

THE STATE BOARD OF PHARMACY

VS

ROBERT FRANK PORTMANN, R.Ph.

THE MATTER OF ROBERT FRANK PORTMANN, DOCKET NO. 6-111-3, CAME ON FOR CONSIDERATION BY THE STATE BOARD OF PHARMACY ON THURSDAY, MAY 23, 1985. MOTIONS WERE MADE AND RECORDED THE FOLLOWING ORDER BE ADOPTED:

ORDERFindings Of Fact

- (1) On April 8, 1985, Robert Frank Portmann, R.Ph. No. 03-3-04807, was notified by letter of his right to a hearing, his rights in such hearing, and his right to submit his contentions in writing.
- (2) As demonstrated by return receipt of April 10, 1985, Robert Frank Portmann received the letter of April 8, 1985 informing him of the allegations regarding the late renewal of his pharmacist identification card, his continual practice without a current identification card, and his rights.
- (3) On April 17, 1985, the Board received a letter setting forth his position in writing.

Conclusions Of Law

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that Robert Frank Portmann did fail to renew his identification card to practice pharmacy in Ohio, as required by Section 4729.12 of the Revised Code, more than one time.
- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that Robert Frank Portmann did willfully dispense and sell dangerous drugs during the lapsed dates of his pharmacist license, in violation of the provisions of Section 4729.28 of the Revised Code.

Pursuant to Section 4729.16 of the Ohio Revised Code, and the foregoing Findings Of Fact and Conclusions Of Law set forth above, the State Board of Pharmacy hereby takes the following actions concerning the registered pharmacist license of Robert Frank Portmann:

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(A) On the basis of paragraphs (1) and (2) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby imposes a monetary penalty of one thousand dollars (\$1,000).

(B) Further, the Board suspends five hundred dollars (\$500) of the one thousand dollar monetary penalty on condition that Robert Frank Portmann abides by the terms of probation set by the Board. The terms provide that Robert Frank Portmann:

(1) does not violate any drug laws of the state of Ohio, any other state, or the federal government; and

(2) abides by the rules of the State Board of Pharmacy.

The five hundred dollar monetary penalty that was not suspended in paragraph (B) above is due and owing within thirty (30) days of the issuance of this Order. Said monetary penalty should be made payable to the "Treasurer, State of Ohio" and mailed to the State Board of Pharmacy, 65 S. Front Street, Room 504, Columbus, Ohio 43266-0320, with the enclosed form.

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

MOTION CARRIED.

SO ORDERED.

THE STATE BOARD OF PHARMACY

vs

ROBERT F. PORTMANN

THE MATTER OF THE STATE BOARD OF PHARMACY VERSUS ROBERT F. PORTMANN, DOCKET 6-6-1, WAS HEARD PURSUANT TO CHAPTER 119., OHIO REVISED CODE. AFTER CONSIDERATION OF THE EVIDENCE ADDUCED AT THE HEARING, MOTION WAS MADE AND RECORDED THE FOLLOWING ORDER BE ADOPTED:

ORDER

1. THE STATE BOARD OF PHARMACY FINDS ROBERT F. PORTMANN HAS NOT PROVIDED EVIDENCE HE HAS CONTINUED HIS PHARMACY EDUCATION IN ACCORDANCE WITH SECTION 4729.12, OHIO REVISED CODE, AND REGULATION PH-13-07.
2. THE BOARD REFUSES TO GRANT A PHARMACIST RENEWAL IDENTIFICATION CARD TO ROBERT F. PORTMANN.

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

MOTION CARRIED.

SO ORDERED.