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STATE BOARD OF PHARMACY  
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THE STATE BOARD OF PHARMACY

VS

WILLIAM CRAWFORD, R.Ph.

THE MATTER OF WILLIAM CRAWFORD, DOCKET NO. 6-156-3, WAS HEARD PURSUANT TO CHAPTERS 119. AND 4729. OF THE REVISED CODE ON TUESDAY, APRIL 22, 1986. AFTER CONSIDERATION OF THE EVIDENCE ADDUCED, MOTIONS WERE MADE AND RECORDED THAT THE FOLLOWING ORDER BE ADOPTED:

ORDER

Findings Of Fact

- (1) From the evidence presented, the State Board of Pharmacy finds that William Crawford, as the responsible pharmacist pursuant to Section 4729.55 of the Revised Code and the pharmacist in full and actual charge of Crawford's Blue Ash Pharmacy pursuant to Ohio Revised Code Section 4729.27, is responsible for compliance with all state and federal laws regulating the distribution of drugs and the practice of pharmacy.
- (2) From the evidence presented, the State Board of Pharmacy finds that Crawford's Blue Ash Pharmacy, between the dates of April 19, 1984 and October 9, 1984, did receive in commerce misbranded drugs, hold and offer for sale, and sell misbranded drugs, to wit: misbranded drugs were purchased on at least six occasions from Tri-State Pharmaceutical, 625 N. Wayne Street, Cincinnati, Ohio, in plastic prescription vials and were dispensed to patients pursuant to written or oral prescriptions. Such conduct is in violation of Ohio Revised Code Section 3715.64(A), and is prohibited by Section 3715.52 of the Revised Code.
- (3) From the evidence presented, the State Board of Pharmacy finds that Crawford's Blue Ash Pharmacy, on or about October 30, 1985, did receive in commerce misbranded drugs, and hold and offer for sale misbranded drugs, to wit: three misbranded drugs were purchased from Tri-State Pharmaceutical, 625 N. Wayne Avenue, Cincinnati, Ohio, in plastic prescription vials to be dispensed to patients pursuant to written or oral prescriptions. Such conduct is in violation of Ohio Revised Code Section 3715.64(A), and is prohibited by Section 3715.52 of the Revised Code.

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- (4) From the evidence presented, the State Board of Pharmacy finds that Crawford's Blue Ash Pharmacy, on or about October 30, 1985, did hold and offer for sale misbranded drugs, to wit: 61 misbranded drugs were purchased from unknown sources to be dispensed to patients pursuant to written or oral prescriptions. Such conduct is in violation of Ohio Revised Code Section 3715.64(A), and is prohibited by Section 3715.52 of the Revised Code.
- (5) From the evidence presented, the State Board of Pharmacy finds that Crawford's Blue Ash Pharmacy, on or about October 30, 1985, did hold and offer for sale misbranded drugs, to wit: two drugs were purchased from unknown sources to be dispensed to patients pursuant to written or oral prescriptions. These drugs were misbranded; in that, they were labeled as "samples" and, therefore, were false and misleading when sold at retail. Such conduct is in violation of Ohio Revised Code Sections 3715.64(A) and 3719.81, and is prohibited by Sections 3715.52 and 2925.36 of the Ohio Revised Code.

Conclusions Of Law

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (2) through (5) of the Findings Of Fact constitutes gross immorality.
- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (2) through (5) of the Findings Of Fact constitutes dishonesty in the practice of pharmacy.
- (3) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (2) through (5) of the Findings Of Fact constitutes violations of the provisions of Chapters 2925., 3715., and 3719. of the Revised Code.

Pursuant to Section 4729.16 of the Ohio Revised Code, and the foregoing Findings Of Fact and Conclusions Of Law, the State Board of Pharmacy takes the following actions concerning the pharmacist license held by William Crawford, No. 03-3-08184:

(A) On the basis of paragraphs (1) and (2) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby suspends the pharmacist identification card held by William Crawford for 24 months, effective July 1, 1986.

(B) On the basis of paragraph (3) of the Conclusions Of Law set forth above, the State Board of Pharmacy imposes a monetary penalty of nineteen thousand dollars (\$19,000.00).

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(C) Further, the Board suspends 21 months of the 24-month suspension imposed in paragraph (A) above, and fourteen thousand dollars (\$14,000.00) of the monetary penalty, on condition that William Crawford:

- (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 thousand dollar (\$5,000.00) monetary penalty that was not suspended in paragraph (C) 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.

Division (B) of Section 4729.16 of the Revised Code provides in pertinent part that: "Any individual whose identification card is ..., suspended, ..., shall return his identification card and certificate of registration to the offices of the state board of pharmacy within ten days ... (of the effective date) of such action." The certificate and identification card should be forwarded by certified mail, return receipt requested.

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

MOTION CARRIED.

SO ORDERED.