
STATE BOARD OF PHARMACY JOURNAL

THE STATE BOARD OF PHARMACY

VS

RONALD G. AIKEN, R.Ph.

THE MATTER OF RONALD G. AIKEN, DOCKET NO. 6-157-3, WAS HEARD PURSUANT TO CHAPTERS 119. AND 4729. OF THE REVISED CODE ON WEDNESDAY, APRIL 23, 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 Ronald G. Aiken did, on or about June 17, 1985, knowingly make a false statement in records required by Chapter 3719. of the Revised Code, to wit: Official DEA Form 222, No. P22603538. Such conduct is in violation of Section 2925.23(A) of the Revised Code.
- (2) From the evidence presented, the State Board of Pharmacy finds that Ronald G. Aiken did, on or about August 10, 1985, knowingly make a false statement in records required by Chapter 3719. of the Revised Code, to wit: Official DEA Form 222, No. P22603540. Such conduct is in violation of Section 2925.23(A) of the Revised Code.
- (3) From the evidence presented, the State Board of Pharmacy finds that Ronald G. Aiken did, on or about June 20, 1985, knowingly obtain or exert control over approximately 100 tablets of Percodan, a Schedule II controlled substance, without the consent or beyond the consent of the owner thereof: Gray Drug Fair, Inc., 1047 Kenmore Blvd., Akron, Ohio 44314; in violation of Section 2925.21 of the Revised Code.
- (4) From the evidence presented, the State Board of Pharmacy finds that Ronald G. Aiken did, on or about August 15, 1985, knowingly obtain or exert control over approximately 100 tablets of Percodan, a Schedule II controlled substance, without the consent or beyond the consent of the owner thereof: Gray Drug Fair, Inc., 1047 Kenmore Blvd., Akron, Ohio 44314; in violation of Section 2925.21 of the Revised Code.

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- (5) From the evidence presented, the State Board of Pharmacy finds that Ronald G. Aiken, as the responsible pharmacist required by Section 4729.55 of the Revised Code and the pharmacist-in-charge pursuant to Section 4729.27 of the Revised Code for Gray Drug Store, Terminal Distributor of Dangerous Drugs License No. 02-384500, did willfully and knowingly fail to maintain complete and accurate records of all controlled substances received or dispensed in compliance with federal and state laws and rules, to wit: DEA 222 Order Form Numbers P22603538 and P22603540, and failure to report a shortage of approximately 100 tablets of Percodan on or about July 11, 1985.

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 (1) 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 (1) 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 paragraph (5) of the Findings Of Fact constitutes unprofessional conduct in the practice of pharmacy.
- (4) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (1) through (5) of the Findings Of Fact constitutes willful violations of the provisions of Chapters 2925. 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 Ronald G. Aiken, No. 03-3-10549:

- (A) On the basis of paragraphs (1) through (3) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby suspends the pharmacist identification card held by Ronald G. Aiken for 24 months, effective July 1, 1986.
- (B) On the basis of paragraph (4) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby imposes a monetary penalty of two thousand five hundred dollars (\$2,500.00), 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.

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(C) Further, the Board suspends 12 months of the 24-month suspension imposed in paragraph (A) above on condition that Ronald G. Aiken:

- (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.

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.



65 S. FRONT STREET, ROOM 504 * COLUMBUS, OHIO 43266-0320 * 614/466-4143

THE STATE BOARD OF PHARMACY

In The Matter Of:

RONALD G. AIKEN, R.Ph.
3102 Athens Road
Stow, Ohio 44224

THE MATTER OF RONALD G. AIKEN, DOCKET NO. D-860318-101, WAS HEARD PURSUANT TO CHAPTERS 119. AND 4729. OF THE REVISED CODE ON TUESDAY, JANUARY 27, 1987. 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 Ronald G. Aiken did, on or about June 17, 1985, knowingly make a false statement in records required by Chapter 3719. of the Revised Code, to wit: Official DEA Form 222, No. P22603538. Such conduct is in violation of Section 2925.23(A) of the Revised Code.
- (2) From the evidence presented, the State Board of Pharmacy finds that Ronald G. Aiken did, on or about August 10, 1985, knowingly make a false statement in records required by Chapter 3719. of the Revised Code, to wit: Official DEA Form 222, No. P22603540. Such conduct is in violation of Section 2925.23(A) of the Revised Code.
- (3) From the evidence presented, the State Board of Pharmacy finds that Ronald G. Aiken did, on or about June 20, 1985, knowingly obtain or exert control over approximately 100 tablets of Percodan, a Schedule II controlled substance, without the consent or beyond the consent of the owner thereof: Gray Drug Fair, Inc., 1047 Kenmore Blvd., Akron, Ohio 44314; in violation of Section 2925.21 of the Revised Code.
- (4) From the evidence presented, the State Board of Pharmacy finds that Ronald G. Aiken did, on or about August 15, 1985, knowingly obtain or exert control over approximately 100 tablets of Percodan, a Schedule II controlled substance, without the consent or beyond the consent of the owner thereof: Gray Drug Fair, Inc., 1047 Kenmore Blvd., Akron, Ohio 44314; in violation of Section 2925.21 of the Revised Code.

- (5) From the evidence presented, the State Board of Pharmacy finds that Ronald G. Aiken, as the responsible pharmacist required by Section 4729.55 of the Revised Code and the pharmacist-in-charge pursuant to Section 4729.27 of the Revised Code for Gray Drug Store, Terminal Distributor of Dangerous Drugs License No. 02-384500, did willfully and knowingly fail to maintain complete and accurate records of all controlled substances received or dispensed in compliance with federal and state laws and rules, to wit: DEA 222 Order Form Numbers P22603538 and P22603540, and failure to report a shortage of approximately 100 tablets of Percodan on or about July 11, 1985.

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 (1) 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 (1) through (5) of the Findings Of Fact constitutes dishonesty and unprofessional conduct 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 (1) through (5) of the Findings Of Fact constitutes willfully violating the provisions of Chapters 2925., 3719., and 4729. 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 Ronald G. Aiken, No. 03-3-10549:

- (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 Ronald G. Aiken for 24 months.
- (B) On the basis of paragraph (3) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby imposes a monetary penalty of two thousand five hundred dollars, 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.
- (C) Further, the Board suspends 12 months of the 24-month suspension imposed in paragraph (A) above provided that Ronald G. Aiken:
- (1) does not violate the 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.

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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 receipt of notice 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

ORDER ISSUED: February 19, 1987

FZW/sb

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

cc: Yvette McGee, Assistant Attorney General
Edward Pullekins, Attorney For Respondent