



# OHIO STATE BOARD OF PHARMACY

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

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## ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-051017-039)

In The Matter Of:

**CRAIG JAMES BRYANT, R.Ph.**

967 Home Circle

Salem, Ohio 44460

(R.Ph. No. 03-2-21372)

### INTRODUCTION

THE MATTER OF CRAIG JAMES BRYANT CAME FOR CONSIDERATION ON APRIL 3, 2006, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: SUZANNE R. EASTMAN, R.Ph. (presiding); ROBERT P. GIACALONE, R.Ph.; ELIZABETH I. GREGG, R.Ph.; LAWRENCE J. KOST, R.Ph.; NATHAN S. LIPSYC, R.Ph.; KEVIN J. MITCHELL, R.Ph.; DOROTHY S. TEATER, PUBLIC MEMBER; AND JAMES E. TURNER, R.Ph.

CRAIG JAMES BRYANT WAS NOT PRESENT NOR WAS HE REPRESENTED BY COUNSEL. THE STATE OF OHIO WAS REPRESENTED BY SALLY ANN STEUK, ASSISTANT ATTORNEY GENERAL.

### SUMMARY OF EVIDENCE

#### State's Witness

1. Frank J. Bodi, Ohio State Board of Pharmacy

#### Respondent's Witnesses

None

#### State's Exhibits

1. Notice of Opportunity For Hearing letter [10-17-05]
  - 1A. Procedural
2. State Board of Pharmacy Order in re Craig James Bryant, R.Ph. [06-09-05]
3. Judgment Entry, State of Ohio vs. Craig James Bryant, Case No. R 04TRC9528, Portage County Municipal Court [04-26-05]; Statement of Trp. R. J. Kuhn [07-08-04]
4. Rx #2247941 [08-24-05]; Rx #6664180 [06-21-05]; Three Drug Orders [06/21/05 and 07-06-05]
5. Medical Expenses for Rachel Bryant at Giant Eagle Pharmacy [08-01-05 to 08-24-05]; Medical Expenses for Craig J. Bryant [01-01-05 to 08-24-05]
6. Notarized Statement of Charles Durner, D.O. [08-31-05]
7. Notarized Statement of Lisa Maxwell, R.Ph. [08-31-05]

8. Notarized Statement of Jane Shenal [08-29-05]
9. Notarized Statement of Craig Bryant [09-07-05]
10. Indictment, State of Ohio vs. Craig J. Bryant, Case No. 2005 CR 0643, Portage County Common Pleas Court [12-02-05]; Order and Journal Entry [03-17-06]

#### Respondent's Exhibits

None

#### FINDINGS OF FACT

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

- (1) On October 17, 2005, Craig James Bryant was notified by letter of his right to a hearing, his rights in such hearing, and his right to submit any contentions in writing.
- (2) As demonstrated by return receipt received by the Board, on February 17, 2006, and signed by Nancy Holloway, Craig James Bryant received the letter of October 17, 2005, informing him of the allegations against him and his rights.
- (3) Craig James Bryant did not request a hearing in a timely manner pursuant to Chapter 119. of the Ohio Revised Code, therefore the matter was referred to the Board for consideration.
- (4) Records of the State Board of Pharmacy indicate that Craig James Bryant was originally licensed by the State of Ohio as a pharmacist on February 26, 1996, pursuant to examination and his license to practice pharmacy was indefinitely suspended by the Board on June 9, 2005.
- (5) Craig James Bryant did, on or about August 24, 2005, intentionally create and/or knowingly possess a false or forged prescription, to wit: Craig James Bryant took his wife's prescription, chemically obliterated the text, and created a forgery for 10 unit doses of OxyContin 40 mg, a schedule II controlled substance. Craig James Bryant presented the altered document for filling and obtained the drugs for his own abuse. Such conduct is in violation of Sections 2925.23(B) and 2925.11 of the Ohio Revised Code

#### CONCLUSIONS OF LAW

- (1) The State Board of Pharmacy concludes that paragraph (5) 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) The State Board of Pharmacy concludes that paragraph (5) of the Findings of Fact constitutes 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) The State Board of Pharmacy concludes that paragraph (5) 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 him unfit to practice pharmacy as provided in Division (A)(3) of Section 4729.16 of the Ohio Revised Code.

