



OHIO STATE BOARD OF PHARMACY

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THE STATE BOARD OF PHARMACY
(Docket No. D-890221-101)

In The Matter Of:

MARY ANN PERRY, R.Ph.
P.O. Box 473
New Port, New Hampshire 03773
(R.Ph. No. 03-3-06886)

THE MATTER OF MARY ANN PERRY CAME ON FOR CONSIDERATION BY THE STATE BOARD OF PHARMACY ON OCTOBER 25, 1989 AS A RESULT OF THE REPORT AND RECOMMENDATION SUBMITTED TO THE BOARD BY HEARING OFFICER AND BOARD MEMBER GERALD CLOUSE. FOLLOWING CONSIDERATION OF THE REPORT AND RECOMMENDATION, THE TRANSCRIPT OF THE HEARING, AND EVIDENCE ADDUCED AT THE HEARING, MOTIONS WERE MADE AND RECORDED THE FOLLOWING ORDER BE ADOPTED:

ORDER

State's Exhibits

- (1) Exhibit A - Notice of Opportunity letter dated February 21, 1989.
- (2) Exhibit B - Hearing Schedule letter dated August 3, 1989.
- (3) Exhibit 1 - Application For Renewal Of Identification Card Which Has Been Lapsed For More Than Three Years for Mary Ann Perry.
- (4) Exhibit 2 - Continuing Pharmacy Education Report Form for Mary Ann Cecilia Perry signed on 1-14-89.
- (5) Exhibit 3 - Report of Continuing Education for M A Perry dated 12-8-86; Report of Continuing Education for Mary Ann Perry dated 12/13/87.
- (6) Exhibit 4 - Resume for Mary Ann Perry received on February 7, 1989.

Findings Of Fact

The State Board of Pharmacy hereby agrees with and adopts the Findings Of Fact set forth in the Report and Recommendation of Hearing Officer and Board Member Gerald Clouse, as follows:

- (1) The State Board of Pharmacy finds that Mary Ann Perry, on February 21, 1989, was notified by letter of her right to a hearing, her rights in such hearing, and her right to submit her contentions in writing.

- (2) The State Board of Pharmacy finds that Mary Ann Perry, as demonstrated by return receipt of March 6, 1989, received the letter of February 21, 1989 informing her of the allegations regarding her continuing pharmacy education submitted for renewal, and her rights.
- (3) The State Board of Pharmacy finds that Mary Ann Perry has not responded in any manner to the letter of February 21, 1989, and has not requested a hearing in this matter.
- (4) The State Board of Pharmacy finds that Mary Ann Perry has not continued her pharmacy education in accordance with Chapter 4729-7 of the Ohio Administrative Code.
- (5) The State Board of Pharmacy finds that Mary Ann Perry has not submitted the required 4.5 CEUs needed for renewal of her pharmacist license.
- (6) The State Board of Pharmacy finds that Mary Ann Perry has not continually practiced pharmacy since her lapse.

Conclusion Of Law

The State Board of Pharmacy hereby agrees with and adopts the Conclusion Of Law set forth in the Report and Recommendation of Hearing Officer and Board Member Gerald Clouse, as follows:

- (1) The State Board of Pharmacy concludes that the conduct set forth in paragraphs (4) through (6) of the Findings Of Fact constitutes failure to meet the requirements for a renewal identification card as set forth in Sections 4729.12 and 4729.13 of the Ohio Revised Code.

Action Of The Board

Pursuant to Sections 4729.12 and 4729.13 of the Ohio Revised Code, the State Board of Pharmacy hereby denies the renewal application for an identification card submitted by Mary Ann Perry.

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

MOTION CARRIED.

SO ORDERED.

It is hereby certified by this Board that the above language is a copy of the Order entered upon its journal in this case.

Section 119.12 of the Revised Code authorizes an appeal from this Order. Such an appeal may be taken to the court of common pleas in the county in which your place of business is located or to said court of the county in which you reside. If you do not have a place of business in Ohio and are not a resident of Ohio, you may appeal to the Court of Common Pleas in Franklin County, Ohio.

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Order of the Board

Such an appeal, setting forth the order appealed from and the grounds of the appeal, must be commenced by the filing of a Notice of Appeal with the State Board of Pharmacy and the appropriate court within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Revised Code.

BY ORDER OF THE STATE BOARD OF PHARMACY

CERTIFIED MAIL
Return Receipt
#P-417-664-089

ORDER MAILED: DECEMBER 18, 1989

FZW/pw

By 
Franklin Z. Wickham, Executive Director

cc: Steve Dlott, Assistant Attorney General