



# OHIO STATE BOARD OF PHARMACY

65 S. FRONT STREET, ROOM 504  
COLUMBUS, OHIO 43215  
TELEPHONE: 614/466-4143

THE STATE BOARD OF PHARMACY

VS

STEPHEN D. BARKER, R.Ph.

THE MATTER OF STEPHEN D. BARKER, DOCKET NO. 6-122-3, CAME ON FOR CONSIDERATION BY THE STATE BOARD OF PHARMACY ON FRIDAY, DECEMBER 6, 1985. MOTIONS WERE MADE AND RECORDED THE FOLLOWING ORDER BE ADOPTED:

## ORDER

### Findings Of Fact

- (1) On October 11, 1985, Stephen D. Barker, R.Ph. No. 03-3-10367, 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) As demonstrated by return receipt of October 15, 1985, Stephen D. Barker received the letter of October 11, 1985 informing him of the allegations regarding the late renewal of his pharmacist identification card, his continual practice without a current identification card, and his rights.
- (3) Stephen D. Barker has not responded in any manner to the letter of October 11, 1985 informing him of the allegations.

### Conclusions Of Law

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that Stephen D. Barker did fail to renew his identification card to practice pharmacy in Ohio, as required by Section 4729.12 of the Revised Code, more than one time.
- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that Stephen D. Barker did willfully dispense and sell dangerous drugs more than one time during the lapsed dates of his pharmacist license, in violation of the provisions of Section 4729.28 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 registered pharmacist license of Stephen D. Barker:

STEPHEN D. BARKER, R.Ph.

Page Two

Order of the Board

(A) On the basis of paragraphs (1) and (2) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby imposes a monetary penalty of one thousand dollars (\$1,000.00).

(B) Further, the State Board of Pharmacy suspends nine hundred dollars (\$900.00) of the one thousand dollar monetary penalty imposed in paragraph (A) above. Said one hundred dollar (\$100.00) monetary penalty imposed to be 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.

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

ORDER ISSUED: January 3, 1986

FZW/sb

By Franklin Z. Wickham  
Franklin Z. Wickham, Executive Director

cc/John E. Breen, Assistant Attorney General