(4) The State Board of Pharmacy concludes that paragraph (5) of the Findings of Fact constitutes being guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of provisions of Chapter 2925. of the Revised Code as provided in Division (A)(5) of Section 4729.16 of the Ohio Revised Code.

#### DECISION OF THE BOARD

Pursuant to Section 4729.16 of the Ohio Revised Code, and after consideration of the record as a whole, the State Board of Pharmacy adjudicates the matter of Craig James Bryant as follows:

(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 permanently the pharmacist identification card, No. 03-2-21372, held by Craig James Bryant 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 permanently the pharmacist identification card, No. 03-2-21372, held by Craig James Bryant 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 permanently the pharmacist identification card, No. 03-2-21372, held by Craig James Bryant 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 permanently the pharmacist identification card, No. 03-2-21372, held by Craig James Bryant effective as of the date of the mailing of this Order.

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 Ohio Revised Code authorizes an appeal from this Order. An order that denied admission to an examination, or denied the issuance or renewal of a license or registration, or revoked or suspended a license, may be appealed to the court of common pleas in the Ohio county of your place of business or in your Ohio county of residence. Any other order may be appealed to the Court of Common Pleas of 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 both the State Board of Pharmacy and the appropriate court within fifteen (15) days after the mailing of this Order and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

**BY ORDER OF THE STATE BOARD OF PHARMACY**

ORDER MAILED & EFFECTIVE: \_\_\_\_\_



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## ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-040802-006)

In The Matter Of:

**CRAIG JAMES BRYANT, R.Ph.**

3844 Sanford Road

Rootstown, Ohio 44272

(R.Ph. No. 03-2-21372)

### INTRODUCTION

THE MATTER OF CRAIG JAMES BRYANT CAME FOR HEARING ON MAY 3, 2005, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: LAWRENCE J. KOST, R.Ph. (presiding); GREGORY BRAYLOCK, R.Ph.; SUZANNE R. EASTMAN, R.Ph.; ROBERT P. GIACALONE, R.Ph.; ELIZABETH I. GREGG, R.Ph.; NATHAN S. LIPSYC, R.Ph.; KEVIN J. MITCHELL, R.Ph.; DOROTHY S. TEATER, PUBLIC MEMBER; AND JAMES E. TURNER, R.Ph.

CRAIG JAMES BRYANT WAS REPRESENTED BY MARY BARLEY-MCBRIDE. THE STATE OF OHIO WAS REPRESENTED BY SALLY ANN STEUK, ASSISTANT ATTORNEY GENERAL.

### SUMMARY OF EVIDENCE

#### State's Witness

1. Frank Bodi, Ohio State Board of Pharmacy

#### Respondent's Witness

1. Craig James Bryant, R.Ph., Respondent

#### State's Exhibits

1. Summary Suspension Order/Notice of Opportunity For Hearing letter [08-02-04]  
1A-1E. Procedurals
2. State Board of Pharmacy Order In Re Craig James Bryant [10-03-95]
3. Ohio State Highway Patrol Initial Incident Report No. 04-000183-0467 [07-08-04]
4. Lakeview Health Systems Certificate of Completion for Craig Bryant [05-31-04]

#### Respondent's Exhibits

- A. Journal Entry, State of Ohio vs. Craig J. Bryant, Case No. R04TRC9528-5, Portage County Municipal Court [04-26-05]; Judgment Entry/Sentencing (OVI) [04-26-05]; Ohio State Highway Patrol Citation No. T553165 [07-08-04]; Journal Entry [date illegible]; Complaint [08-17-04]

