



OHIO STATE BOARD OF PHARMACY

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

-Equal Opportunity Employer and Service Provider-

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SETTLEMENT AGREEMENT WITH THE STATE BOARD OF PHARMACY

(Docket No. D-050901-023)

In The Matter Of:

HEATHER ANN MORAN, R.Ph.
50 Country Manor Lane, Apt. E
Centerville, Ohio 45459
(R.Ph. No. 03-2-25046)

This Settlement Agreement is entered into by and between Heather Ann Moran 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.

Heather Ann Moran 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. Heather Ann Moran 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, Heather Ann Moran is licensed to practice pharmacy in the State of Ohio.

Whereas, on or about September 1, 2005, pursuant to Chapter 119. of the Ohio Revised Code, Heather Ann Moran 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. Heather Ann Moran requested a hearing. The September 1, 2005, Notice of Opportunity for Hearing contains the following allegations or charges:

- (1) Records of the State Board of Pharmacy indicate that Heather Ann Moran was originally licensed by the State of Ohio on February 26, 2002, pursuant to examination, and is currently licensed to practice pharmacy in Ohio.
- (2) Heather Ann Moran did, on or about July 9, 2004, knowingly use a controlled substance when the conduct was not in accordance with Chapters 3719. and 4729. of the Ohio Revised Code, to wit: Heather Ann Moran used 5 Xanax tablets that had been prescribed for her then-husband because she wanted to try them and see the effects. Heather Ann Moran did not have a legitimate medical purpose for the medication. Such conduct is in violation of Section 2925.11 of the Ohio Revised Code.

(3) Heather Ann Moran did, from July, 2003, through July, 2004, possess a dangerous drug when the conduct was not in accordance with Chapter 4729. of the Ohio Revised Code, to wit: Heather Ann Moran possessed and used methcarbamol when the drug had not been prescribed for her. Such conduct is in violation of Section 4729.51(C)(3) of the Ohio Revised Code.

Heather Ann Moran neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated September 1, 2005; however, 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, Heather Ann Moran knowingly and voluntarily agrees with the State Board of Pharmacy to the following:

Heather Ann Moran agrees to the imposition of a monetary penalty of two hundred fifty dollars (\$250.00), due and owing within thirty (30) days from the effective date of this Agreement. Checks 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 43215-6126.

Heather Ann Moran 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.

Heather Ann Moran 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. Heather Ann Moran 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.

_____ Heather Ann Moran,, R.Ph., Respondent	/d/ 02/28/06 _____ Date of Signature
_____ Daniel D. Connor, Attorney for Respondent	/d/ 03/01/06 _____ Date of Signature
_____ Suzanne R. Eastman, President Ohio State Board of Pharmacy	/d/ 03/06/06 _____ Date of Signature
_____ Sally Ann Steuk Ohio Assistant Attorney General	/d/ 03/06/06 _____ Date of Signature