



# OHIO STATE BOARD OF PHARMACY

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ORDER OF THE STATE BOARD OF PHARMACY  
(Docket No. D-920918-021)

In The Matter Of:

**GARETH CHARLES LOBOSCHEFSKI**  
208 Cedar Lane  
Waterville, Ohio 43567  
(D.O.B. 12/24/46)

## INTRODUCTION

THE MATTER OF GARETH C. LOBOSCHEFSKI CAME TO HEARING ON JANUARY 25, 1993 BEFORE THE FOLLOWING MEMBERS OF THE BOARD: TIMOTHY D. MOORE, R.Ph. (presiding); ROBERT B. CAVENDISH, R.Ph.; METTA LOU HENDERSON, R.Ph.; PAUL F. LAMPING, R.Ph.; WAYNE C. MILLER, R.Ph.; RUTH A. PLANT, R.Ph.; NICHOLAS R. REPKE; AND JOSEPH R. SABINO, R.Ph.

GARETH C. LOBOSCHEFSKI WAS REPRESENTED BY RONALD L. HOUSE, AND THE STATE OF OHIO WAS REPRESENTED BY RONDA ANDERSON, ASSISTANT ATTORNEY GENERAL.

## SUMMARY OF EVIDENCE

### (A) Testimony

State's Witnesses:

- (1) Gareth C. Loboschefski, Respondent
- (2) Dale Fritz, Ohio State Board of Pharmacy

Respondent's Witnesses:

- (1) Gareth C. Loboschefski, Respondent

### (B) Exhibits

State's Exhibits:

- (1) Exhibit 1 - Notice of Opportunity letter dated September 18, 1992.
- (2) Exhibit 1A - Hearing Request letter dated October 15, 1992.
- (3) Exhibit 1B - Hearing Schedule letter dated October 19, 1992.
- (4) Exhibit 2 - Application for Examination as a Pharmacist of Gareth Charles Loboschefski dated July 31, 1992; hand-written statement of Gareth C. Loboschefski; two-page copy of Consent Judgment Entry of Gareth Loboschefski, Case No. CR89-6771, in the Common Pleas Court of Lucas County, Ohio; and Certificate of Pharmacy Education of Gareth C. Loboschefski from the University of Toledo College of Pharmacy dated June 29, 1992.

- (5) Exhibit 3 - Order of the Ohio State Board of Pharmacy, Docket No. D-900514-097, In the Matter of Gareth C. Loboschefski, R.Ph. dated December 18, 1990.
- (6) Exhibit 4 - Fifty-seven page transcript of interview of Gareth C. Loboschefski with Dale Fritz, Ohio State Board of Pharmacy, and Janice Margretta, Federal Drug Enforcement Administration, taken by means of audiotape on Thursday, July 20, 1989.
- (7) Exhibit 5 - Micro-cassette tape of interview of Gareth C. Loboschefski with Dale Fritz, Ohio State Board of Pharmacy, and Janice Margretta, Federal Drug Enforcement Administration, recorded on Thursday, July 20, 1989.

Respondent's Exhibits:

- (1) Exhibit A - Copy of letter from Janet Lair dated October 19, 1990.
- (2) Exhibit B - Copy of two-page letter from Bernard Rabin, Ed.D. dated October 20, 1990.
- (3) Exhibit C - Copy of two-page letter from Brian W. Chaney, R.Ph. and Nancy Chaney dated September 21, 1990.
- (4) Exhibit D - Copy of two-page letter from Bernard Rabin, Ed.D. dated January 22, 1993.
- (5) Exhibit E - Letter from Susan Stalder, Probation Officer, Lucas County Court of Common Pleas, Department of Court Services, not dated.
- (6) Exhibit F - Affidavit of Jeffrey Reitzel signed and notarized on January 21, 1993.