- B. PRO Pharmacist's Recovery Contract for Craig J. Bryant [04-06-05]
- C. Edwin Shaw Hospital for Rehabilitation Certificate of Achievement for Craig Bryant [04-08-05]
- D. Copy of "7th Annual Conference on Chemical Dependency in the Profession of Pharmacy" Program [05-01-05]; Continuing Pharmaceutical Education Certificate [05-01-05]

#### 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 Board of Pharmacy indicate that Craig James Bryant was originally licensed by the State of Ohio as a pharmacist on February 26, 1996, pursuant to examination, and is currently licensed to practice pharmacy in the State of Ohio. Records further reflect that Craig James Bryant was previously disciplined by the Board on September 21, 1995.
- (2) Craig James Bryant is impaired physically or mentally to such a degree as to render him unfit to practice pharmacy within the meaning of Section 4729.16 of the Ohio Revised Code, to wit: on or about July 8, 2004, Craig James Bryant was arrested for driving under the influence of drugs. Craig James Bryant failed field sobriety tests; Craig James Bryant indicated to the arresting officer that he was taking medication; and, Craig James Bryant indicated to the officer that he had just gotten out of drug rehab and that he had a substance abuse problem. Craig James Bryant was found to possess 12 tablets of hydrocodone w/acetaminophen, a Schedule III Controlled Substance, and 4 tablets of Soma, a dangerous drug. Craig James Bryant informed the transporting deputy that he had consumed 10 pills prior to being stopped. Craig James Bryant also told a Board Agent that he was currently enrolled in his second rehab treatment center for chemical dependency.
- (3) Craig James Bryant did, on or about July 8, 2004, knowingly possess a controlled substance when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Craig James Bryant possessed 12 tablets of hydrocodone w/acetaminophen, a Schedule III Controlled Substance, outside the confines of a pharmacy, without a valid prescription, and for his personal abuse. Such conduct is in violation of Section 2925.11 of the Ohio Revised Code.
- (4) Craig James Bryant did, on or about July 8, 2004, possess a dangerous drug when the conduct was not in accordance with Chapters 4729., and 4731. of the Ohio Revised Code, to wit: Craig James Bryant possessed 4 tablets of Soma outside the confines of a pharmacy, without a valid prescription, and for his personal abuse. Such conduct is in violation of Section 4729.51(C)(3) of the Ohio Revised Code.

#### CONCLUSIONS OF LAW

- (1) The State Board of Pharmacy concludes that paragraphs (3) and (4) of the Findings of Fact constitute being guilty of gross immorality as provided in Division (A)(1) of Section 4729.16 of the Ohio Revised Code.
- (2) The State Board of Pharmacy concludes that paragraphs (3) and (4) 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.

(3) 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)(3) of Section 4729.16 of the Ohio Revised Code.

#### DECISION 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 Craig James Bryant on August 2, 2004.

Pursuant to Section 4729.16 of the Ohio Revised Code, and after consideration of the record as a whole, the State Board of Pharmacy hereby suspends indefinitely the pharmacist identification card, No. 03-2-21372, held by Craig James Bryant and such suspension is effective as of the date of the mailing of this Order.

(A) Craig James Bryant, pursuant to Rule 4729-9-01(F) of the Ohio Administrative Code, may not be employed by or work in a facility licensed by the State Board of Pharmacy to possess or distribute dangerous drugs during such period of suspension.

(B) Craig James Bryant, pursuant to Section 4729.16(B) of the Ohio Revised Code, must return his 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.

Further, after one year from the effective date of this Order, the Board will consider any petition filed by Craig James Bryant for a hearing, pursuant to Ohio Revised Code Chapter 119., for reinstatement. The Board will only consider reinstatement of the license to practice pharmacy in Ohio if the following conditions have been met:

(A) Craig James Bryant must enter into a new contract, signed within thirty days after the effective date of this Order, with an Ohio Department of Alcohol and Drug Addiction Services (ODADAS) approved treatment provider or a treatment provider acceptable to the Board for a period of not less than five years and, upon signing, submit a copy of the contract to the Board office. The contract must provide that:

(1) Random, observed urine drug screens shall be conducted at least once each month.

