



OHIO STATE BOARD OF PHARMACY

77 S. High Street, 17th Floor
Columbus, Ohio 43266-0320
Telephone: 614/466-4143

THE STATE BOARD OF PHARMACY
(Docket No. D-881216-072)

In The Matter Of:

DALE K. KEGLEY, R.Ph.
P.O. Box 5207
Deltona, Florida 32728

THE MATTER OF DALE K. KEGLEY CAME ON FOR CONSIDERATION BY THE STATE BOARD OF PHARMACY ON THURSDAY, APRIL 6, 1989 AS A RESULT OF THE REPORT AND RECOMMENDATION SUBMITTED TO THE BOARD BY HEARING OFFICER AND BOARD MEMBER BETTY NICHOL. 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 - Pharmacist Audit Letter dated October 28, 1988.
- (2) Exhibit B - Pharmacist Dale K. Kegley's Continuing Education Report Form for renewal 1988.
- (3) Exhibit C - Pharmacist Audit Ten-Day Letter dated November 18, 1988.
- (4) Exhibit D - Notice of Opportunity letter dated December 16, 1988.
- (5) Exhibit E - Request for Hearing letter dated December 20, 1988.
- (6) Exhibit F - Hearing Schedule letter dated January 6, 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 Betty Nichol, as follows:

- (1) The State Board of Pharmacy finds that Dale K. Kegley, on or about July 1, 1988, submitted a continuing pharmacy education report form providing evidence of 4.5 CEUs of continuing pharmacy education with his application for renewal of his pharmacist identification card.
- (2) The State Board of Pharmacy finds that Dale K. Kegley has not submitted the required proof of continuing pharmacy education as reported on his continuing pharmacy education report form for renewal of his pharmacist identification card.

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 Betty Nichol, as follows:

- (1) The State Board of Pharmacy concludes that paragraphs (1) and (2) of the Findings Of Fact constitutes dishonesty and unprofessional conduct in the practice of pharmacy.

Action Of The Board

The State Board of Pharmacy hereby agrees with and adopts the recommendation for action set forth in the Report and Recommendation of Hearing Officer and Board Member Betty Nichol. Therefore, pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy hereby takes the following actions concerning the pharmacist license held by Dale K. Kegley:

(A) On the basis of the Conclusion Of Law set forth above, the State Board of Pharmacy hereby suspends the pharmacist identification card held by Dale K. Kegley for six months and imposes a monetary penalty of one hundred dollars (\$100.00) due and owing within thirty (30) days of the issuance of this Order. The monetary penalty should be made payable to the "Treasurer, State of Ohio" and mailed to the State Board of Pharmacy, 77 S. High Street, 17th Floor, Columbus, Ohio 43266-0320, with the enclosed form.

(B) Further, the Board will suspend the suspension on the condition that Dale K. Kegley submit a certificate(s) for 0.1 CEU or more of approved continuing pharmacy education, and submit a new Continuing Pharmacy Education Report Form using the statement of having met the Florida continuing pharmacy education requirements and provide verification from the Florida Board of Pharmacy of this on a form provided by the Ohio Board of Pharmacy.

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.

DALE K. KEGLEY, R.Ph.
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Order of the Board

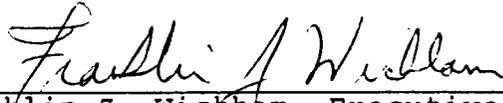
Such an appeal, setting forth the order appealed from and the grounds of the appeal, must be commenced by the filing of a Notice of Appeal with the State Board of Pharmacy and the appropriate court within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section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

BY ORDER OF THE STATE BOARD OF PHARMACY

CERTIFIED MAIL
Return Receipt
#P 596 092 884

ORDER MAILED: JULY 6, 1989

By


Franklin Z. Wickham, Executive Director

FZW/paw

cc: Steve Dlott, Assistant Attorney General