FINDINGS OF FACT

- (1) From the evidence presented, the State Board of Pharmacy finds that records of the Board indicate that Gareth Charles Loboschefski applied for registration as a pharmacist by examination on August 6, 1992.
- (2) From the evidence presented, the State Board of Pharmacy finds that records further indicate that Gareth Charles Loboschefski was originally licensed as a pharmacist, number 03-3-10562, in the state of Ohio on July 30, 1973, pursuant to examination. On December 18, 1990, the State Board of Pharmacy found the following to be fact:

(a) Gareth Charles Loboschefski did, on or about July 20, 1989, obtain dangerous drugs by committing a theft offense, to wit: Gareth Charles Loboschefski stole the following drugs from Shales Talmadge Pharmacy, 4620 Talmadge Road, Toledo, Ohio 43623:

Drugs found in a paper bag:

Ethchlorvynol 750mg	8 capsules
Phentermine HCl	4 capsules
Acetaminophen w/Codeine #4	70 tablets
Glutethimide	12 tablets
Diazepam 10mg	50 tablets
Diazepam 5mg	30 tablets

Drugs found in a black zippered bag:

Acetaminophen w/Codeine #3	16 tablets
Propoxyphene Napsylate 100mg	8 tablets
Butalbital #3	2 tablets

Drugs found in a vial within the zippered bag:

Alprazolam .5mg	31 tablets
Alprazolam 1.0mg	40 tablets
Acetaminophen w/Codeine #3	11 tablets

Drugs found in another vial within the zippered bag:

Acetaminophen w/Codeine #4	72 tablets
Alprazolam 1.0mg	39 tablets
Diazepam 10mg	35 tablets
Diazepam 5mg	10 tablets

Such conduct is in violation of Section 2925.21 of the Ohio Revised Code.

(b) Gareth Charles Loboschefski did, on or about July 20, 1989, and dates prior thereto, obtain dangerous drugs by committing a theft offense, to wit: Gareth Charles Loboschefski stole the following drugs from Riverside Hospital, 1600 N. Superior, Toledo, Ohio 43604:

Empirin w/Codeine #3	3 tablets
Empirin w/Codeine #4	4 tablets
Triazolam .25mg	4 tablets
Butalbital w/Codeine #3	3 tablets
Nitro-Dur II patches 2.5mg/24hr	30 patches

Such conduct is in violation of Section 2925.21(A) of the Ohio Revised Code.

(c) Gareth Charles Loboschefski did, on or about July 20, 1989, knowingly possess a controlled substance in an amount equal to or greater than three times bulk amount, to wit: Gareth Charles Loboschefski possessed and intended to sell the following schedule III and IV controlled substances:

Drugs found in a paper bag:

Ethchlorvynol 750mg	8 capsules
Phentermine HCl	4 capsules
Acetaminophen w/Codeine #4	70 tablets
Glutethimide	12 tablets
Diazepam 10mg	50 tablets
Diazepam 5mg	30 tablets

Drugs found in a black zippered bag:

Acetaminophen w/Codeine #3	16 tablets
Propoxyphene Napsylate 100mg	8 tablets
Butalbital #3	2 tablets

Drugs found in a vial within the zippered bag:

Alprazolam .5mg	31 tablets
Alprazolam 1.0mg	40 tablets
Acetaminophen w/Codeine #3	11 tablets

Drugs found in another vial within the zippered bag:

Acetaminophen w/Codeine #4	72 tablets
Alprazolam 1.0mg	39 tablets
Diazepam 10mg	35 tablets
Diazepam 5mg	10 tablets

Drugs found in the hatch of his car admittedly for his own use:

Empirin w/Codeine #3	3 tablets
Empirin w/Codeine #4	4 tablets
Triazolam .25mg	4 tablets
Butalbital w/Codeine #3	3 tablets

Such conduct is in violation of Section 2925.03(A)(6) of the Ohio Revised Code.

(d) Gareth Charles Loboschefski did, on or about July 20, 1989, while not being a licensed terminal distributor of dangerous drugs or a practitioner, possess for sale dangerous drugs, to wit: Gareth Charles Loboschefski possessed with intentions to sell 30 Nitro-Dur II 2.5mg/24hr patches. Such conduct is in violation of Section 4729.51(C) of the Ohio Revised Code.