(a) The urine sample must be given within twelve hours of notification. The urine drug screen must include testing for creatinine or specific gravity of the sample as the dilutional standard.

(b) Carisoprodol and hydrocodone must be included in the standard urine drug screen.

(c) Results of all drug screens must be negative. Refusal of a drug screen or a diluted drug screen is equivalent to a positive result. Any 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) Attendance is required, minimum of three times per week, at an Alcoholics Anonymous, Narcotics Anonymous, and/or similar support group meeting.

(3) The program shall immediately report to the Board any violations of the contract and/or lack of cooperation.

(B) Craig James Bryant must demonstrate satisfactory proof to the Board that he is no longer addicted to or abusing drugs or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy.

(C) Craig James Bryant must provide, at the reinstatement petition hearing, documentation of the following:

(1) Compliance with the contract required above (e.g.-proof of giving the sample within twelve hours of notification and copies of all drug screen reports, meeting attendance records, treatment program reports, etc.);

(2) Compliance with the continuing pharmacy education requirements set forth in Chapter 4729-7 of the Ohio Administrative Code as applicable and in effect on the date of petitioning the Board for reinstatement;

(3) Compliance with the terms of this Order.

(D) If reinstatement is not accomplished within three years of the effective date of this Order, Craig James Bryant must also show successful completion of the NAPLEX examination or an equivalent examination approved by the Board.

(E) Upon such time as the Board may consider reinstatement, Respondent will be afforded a Chapter 119. hearing. At such time, the Board may consider reinstatement with or without restrictions and/or conditions as the Board deems appropriate under the circumstances.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF PHARMACY (Aye-8/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 Ohio Revised Code authorizes an appeal from this Order. An order that denied admission to an examination, or denied the issuance or renewal of a license or registration, or revoked or suspended a license, may be appealed to the court of common pleas in the Ohio county of your place of business or in your Ohio county of residence. Any other order may be appealed to the Court of Common Pleas of 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 a copy with the appropriate court within fifteen (15) days after the mailing of this Order and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

**BY ORDER OF THE STATE BOARD OF PHARMACY**

ORDER MAILED & EFFECTIVE: MAILED JUNE 9, 2005



# OHIO STATE BOARD OF PHARMACY

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## SUMMARY SUSPENSION ORDER/NOTICE OF OPPORTUNITY FOR HEARING

August 2, 2004

**Craig James Bryant, R.Ph.**  
3844 Sanford Road  
Rootstown, Ohio 44272

Re: Ohio Registered Pharmacist  
Number 03-2-21372

Dear Mr. Bryant:

In accordance with Section 3719.121(A) of the Ohio Revised Code, the Board has determined that you are addicted to the use of controlled substances. Further, in accordance with Section 3719.121(B) of the Ohio Revised Code, the Board has determined that there is clear and convincing evidence that the continuation of your professional practice presents a danger of immediate and serious harm to others. The reasons for the Board's action are that you have committed any and/or all of the following acts:

- (1) Records of the Board of Pharmacy indicate that you were originally licensed in the State of Ohio on February 26, 1996, pursuant to examination, and are currently licensed to practice pharmacy in the State of Ohio. Records further reflect that you were previously disciplined by the Board on September 21, 1995.
- (2) You are impaired physically or mentally to such a degree as to render you unfit to practice pharmacy within the meaning of Section 4729.16 of the Ohio Revised Code, to wit: on or about July 8, 2004, you were arrested for driving under the influence of drugs. You failed field sobriety tests; you indicated to the arresting officer that you were taking medication; and, you indicated to the officer that you had just gotten out of drug rehab and that you had a substance abuse problem. You were found to possess 12 tablets of hydrocodone w/acetaminophen, a Schedule III Controlled Substance, and 4 tablets of Soma, a dangerous drug. You informed the transporting deputy that you had consumed 10 pills prior to being stopped. You also told a Board Agent that you were currently enrolled in your second rehab treatment center for chemical dependency.
- (3) You did, on or about July 8, 2004, knowingly possess a controlled substance when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: you possessed 12 tablets of hydrocodone

