



OHIO STATE BOARD OF PHARMACY

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-Equal Opportunity Employer and Service Provider-

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SETTLEMENT AGREEMENT WITH THE STATE BOARD OF PHARMACY

(Docket No. D-090114-046)

In The Matter Of:

YASHVANTHI SANTOSH KOTIAN, R.PH.

7766 Bayshore Drive

Mason, Ohio 45040

(R.Ph. No. 03-2-23006)

This Settlement Agreement is entered into by and between Yashvanti Santosh Kotian 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.

Yashvanti Santosh Kotian 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. Yashvanti Santosh Kotian acknowledges that by entering into this agreement she has waived his 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, Yashvanti Santosh Kotian is licensed to practice pharmacy in the State of Ohio.

Whereas, on or about December 18, 2008, pursuant to Chapter 119. of the Ohio Revised Code, Yashvanti Santosh Kotian 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. Yashvanti Santosh Kotian accepted this offer for settlement rather than a hearing. The December 18, 2008, Notice of Opportunity for Hearing contains the following allegations or charges:

- (1) Records of the State Board of Pharmacy indicate that Yashvanti Santosh Kotian was originally licensed in the State of Ohio on July 21, 1998, pursuant to examination, and is currently licensed to practice pharmacy in the State of Ohio.
- (2) Yashvanti Santosh Kotian 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 Yashvanti Santosh Kotian submitted 0.3 Continuing Education Units (C.E.U.s) of Jurisprudence that were not Board approved. 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

Ohio Revised Code.

Yashvanthi Santosh Kotian admits the allegations stated in the Notice of Opportunity for Hearing letter dated December 18, 2008; 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, Yashvanthi Santosh Kotian knowingly and voluntarily agrees with the State Board of Pharmacy to the following:

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

(B) Yashvanthi Santosh Kotian will submit additional documentation to show compliance with continuing education requirements prior to September 15, 2009, else Yashvanthi Santosh Kotian's 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, Yashvanthi Santosh Kotian 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.

Yashvanthi Santosh Kotian 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.

Yashvanthi Santosh Kotian 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. Yashvanthi Santosh Kotian 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.

Yashvanthi Santosh Kotian, Respondent

01/21/2009

Date of Signature

Attorney for Yashvanthi Santosh Kotian (if Applicable)

Date of Signature

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

02/02/2009

Date of Signature

Sally Ann Steuk, Ohio Assistant Attorney General

01/29/2009

Date of Signature