(e) Gareth Charles Loboschefski did, between April 30, 1987 and July 21, 1989, obtain dangerous drugs by committing a theft offense, to wit: Gareth Charles Loboschefski stole the following schedules III and IV controlled substances from Shales Talmadge Pharmacy:

Acetaminophen w/Codeine #3	5,742 tablets
Acetaminophen w/Codeine #4	3,185 tablets
Diazepam 5mg	4,735 tablets
Diazepam 10mg	5,958 tablets
Alprazolam .5mg	2,564 tablets
Alprazolam 1.0mg	2,292 tablets
Phentermine HCl 30mg	447 capsules
Glutethimide 500mg	153 tablets
Amobarbital NA/Secobarbital NA 200mg	210 capsules
Amobarbital NA/Secobarbital NA 100mg	91 capsules
Ethchlorvynol 200mg	113 capsules
Propoxyphene Napsylate 100mg	183 tablets
Secobarbital NA 100mg	67 capsules
Ethchlorvynol 750mg	142 capsules

Such conduct is in violation of Section 2925.21(A) of the Ohio Revised Code.

(f) Gareth Charles Loboschefski was, on or about December 5, 1989, convicted in the Lucas County Common Pleas Court, Toledo, Ohio of two counts of Theft of Drugs in violation of Section 2925.21(A) of the Ohio Revised Code, a felony of the fourth degree. Such conduct is in violation of Section 2925.21(A) of the Ohio Revised Code.

- (3) Gareth Charles Loboschefski's license to practice pharmacy in the state of Ohio was revoked on December 18, 1990 due to the following Conclusions of Law: Gareth Charles Loboschefski was found guilty of a felony and gross immorality, dishonesty and unprofessional conduct, and guilty of willfully violating the provisions of Sections 3715.52 to 3715.72 or Chapter 2925., 3719., or 4729. of the Revised Code as provided in Division (A)(5) of Section 4729.16 of the Ohio Revised Code.

#### CONCLUSIONS OF LAW

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraph (3) of the Findings of Fact constitutes being guilty of a felony and gross immorality; guilty of dishonesty and unprofessional conduct; and guilty of willfully violating the provisions of Sections 3715.52 to 3715.72 or Chapter 2925., 3719., or 4729. of the Revised Code as provided in Section 4729.16 of the Ohio Revised Code.
- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraph (2)(f) of the Findings of Fact constitutes being convicted of a felony as provided in paragraph (A) of Rule 4729-5-04 of the Ohio Administrative Code.
- (3) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraph (2)(f) of the Findings of Fact constitutes being convicted of violating any state or federal pharmacy or drug law as provided in paragraph (B) of Rule 4729-5-04 of the Ohio Administrative Code.
- (4) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (2)(a) through (2)(f), and (3) of the Findings of Fact constitute not being of good moral character and habits as provided in paragraph (C) of Rule 4729-5-04 of the Ohio Administrative Code.
- (5) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraph (3) of the Findings of Fact constitutes being disciplined by the Ohio State Board of Pharmacy pursuant to Section 4729.16 of the Ohio Revised Code as provided in paragraph (E) of Rule 4729-5-04 of the Ohio Administrative Code.

#### ACTION OF THE BOARD

Pursuant to Sections 4729.08 and 4729.16 of the Ohio Revised Code and Rule 4729-5-04 of the Ohio Administrative Code, the State Board of Pharmacy hereby denies the issuance of a certificate of registration or identification card, and therefore denies the Application for Examination as a Pharmacist submitted by Gareth Charles Loboschefski.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF PHARMACY (Aye-7/Nay-0).

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.

GARETH CHARLES LOBOSCHEFSKI

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Order of the Board

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

ORDER MAILED

AND EFFECTIVE: MARCH 15, 1993

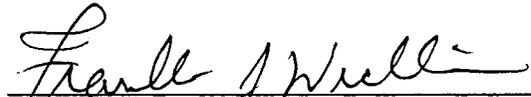
CERTIFIED MAIL

Return Receipt

#P 596 092 907

FZW/so

By



Franklin Z. Wickham, R.Ph., M.S.  
Executive Director

cc: Ronda Anderson, Assistant Attorney General  
Ronald L. House, Attorney for Respondent; Benesch, Friedlander, Coplan &  
Aronoff; 88 East Broad Street; Columbus, Ohio 43215-3506



# 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-900514-097)

In The Matter Of:

GARETH C. LOBOSCHEFSKI, R.Ph.  
208 Cedar  
Waterville, Ohio 43566  
(R.Ph. No. 03-3-10562)

## INTRODUCTION

THE MATTER OF GARETH C. LOBOSCHEFSKI CAME TO HEARING ON OCTOBER 26, 1990 BEFORE THE FOLLOWING MEMBERS OF THE BOARD: JOSEPH R. SABINO, R.Ph. (presiding); GERALD CLOUSE, R.Ph.; METTA LOU HENDERSON, R.Ph.; NORMAN LEIBOW, R.Ph.; AND TIMOTHY MOORE, R.Ph.