w/acetaminophen, a Schedule III Controlled Substance, outside the confines of a pharmacy, without a valid prescription, and for your personal abuse. Such conduct is in violation of Section 2925.11 of the Ohio Revised Code.

- (4) You did, on or about July 8, 2004, possess a dangerous drug when the conduct was not in accordance with Chapters 4729., and 4731. of the Ohio Revised Code, to wit: you possessed 4 tablets of Soma outside the confines of a pharmacy, without a valid prescription, and for your personal abuse. Such conduct is in violation of Section 4729.51(C)(3) of the Ohio Revised Code.

YOU ARE HEREBY NOTIFIED that Section 3719.121(A) of the Ohio Revised Code states, in pertinent part: "any ... pharmacist, ... who is or becomes addicted to the use of controlled substances, shall be suspended by the board that authorized the person's license, certificate, or registration..."

YOU ARE HEREBY NOTIFIED that Section 3719.121(B) of the Ohio Revised Code states, in pertinent part:

(B) If the board under which a person has been issued a license, . . . , . . . determines that there is clear and convincing evidence that continuation of the person's professional practice or method of prescribing or personally furnishing controlled substances presents a danger of immediate and serious harm to others, the board may suspend the person's license, . . . , . . . , without a prior hearing.

WHEREFORE, PURSUANT TO SECTIONS 3719.121(A) and (B) OF THE OHIO REVISED CODE, YOU ARE HEREBY NOTIFIED THAT YOUR REGISTRATION AND LICENSE TO PRACTICE PHARMACY IN THE STATE OF OHIO IS HEREBY SUSPENDED. FURTHER, PURSUANT TO RULE 4729-9-01(F) OF THE OHIO ADMINISTRATIVE CODE, DURING THIS TERM OF SUSPENSION YOU MAY NOT BE EMPLOYED BY OR WORK IN ANY FACILITY LICENSED BY THE BOARD OF PHARMACY TO POSSESS OR DISTRIBUTE DANGEROUS DRUGS. This suspension shall remain in effect until an adjudicatory hearing has been held pursuant to Chapter 119. of the Revised Code, and a final Order has been issued, during which time you may not engage in the practice of pharmacy.

YOU ARE FURTHER NOTIFIED that Section 4729.16 of the Ohio Revised Code states, in pertinent part:

(A) The State Board of Pharmacy, after notice and hearing in accordance with Chapter 119. of the Ohio Revised Code, may revoke, suspend, limit, place on probation, or refuse to grant or renew an identification card under this chapter, or may impose a monetary penalty or forfeiture not to exceed in severity any fine designated under the Ohio Revised Code for a similar offense, or in the case of a violation of a section of the Ohio Revised Code that does not bear a penalty, a monetary penalty or forfeiture of no more than five hundred dollars, if the Board finds a pharmacist or pharmacy intern:

- (1) Guilty of a felony or gross immorality;

(2) Guilty of dishonesty or unprofessional conduct in the practice of pharmacy;

(3) Addicted to or abusing liquor or drugs or impaired physically or mentally to such a degree as to render the pharmacist or pharmacy intern unfit to practice pharmacy;

(4) Has been convicted of a misdemeanor related to, or committed in, the practice of pharmacy;

(5) Guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of any of the provisions of this chapter, sections 3715.52 to 3715.72 or Chapter 2925. or 3719. of the Revised Code;

(6) Guilty of permitting anyone other than a pharmacist or pharmacy intern to practice pharmacy;

