



OHIO STATE BOARD OF PHARMACY

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SETTLEMENT AGREEMENT WITH THE STATE BOARD OF PHARMACY

(Docket No. D-090213-101)

In The Matter Of:

REBECCA MORRIS, R.Ph.

12354 Foreigner Road

Morres Hill, Indiana 47032-2393

(R.Ph. No. 03-2-21587)

This Settlement Agreement is entered into by and between Rebecca Morris 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.

Rebecca Morris voluntarily 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, the right to a formal adjudication hearing on the issues contained herein, and the right to appeal. Rebecca Morris acknowledges that by entering into this agreement she has waived her rights under Chapter 119. of the Revised Code.

Whereas, the Board 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 enforce a monetary penalty on the license holder for violation of any of the enumerated grounds therein.

Whereas, Rebecca Morris is licensed to practice pharmacy in the State of Ohio.

Whereas, on or about February 13, 2009, pursuant to Chapter 119. of the Ohio Revised Code, Rebecca Morris was notified of the allegations or charges against her, her right to a hearing, her rights in such hearing, and her right to submit contentions in writing. Rebecca Morris accepted this offer for settlement rather than a hearing. The February 13, 2009, Notice of Opportunity for Hearing contains the following allegations or charges:

- (1) Records of the State Board of Pharmacy indicate that Rebecca Morris was originally licensed in the State of Ohio on March 5, 1996, pursuant to reciprocity, and is currently licensed to practice pharmacy in the State of Ohio.
- (2) Rebecca Morris did, on or about or prior to May 15, 2008, fail to obtain and/or fail to submit to the Board evidence of approved continuing education, to wit: when audited, it was determined that Rebecca Morris was short 0.1 Continuing Education Unit (C.E.U.) of Board approved Jurisprudence. In addition, Rebecca Morris was short 0.15 Continuing Education Units (C.E.U.s) of Board approved continuing education. Also, Rebecca Morris submitted 2.2 C.E.U.s of Board approved

continuing education after Rebecca Morris signed her Continuing Pharmacy Education Reporting Form on April 20, 2008. Such conduct is in violation of Rule 4729-7-02 of the Ohio Administrative Code, and if proven constitutes being guilty of unprofessional conduct and/or willfully violating a rule of the Board within the meaning of Section 4729.16 of the Ohio Revised Code.

- (3) Rebecca Morris did, on or about April 20, 2008, knowingly make a false statement with purpose to secure the issuance of a license or registration, to wit: Rebecca Morris indicated on her pharmacist continuing education submission form that she had completed 6.0 Continuing Education Units (C.E.U.s), at least 0.3 C.E.U.s of which were in Board-approved jurisprudence, when in fact Rebecca Morris only submitted 3.55 documented C.E.U.s as shown by the audit. Such conduct is in violation of Section 2921.13 of the Ohio Revised Code, and if proven constitutes being guilty of gross immorality and/or guilty of dishonesty or unprofessional conduct in the practice of pharmacy within the meaning of Section 4729.16 of the Ohio Revised Code.

Rebecca Morris admits the allegations stated in the Notice of Opportunity for Hearing letter dated February 13, 2009; further, the Board has evidence sufficient to sustain the allegations and hereby adjudicates the same.

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

(A) Rebecca Morris herewith submits a monetary penalty of Two Hundred Fifty Dollars (\$250.00).

(B) Rebecca Morris will submit additional documentation to show compliance with continuing education requirements prior to September 15, 2009, else Rebecca Morris' license to practice pharmacy will not be renewed pursuant to the provisions of Section 4729.12 of the Ohio Revised Code.

If, in the judgment of the Board, Rebecca Morris appears to have violated or breached any terms or conditions of this Agreement, the Ohio State Board of Pharmacy reserves the right to, at any time, revoke the Agreement and may 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.

Rebecca Morris 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.

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

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 the Board President's signature below.

Rebecca Morris, Respondent

03/05/2009
Date of Signature

Nathan S. Lipsyc, President, Ohio State Board of Pharmacy

04/06/2009
Date of Signature

By Tracy M. Greuel, Assistant Attorney General
Sally Ann Steuk, Ohio Assistant Attorney General

04/06/2009
Date of Signature