GARETH C. LOBOSCHEFSKI WAS REPRESENTED BY JIM DeLEONE AND RONALD L. HOUSE, AND THE STATE OF OHIO WAS REPRESENTED BY JEANNY EATON, ASSISTANT ATTORNEY GENERAL.

## SUMMARY OF EVIDENCE

### (A) Testimony

State's Witnesses:

- (1) Dale Fritz - State Board of Pharmacy
- (2) Det. William Gunkel - Toledo Police Department
- (3) Gareth Loboschefski, Respondent

Respondent's Witnesses:

- (1) None

### (B) Exhibits

State's Exhibits:

- (1) Exhibit A - Notice of Opportunity letter dated May 14, 1990.
- (2) Exhibit B - Hearing Request letter dated June 12, 1990.
- (3) Exhibit C - Hearing Schedule letter dated June 25, 1990.
- (4) Exhibit D - Hearing Continuance Request letter dated September 6, 1990.
- (5) Exhibit E - Hearing Schedule letter dated September 14, 1990.

- (6) Exhibit 1 - Pharmacist File Front Sheet for Gareth C. Loboschefski showing original date of registration as July 30, 1973.
- (7) Exhibit 2 - Eight capsules Ethchlorvynol 750mg; Four capsules Phentermine HCL 30mg; 70 tablets Acetaminophen with Codeine #4; 12 tablets Glutethimide; 50 tablets Diazepam 10mg; 30 tablets Diazepam 5mg; One paper calculator tape.
- (8) Exhibit 3 - 16 tablets Acetaminophen with Codeine #3; Eight tablets Propoxyphene Napsylate 100mg; Two tablets Butalbital #3.
- (9) Exhibit 4 - 31 tablets Alprazolam .5mg (Xanax); 40 tablets Alprazolam 1.0mg (Xanax); 11 Acetaminophen with Codeine #3.
- (10) Exhibit 5 - 72 tablets Acetaminophen with Codeine #4; 39 tablets Alprazolam 1.0mg (Xanax); 35 tablets Diazepam 10mg; 10 tablets Diazepam 5mg; white calculator tape.
- (11) Exhibit 6 - Transcript of taped statement of Gareth C. Loboschefski dated July 20, 1989.
- (12) Exhibit 7 - Three tablets Empirin with Codeine #3; Four tablets Empirin with Codeine #4; Four tablets Triazolam .25mg; Three tablets Butalbital with Codeine #3; 30 patches Nitro-Dur II 2.5mg/24 hour.
- (13) Exhibit 8 - Accountability Statement showing 5,742 tablet shortage of Tylenol (Acetaminophen) with Codeine #3.
- (14) Exhibit 9 - Accountability Statement showing 3,185 tablet shortage of Tylenol (Acetaminophen) with Codeine #4.
- (15) Exhibit 10 - Accountability Statement showing 4,735 tablet shortage of Valium (Diazepam) 5mg.
- (16) Exhibit 11 - Accountability Statement showing 5,958 tablet shortage of Valium (Diazepam) 10mg.
- (17) Exhibit 12 - Accountability Statement showing 2,564 tablet shortage of Xanax (Alprazolam) .5mg.
- (18) Exhibit 13 - Accountability Statement showing 2,292 tablet shortage of Xanax (Alprazolam) 1.0mg.
- (19) Exhibit 14 - Accountability Statement showing 447 capsule shortage of Fastin (Phentermine HCL) 30mg.
- (20) Exhibit 15 - Accountability Statement showing 153 tablet shortage of Doriden (Glutethimide) 500mg.
- (21) Exhibit 16 - Accountability Statement showing 210 capsule shortage of Tuinal (Amobarbital NA/Secobarbital NA) 200mg.
- (22) Exhibit 17 - Accountability Statement showing 91 capsule shortage of Tuinal (Amobarbital NA/Secobarbital NA) 100mg.
- (23) Exhibit 18 - Accountability Statement showing 113 capsule shortage of Placidyl (Ethchlorvynol) 200mg.
- (24) Exhibit 19 - Accountability Statement showing 183 tablet shortage of Darvocet N-100 (Propoxyphene Napsylate 100mg).
- (25) Exhibit 20 - Accountability Statement showing 67 capsule shortage of Seconal (Secobarbital NA) 100mg.
- (26) Exhibit 21 - Accountability Statement showing 40 capsule shortage of Placidyl (Ethchlorvynol) 750mg.
- (27) Exhibit 22 - Two-page Certified copy of Criminal Docket Sheet for Gareth C. Loboschefski, Criminal Case No. CR89-6771, in the Lucas County Common Pleas Court.

