

THE STATE BOARD OF PHARMACY

VS

CHRISTINE S. STUDER

THE MATTER OF THE STATE BOARD OF PHARMACY VERSUS CHRISTINE S. STUDER, DOCKET 6-32-1, 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 CHRISTINE S. STUDER DID VIOLATE SECTION 2925.21(A) OHIO REVISED CODE IN THAT SHE OBTAINED A DANGEROUS DRUG BY COMMITTING A THEFT OFFENSE AS DEFINED IN SECTION 2913.01 REVISED CODE, TO WIT; APPROXIMATELY 260 - 300 mg. QUAALUDES FROM THE ELDER BEERMAN PHARMACY, DAYTON, OHIO DURING FEBRUARY 1978.
- 2) THE STATE BOARD OF PHARMACY FINDS CHRISTINE S. STUDER DID VIOLATE SECTION 2925.21(A) OHIO REVISED CODE IN THAT SHE OBTAINED A DANGEROUS DRUG BY COMMITTING A THEFT OFFENSE AS DEFINED IN SECTION 2913.01 REVISED CODE, TO WIT; VARIOUS AMOUNTS OF QUAALUDE 300 mg. AND BIPHETAMINES 12 1/2 mg., FROM THE ELDER BEERMAN PHARMACY AND THEN TRADED THESE DRUGS FOR MARIJUANA FURNISHED BY ONE WAYNE ROGERS ON 5 OR 6 OCCASIONS BETWEEN SEPTEMBER 1977 AND APRIL 1978.
- 3) THE STATE BOARD OF PHARMACY FINDS CHRISTINE S. STUDER DID VIOLATE SECTION 2925.21(A) OF THE OHIO REVISED CODE IN THAT SHE OBTAINED A DANGEROUS DRUG BY COMMITTING A THEFT OFFENSE AS DEFINED IN SECTION 2913.01 OHIO REVISED CODE TO WIT; APPROXIMATELY 20 BIPHETAMINE - 7 1/4 mg. AND 3 QUAALUDES - 300 mg. FROM THE ELDER BEERMAN PHARMACY, FOR HER OWN USE.
- 4) THE STATE BOARD OF PHARMACY FINDS CHRISTINE S. STUDER DID VIOLATE SECTION 2925.03(A)(1) OHIO REVISED CODE IN THAT SHE DID SELL A CONTROLLED SUBSTANCE IN AN AMOUNT LESS THAN THE MINIMUM BULK AMOUNT AS DEFINED IN SECTION 2925.01 REVISED CODE, TO WIT; 260 - 300 mg. QUAALUDES TO ONE WAYNE ROGERS DURING FEBRUARY 1978 AND VARIOUS AMOUNTS OF QUAALUDES 300 mg., AND BIPHETAMINES - 12 1/2 mg. TO ONE WAYNE ROGERS ON 5 OR 6 OCCASIONS DURING THE PERIOD OF SEPTEMBER 1977 TO APRIL 1978.
- 5) THE STATE BOARD OF PHARMACY FINDS CHRISTINE S. STUDER DID VIOLATE SECTION 3715.52(L) IN THAT SHE DID SELL A DRUG TO ONE WAYNE ROGERS WITHOUT A PRESCRIPTION FROM A PHYSICIAN, VETERINARIAN, OR DENTIST, SAID DRUG WHICH UNDER FEDERAL OR OHIO LAW CAN BE SOLD ONLY ON PRESCRIPTION, TO WIT; 260 - 300 mg. QUAALUDES DURING FEBRUARY 1978.
- 6) THE STATE BOARD OF PHARMACY FINDS CHRISTINE S. STUDER DID VIOLATE SECTION 3715.52(L) IN THAT SHE DID SELL A DRUG TO ONE WAYNE ROGERS WITHOUT A PRESCRIPTION FROM A PHYSICIAN, VETERINARIAN OR DENTIST, SAID DRUG WHICH UNDER FEDERAL OR OHIO LAW CAN BE SOLD ONLY ON PRESCRIPTION, TO WIT; VARIOUS AMOUNTS OF QUAALUDES - 300 mg. AND BIPHETAMINES 12 1/2 mg. ON 5 OR 6 OCCASIONS DURING THE PERIOD OF SEPTEMBER 1977 TO APRIL 1978.
- 7) THE STATE BOARD OF PHARMACY FINDS CHRISTINE S. STUDER DID VIOLATE PHARMACY BOARD RULE 4729-5-23(C) IN THAT SHE AS A PHARMACIST AT ELDER BEERMAN PHARMACY, DAYTON OHIO, DID FAIL TO COMPLY WITH ALL STATE AND FEDERAL LAWS REGULATING THE DISTRIBUTION OF DRUGS AND THE PRACTICE OF PHARMACY, TO WIT; SHE DID FAIL TO MAINTAIN DRUG RECORDS REQUIRED BY STATE AND FEDERAL LAWS RELATING TO DISPENSING OF CONTROLLED SUBSTANCES.

- 8) THE STATE BOARD OF PHARMACY FINDS THAT CHRISTINE STUDER'S VIOLATIONS OF THE AFOREMENTIONED SECTIONS AND RULE SET FORTH IN (1) THROUGH (7) CONSTITUTE GROSS IMMORALITY WITHIN THE MEANING OF SECTION 4729.16(A).
- 9) THE STATE BOARD OF PHARMACY FINDS THAT CHRISTINE S. STUDER IS GUILTY OF SECTION 4729.16(C) OHIO REVISED CODE IN THAT SHE DID VIOLATE MORE THAN ONE TIME CHAPTER 2925. AS INDICATED IN THE AFOREMENTIONED SECTIONS SET FORTH IN (1) THROUGH (4) AND CHAPTER 3715. AS INDICATED IN PART (5) AND (6).
- (10) THE STATE BOARD OF PHARMACY HEREBY SUSPENDS THE IDENTIFICATION CARD OF CHRISTINE S. STUDER FOR A PERIOD OF TWENTY-FOUR (24) MONTHS EFFECTIVE IMMEDIATELY. FURTHER THE BOARD SUSPENDS EIGHTEEN (18) MONTHS OF THE SUSPENSION ON CONDITION THAT MS. STUDER ABIDE BY THE TERMS OF PROBATION SET BY THE BOARD FOR THE EIGHTEEN (18) MONTH PERIOD. THESE TERMS PROVIDE THAT MS. STUDER SHALL NOT VIOLATE ANY DRUG LAWS OF THE STATE OF OHIO AND ABIDES BY THE RULES OF THE OHIO STATE BOARD OF PHARMACY.

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

MOTION CARRIED.

SO ORDERED.