



OHIO STATE BOARD OF PHARMACY

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ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-980130-034)

In The Matter Of:

NILAM PRAVINBHAI PATEL, R.Ph.

1196 S. Kenilworth Avenue, Apartment 2W

Oak Park, Illinois 60304

(R.Ph. No. 03-2-21093)

INTRODUCTION

THE MATTER OF NILAM PRAVINBHAI PATEL CAME ON FOR CONSIDERATION ON APRIL 7, 1998, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: JOSEPH J. MASLAK, R.Ph. (presiding); DIANE C. ADELMAN, R.Ph.; JOHN L. HANNA, R.Ph.; PAUL F. LAMPING, R.Ph.; SUZANNE L. NEUBER, R.Ph.; RUTH A. PLANT, R.Ph.; AND NICHOLAS R. REPKE, PUBLIC MEMBER.

NILAM PRAVINBHAI PATEL WAS NOT PRESENT NOR WAS SHE 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

Respondent's Witnesses:

- (1) None

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1--Copy of two-page Notice of Opportunity for Hearing letter dated January 30, 1998.
- (2) Exhibit 1A--Copy of Pharmacist File Front Sheet of Nilam P. Patel showing original date of registration as July 27, 1995; copy of Renewal Application for Pharmacist License, No. 03-2-21093, for a license to practice pharmacy in Ohio from September 15, 1997, to

September 15, 1998 of Nilam Pravinbhai Patel dated August 1, 1997; and copy of letter from Nilam Pravin Patel, not dated.

- (3) Exhibit 1B--Letter from Nilam P. Patel dated February 18, 1998.
- (4) Exhibit 2--Returned check, No. 414, of Nilam P. Patel dated August 2, 1997.
- (5) Exhibit 3--Copy of letter from Karen E. Prather dated October 27, 1997.

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 January 30, 1998, Nilam Pravinbhai Patel was notified by letter of her right to a hearing, her rights in such hearing, and her right to submit her contentions in writing.
- (2) As demonstrated by return receipt of February 7, 1998, Nilam Pravinbhai Patel received the letter of January 30, 1998, informing her of the allegations against her, and her rights.
- (3) Nilam Pravinbhai Patel sent her contentions in writing by letter dated February 18, 1998.
- (4) Records of the Board of Pharmacy indicate that Nilam Pravinbhai Patel 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.
- (5) Nilam Pravinbhai Patel did, on or about August 2, 1997, with purpose to defraud, issue or transfer or cause to be issued or transferred a check or other negotiable instrument, knowing that it would be dishonored, to wit: Nilam Pravinbhai Patel issued a bad check to the Treasurer of the State of Ohio for renewal of her license to practice pharmacy in this state. Further, after Nilam Pravinbhai Patel was given notice of the dishonor on or about October 27, 1997, she failed to make payment or satisfaction within ten days after receiving said notice of dishonor. Such conduct is in violation of Section 2913.11 of the Ohio Revised Code.

CONCLUSION 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 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.

ACTION OF THE BOARD

Pursuant to Section 4729.16 of the Ohio Revised Code, and on the basis of the Findings of Fact and Conclusion of Law set forth above, the State Board of Pharmacy hereby reprimands Nilam Pravinbhai Patel.

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

MOTION CARRIED.

SO ORDERED.