



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-900507-084)

In The Matter Of:

GEORGE PHILIP SASSER, R.Ph.
217 Redwood Road
Mansfield, Ohio 44907
(R.Ph. No. 03-3-10242)

THE MATTER OF GEORGE PHILIP SASSER CAME ON FOR CONSIDERATION BY THE STATE BOARD OF PHARMACY ON OCTOBER 23, 1990 AS A RESULT OF THE REPORT AND RECOMMENDATION SUBMITTED TO THE BOARD BY HEARING OFFICER AND BOARD MEMBER METTA LOU HENDERSON. FOLLOWING CONSIDERATION OF THE REPORT AND RECOMMENDATION, THE TRANSCRIPT OF THE HEARING HELD JULY 25, 1990, 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 For A Hearing letter dated May 7, 1990.
- (2) Exhibit B - Letter from G. Philip Sasser dated June 6, 1990.
- (3) Exhibit 1 - Pharmacist File Front Sheet for George Philip Sasser.
- (4) Exhibit 2 - 1988 Pharmacist Renewal Application of George Philip Sasser.
- (5) Exhibit 2A - Prescriptions 045768, 045475, and 045290.
- (6) Exhibit 3 - 1977 Pharmacist Renewal Application of George Philip Sasser.
- (7) Exhibit 4 - 1975 Pharmacist Renewal Application of George Philip Sasser.

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 Metta Lou Henderson, as follows:

- (1) The State Board of Pharmacy finds that on May 7, 1990 George Philip Sasser 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) The State Board of Pharmacy finds that, as demonstrated by return receipt of May 15, 1990, George Philip Sasser received the letter of May 7, 1990 informing him of the allegations and his rights.
- (3) The State Board of Pharmacy finds that George Philip Sasser submitted a letter, received June 14, 1990, setting forth his position and contentions in writing, and has not requested a hearing in this matter.
- (4) The State Board of Pharmacy finds that records of the Board indicate that George Philip Sasser was initially registered as a pharmacist in Ohio pursuant to examination on July 20, 1972, and has been practicing pharmacy since that date.
- (5) The State Board of Pharmacy finds that George Philip Sasser failed to renew his identification card on the fifteenth day of September, 1988, as required by Section 4729.12 of the Ohio Revised Code, to wit: George Philip Sasser did not renew until October 12, 1988.
- (6) The State Board of Pharmacy finds that George Philip Sasser failed to renew his identification card on the fifteenth day of September, 1977, as required by Section 4729.12 of the Ohio Revised Code, to wit: George Philip Sasser did not renew until September 28, 1977.
- (7) The State Board of Pharmacy finds that George Philip Sasser failed to renew his identification card on the fifteenth day of September, 1974, as required by Section 4729.12 of the Ohio Revised Code, to wit: George Philip Sasser did not renew until October 14, 1975.
- (8) The State Board of Pharmacy finds that George Philip Sasser did, between September 16, 1988 and October 11, 1988, while practicing pharmacy at Peoples Drug Store, 1219 Ashland Road, Mansfield, Ohio 44907, compound, dispense, or sell dangerous drugs while not being a registered pharmacist or a pharmacy intern, to wit: after allowing his license to lapse and prior to its renewal, George Philip Sasser dispensed dangerous drugs pursuant to prescriptions. Such conduct is in violation of Section 4729.28 of the Ohio Revised Code.
- (9) The State Board of Pharmacy finds that George Philip Sasser did, between September 16, 1977 and September 27, 1977, while practicing pharmacy at Fredericktown Pharmacy, 115 N. Main Street, Fredericktown, Ohio 43019, compound, dispense, or sell dangerous drugs while not being a registered pharmacist or a pharmacy intern, to wit: after allowing his license to lapse and prior to its renewal, George Philip Sasser dispensed dangerous drugs pursuant to prescriptions. Such conduct is in violation of Section 4729.28 of the Ohio Revised Code.

- (10) The State Board of Pharmacy finds that George Philip Sasser did, between September 16, 1974 and October 13, 1975, while practicing pharmacy at Fredericktown Pharmacy, 115 N. Main Street, Fredericktown, Ohio 43019, compound, dispense, or sell dangerous drugs while not being a registered pharmacist or a pharmacy intern, to wit: after allowing his license to lapse and prior to its renewal, George Philip Sasser dispensed dangerous drugs pursuant to prescriptions. Such conduct is in violation of Section 4729.28 of the Ohio Revised Code.

Conclusions Of Law

The State Board of Pharmacy hereby agrees with and adopts the Conclusions Of Law set forth in the Report and Recommendation of Hearing Officer and Board Member Metta Lou Henderson, as follows:

- (1) The State Board of Pharmacy concludes that the conduct set forth in paragraphs (5) through (10) of the Findings Of Fact constitutes unprofessional conduct in the practice of pharmacy as provided in Division (A)(2) of Section 4729.16 of the Revised Code.
- (2) The State Board of Pharmacy concludes that the conduct set forth in paragraphs (5) through (10) of the Findings Of Fact constitutes willfully violating the provisions of Chapter 4729. of the Revised Code as provided in Division (A)(5) of Section 4729.16 of the Revised Code.

Action Of The Board

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following action concerning the pharmacist license, No. 03-3-10242, held by George Philip Sasser:

- (A) On the basis of paragraph (1) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby suspends the pharmacist identification card held by George Philip Sasser for six months, effective February 1, 1991.
- (B) On the basis of paragraph (2) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby imposes a monetary penalty of two hundred fifty dollars (\$250.00), 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.
- (C) Further, the Board will set aside the suspension imposed in paragraph (A) above on the condition that George Philip Sasser successfully complete the Jurisprudence examination offered by the Board prior to February 1, 1991.

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Order of the Board

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 after ... [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.

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.

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 497 578 861

ORDER MAILED: DECEMBER 18, 1990

FZW/sb

By


Franklin Z. Wickham, Executive Director

cc: Jeanny Eaton, Assistant Attorney General