(7) Guilty of knowingly lending the pharmacist's or pharmacy intern's name to an illegal practitioner of pharmacy or having professional connection with an illegal practitioner of pharmacy;

(8) Guilty of dividing or agreeing to divide remuneration made in the practice of pharmacy with any other individual, including, but not limited to, any licensed health professional authorized to prescribe drugs or any owner, manager, or employee of a health care facility, residential care facility, or nursing home;

(9) Has violated the terms of a consult agreement entered into pursuant to section 4729.39 of the Revised Code;

(10) Has committed fraud, misrepresentation, or deception in applying for or securing a license or identification card issued by the board under this chapter or under Chapter 3715. or 3719. of the Revised Code.

IF YOU REQUEST A HEARING within 30 days of the time of the mailing of this notice, such will be afforded. Such request shall be mailed to the State Board of Pharmacy, 77 South High Street, Room 1702, Columbus, Ohio 43215-6126. You may appear at such hearing in person, by your attorney, or by such other representative as is permitted to practice before the agency, or you may present your position, arguments or contentions in writing; and, at this hearing, you may also present evidence and examine any witnesses appearing for and against you.

YOU ARE FURTHER ADVISED that if you do not request such a hearing within thirty (30) days of the mailing of this notice, the State Board of Pharmacy, upon consideration of the aforementioned allegations against you, may take action without such a hearing.

Division (B) of Section 4729.16 of the Revised Code provides in pertinent part that: "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.

BY ORDER OF THE STATE BOARD OF PHARMACY

# **ORDER OF THE STATE BOARD OF PHARMACY**

(Docket No. D-950829-012)

In The Matter Of:

**CRAIG JAMES BRYANT**

967 Home Cr.

Salem, Ohio 44460

(Registered Pharmacy Intern No. 06-0-02306)

## INTRODUCTION

THE MATTER OF CRAIG JAMES BRYANT CAME TO HEARING ON SEPTEMBER 21, 1995, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: PAUL F. LAMPING, R.Ph. (presiding); ROBERT B. CAVENDISH, R.Ph.; JOHN L. HANNA, 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.

CRAIG JAMES BRYANT WAS NOT REPRESENTED BY COUNSEL, AND THE STATE OF OHIO WAS REPRESENTED BY LAWRENCE D. PRATT, ASSISTANT ATTORNEY GENERAL.

## SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) Craig James Bryant, Respondent

Respondent's Witnesses:

- (1) None

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1--Notice of Opportunity for Hearing letter dated August 29, 1995.  
(2) Exhibit 1A--Hearing Request letter dated September 1, 1995.  
(3) Exhibit 1B--Hearing Schedule letter dated September 5, 1995.  
(4) Exhibit 2--Application for Pharmacy Intern Registration of Craig James Bryant signed and notarized on July 7, 1993, with attached Certificate of Acceptance of Craig Bryant dated June 14, 1993, and transcript of grades of Craig James Bryant from the Ohio State University dated June 24, 1993.  
(5) Exhibit 3

Respondent's Exhibits:

- (1) Exhibit A

- (2) Exhibit B
- (3) Exhibit C
- (4) Exhibit D

#### 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 Craig James Bryant is registered to practice pharmacy as an intern in the state of Ohio. On or about August 7, 1995, Craig James Bryant submitted an Application for Examination as a Pharmacist; and on August 29, 1995, the Board proposed to deny the application.
- (2)
- (3)

#### CONCLUSION OF LAW

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraph (2) of the Findings of Fact constitutes being guilty of dishonesty as provided in Division (A)(2) of Section 4729.16 of the Ohio Revised Code.

#### ACTION OF THE BOARD

The State Board of Pharmacy hereby approves the Application for Examination as a Pharmacist submitted by Craig James Bryant; however, Craig James Bryant must submit a new application prior to December 22, 1995, to be eligible to sit for the examination in January, 1996. There will be no additional exam application fee.

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

MOTION CARRIED.

SO ORDERED.