

ORDER OF THE STATE BOARD OF PHARMACY
(Docket No. D-990506-045)

In The Matter Of:

RONALD DEAN SHIMKO
1063 East Avenue
Tallmadge, Ohio 44728
(D.O.B. 07/23/1970)

INTRODUCTION

THE MATTER OF RONALD DEAN SHIMKO CAME TO HEARING ON JUNE 16, 1999, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: JOSEPH J. MASLAK, R.Ph. (presiding); ANN D. ABELE, R.Ph.; DIANE C. ADELMAN, R.Ph.; ROBERT B. CAVENDISH, R.Ph.; AMONTE B. LITTLEJOHN, R.Ph.; SUZANNE L. NEUBER, R.Ph.; RUTH A. PLANT, R.Ph.; AND NICHOLAS R. REPKE, PUBLIC MEMBER.

RONALD DEAN SHIMKO WAS REPRESENTED BY GREGORY T. PLESICH, AND THE STATE OF OHIO WAS REPRESENTED BY SALLY ANN STEUK, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) Thomas Miksch, Ohio State Board of Pharmacy

Respondent's Witnesses:

- (1) Ronald Shimko, Father of Respondent
- (2) Bonnie Gray
- (3) Ronald Dean Shimko, Respondent

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1--Copy of three-page Notice of Opportunity for Hearing letter dated May 6, 1999.
- (2) Exhibit 1A--Hearing Request letter dated May 17, 1999.
- (3) Exhibit 1B--Copy of Hearing Schedule letter dated May 20, 1999.
- (4) Exhibit 1C
- (5) Exhibit 2
- (6) Exhibit 2A
- (7) Exhibit 3
- (8) Exhibit 4
- (9) Exhibit 5
- (10) Exhibit 6

Respondent's Exhibits:

- (1) Exhibit A--Copy of two-page University of Akron Academic Record of Ronald D. Shimko dated May 21, 1999.
- (2) Exhibit B--Copy of Unofficial Undergraduate Academic Record of Ronald Dean Shimko dated May 20, 1999.
- (3) Exhibit C--Copy of letter from Bradley James Engle dated January 4, 1998.
- (4) Exhibit D--Copy of letter from John E. Mills dated May 20, 1999.
- (5) Exhibit E--Copy of letter from Carolyn L. Kaster dated June 1, 1999.
- (6) Exhibit F--Copy of letter from Joseph M. Millin dated January 1, 1999.
- (7) Exhibit G--Copy of letter from James A. Engle dated June 1, 1999.

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 Ronald Dean Shimko applied to the Board for registration as an intern in the state of Ohio on March 3, 1999.
- (2)
- (3)
- (4)
- (5)
- (6)

CONCLUSION OF LAW

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (2) through (6) of the Findings of Fact constitute not being of good moral character and habits as provided in paragraph (C) of Rule 4729-5-04 of the Ohio Administrative Code.

ACTION OF THE BOARD

Pursuant to Section 4729.11 of the Ohio Revised Code, and the Findings of Fact and Conclusion of Law set forth above, the State Board of Pharmacy hereby approves the Application for Pharmacy Intern Registration submitted by Ronald Dean Shimko.

Pursuant to Section 4729.16 of the Ohio Revised Code, and the Findings of Fact and Conclusion of Law set forth above, the State Board of Pharmacy hereby suspends indefinitely the intern identification card to be issued to Ronald Dean Shimko.

(A) The State Board of Pharmacy stays the indefinite suspension and places on probation the intern license of Ronald Dean Shimko for three years. The terms of probation are as follows:

(1) Ronald Dean Shimko must obtain a full psychiatric or psychological evaluation, by a licensed psychiatrist or psychologist, that includes a recommended treatment plan.

(a) The psychiatrist or psychologist must provide an initial status report to the Board within ninety days of the issuance of this Order.

(b) Ronald Dean Shimko must seek counseling and abide by the treatment plan as designed by the psychiatrist or psychologist until such time that the psychiatrist or psychologist releases him from treatment. The psychiatrist or psychologist must submit quarterly reports that document Mr. Shimko's compliance with the treatment plan and his progress for the duration of treatment.

(2) Ronald Dean Shimko must not violate the drug laws of the state of Ohio, any other state, or the federal government.

(3) Ronald Dean Shimko must abide by the rules of the Ohio State Board of Pharmacy.

(4) Ronald Dean Shimko must comply with the terms of this Order.

(B) Ronald Dean Shimko is hereby advised that the Board may at any time revoke probation for cause, modify the conditions of probation, and reduce or extend the period of probation. At any time during this period of probation, the Board may revoke probation for a violation occurring during the probation period.

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

MOTION CARRIED.

SO ORDERED.

ORDER EFFECTIVE JUNE 18, 1999