

SETTLEMENT AGREEMENT WITH THE STATE BOARD OF PHARMACY
(Docket No. D-010615-077)

In The Matter Of:

ANTHONY AJEGBA
1006 South Bryne Road
Apartment 31
Toledo, Ohio 43609
(Intern No. 06-0-02011)

This Settlement Agreement is entered into by and between Anthony Ajegba 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.

Anthony Ajegba enters into this Agreement being fully informed of his rights afforded under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudication hearing on the issues contained herein.

Anthony Ajegba is knowingly and voluntarily acknowledging that, in order to settle the disciplinary charges that have been filed by the Board against him and in order to obviate the need to conduct an administrative hearing to consider possible disciplinary sanctions against Anthony Ajegba's pharmacy intern license in the State of Ohio, this Agreement is entered into on the basis of the following stipulations, admissions, and understandings:

- (A) The Ohio State Board of Pharmacy 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 impose a monetary penalty on the license holder for violation of any of the enumerated grounds.
- (B) Anthony Ajegba neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated June 15, 2001; however, the Board has evidence sufficient to sustain the allegations and hereby adjudicates the same:
 - (1) Records of the Board of Pharmacy indicate that you were originally licensed as an Intern in the State of Ohio on June 21, 1999.
 - (2) You did, on or about December 1, 2000, misbrand and/or sell a misbranded drug, to wit: when the prescribing physician caused telephone prescription number 267088 to be issued for "Rondec DM, ½ dropper full, 3 times per day," you dispensed the drug with a label indicating directions as "take 1 and ½ droppers full three times a day." The patient, a seven-month old child, was administered one dose at bedtime. Such conduct is in violation of Section 3715.52 of the Ohio Revised Code, and if proven constitutes being guilty of unprofessional conduct in the practice of pharmacy within the meaning of Section 4729.16 of the Ohio Revised Code.

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

- (A) Pursuant to Sections 4729.16 and 4729.25(B), Anthony Ajegba is hereby reprimanded for the aforementioned violations of rules and/or laws.
- (B) Anthony Ajegba agrees to attend 2.0 hours of continuing education within two months of the effective date of this agreement for kinetic principles and dosing of pediatric medications, including cough and cold prescriptions.
- (C) Anthony Ajegba agrees that the kinetic principles continuing education will be prepared and presented by the faculty of the Pharmacy Practice Division of The Ohio State University College of Pharmacy and will be accredited through the Ohio State Board of Pharmacy.

Anthony Ajegba acknowledges that he 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.

Anthony Ajegba waives any and all claims or causes of action he 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. Anthony Ajegba 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.

SIGNED AND EFFECTIVE APRIL 8, 2002