSalle agrees that should the Board reject this Agreement and if this case proceeds to hearing, she will assert no claim that the Board was prejudiced by its review and discussion of this Agreement or of any information relating thereto.

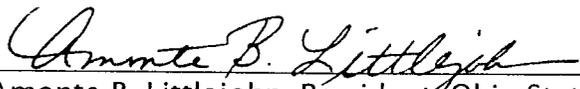
This Settlement Agreement shall be considered a public record, as that term is used in Section 149.43 of the Ohio Revised Code, and shall become effective upon the date of Board President's signature below.

  
\_\_\_\_\_  
Sarah Anne Hudson-DiSalle, Respondent

2/11/98  
Date

  
\_\_\_\_\_  
Matthew P. Cincione, Attorney for Respondent

2/11/98  
Date

  
\_\_\_\_\_  
Amonte B. Littlejohn, President, Ohio State Board of Pharmacy

3/9/98  
Date

  
\_\_\_\_\_  
Sally Ann Steuk, Ohio Assistant Attorney General

2/17/98  
Date