

THE STATE BOARD OF PHARMACY

VS

BENTON J. BERNSTECKER

THE MATTER OF THE STATE BOARD OF PHARMACY VERSUS BENTON J. BERNSTECKER, DOCKET 6-26-3, WAS HEARD PURSUANT TO CHAPTERS 4729. AND 119., REVISED CODE. AFTER CONSIDERATION OF THE EVIDENCE ADDUCED, MOTION WAS MADE AND RECORDED THE FOLLOWING ORDER BE ADOPTED:

ORDER

1. THE STATE BOARD OF PHARMACY FINDS BENTON J. BERNSTECKER DID VIOLATE SECTION 4729.16(A), OHIO REVISED CODE, IN THAT ON APRIL 5, 1978 HE WAS FOUND GUILTY OF A FELONY BY THE FRANKLIN COUNTY COURT OF COMMON PLEAS, COLUMBUS, OHIO, TO WIT: THEFT, A VIOLATION OF SECTION 2913.02, REVISED CODE.
2. THE STATE BOARD OF PHARMACY FINDS UNDER SECTION 4729.16, REVISED CODE:
"THE STATE BOARD OF PHARMACY, AFTER NOTICE AND HEARING IN ACCORDANCE WITH SECTIONS 119.01 TO 119.13 OF THE REVISED CODE, MAY REVOKE, SUSPEND OR REFUSE TO GRANT AN IDENTIFICATION CARD OR RENEWAL IDENTIFICATION CARD UNDER THIS CHAPTER, OR MAY IMPOSE A MONETARY PENALTY OR FORFEITURE NOT TO EXCEED IN SEVERITY ANY FINE DESIGNATED UNDER THE REVISED CODE FOR A SIMILAR OFFENSE, IF A MAJORITY OF THE MEMBERS OF THE BOARD FINDS A PHARMACIST:
(a) GUILTY OF A FELONY."
3. THE STATE BOARD OF PHARMACY HEREBY SUSPENDS THE IDENTIFICATION CARD OF BENTON J. BERNSTECKER FOR A PERIOD OF TWO (2) YEARS EFFECTIVE AUGUST 1, 1978 AND FINES HIM \$500.00 DOLLARS. FURTHER THE BOARD SUSPENDS THE TWO (2) YEAR SUSPENSION ON CONDITION THAT MR. BERNSTECKER ABIDE BY THE TERMS OF PROBATION SET BY THE BOARD FOR THE TWO YEAR PERIOD. THESE TERMS PROVIDE THAT MR. BERNSTECKER SHALL NOT VIOLATE ANY DRUG LAWS OF THE STATE OF OHIO AND ABIDES BY THE REGULATIONS OF THE OHIO STATE BOARD OF PHARMACY.

THIS ORDER WAS APPROVED BY A ROLL CALL VOTE OF THE STATE BOARD OF PHARMACY.

MOTION CARRIED.

SO ORDERED.