Respondent's Exhibits:

- (1) Exhibit A - Office Memorandum from Janet Lair, Probation Officer, The Lucas County Adult Probation Division, to Ronald House dated October 19, 1990.
- (2) Exhibit B - Two-page Letter from Bernard Rabin, Ed.D., Psychologist, to Ronald House dated October 20, 1990.
- (3) Exhibit C - Letter from Brian W. Chaney, R.Ph. and Nancy E. Chaney dated September 21, 1990.
- (4) Exhibit D - Letter from Robert Reitzel, President of Reitzel Trucking Co., Inc. dated October 25, 1990.

FINDINGS OF FACT

- (1) From the evidence presented, the State Board of Pharmacy finds that records of the Board of Pharmacy indicate that Gareth C. Loboschefski was originally licensed to practice pharmacy in this state on July 30, 1973, pursuant to examination.
- (2) From the evidence presented, the State Board of Pharmacy finds that Gareth C. Loboschefski did, on or about July 20, 1989, obtain dangerous drugs by committing a theft offense, to wit: Gareth C. Loboschefski stole the following drugs from Shales Talmadge Pharmacy, 4620 Talmadge Road, Toledo, Ohio 43623:

(found in a paper bag)

Ethchlorvynol 750mg	8 capsules
Phentermine HCl	4 capsules
Acetaminophen w/Codeine #4	70 tablets
Glutethimide	12 tablets
Diazepam 10mg	50 tablets
Diazepam 5mg	30 tablets

(found in a black zippered bag)

Acetaminophen w/Codeine #3	16 tablets
Propoxyphene Napsylate 100mg	8 tablets
Butalbital #3	2 tablets

(found in a vial within the zippered bag)

Alprazolam .5mg	31 tablets
Alprazolam 1.0mg	40 tablets
Acetaminophen w/Codeine #3	11 tablets

(found in another vial within the zippered bag)

Acetaminophen w/Codeine #4	72 tablets
Alprazolam 1.0mg	39 tablets
Diazepam 10mg	35 tablets
Diazepam 5mg	10 tablets

Such conduct is in violation of Section 2925.21 of the Ohio Revised Code.

- (3) From the evidence presented, the State Board of Pharmacy finds that Gareth C. Loboschefske did, on or about July 20, 1989, and dates prior thereto, obtain dangerous drugs by committing a theft offense, to wit: Gareth C. Loboschefske stole the following drugs from Riverside Hospital, 1600 N. Superior, Toledo, Ohio 43604:

Empirin w/Codeine #3	3 tablets
Empirin w/Codeine #4	4 tablets
Triazolam .25mg	4 tablets
Butalbital w/Codeine #3	3 tablets
Nitro-Dur II patches 2.5mg/24hr	30 patches

Such conduct is in violation of Section 2925.21(A) of the Ohio Revised Code.

- (4) From the evidence presented, the State Board of Pharmacy finds that Gareth C. Loboschefske did, on or about July 20, 1989, knowingly possess a controlled substance in an amount equal to or greater than three times the bulk amount, to wit: Gareth C. Loboschefske possessed and intended to sell the following schedules III and IV controlled substances:

(found in a paper bag)

Ethchlorvynol 750mg	8 capsules
Phentermine HCl	4 capsules
Acetaminophen w/Codeine #4	70 tablets
Glutethimide	12 tablets
Diazepam 10mg	50 tablets
Diazepam 5mg	30 tablets

(found in a black zippered bag)

Acetaminophen w/Codeine #3	16 tablets
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Butalbital #3	2 tablets

(found in a vial within the zippered bag)

Alprazolam .5mg	31 tablets
Alprazolam 1.0mg	40 tablets
Acetaminophen w/Codeine #3	11 tablets

(found in another vial within the zippered bag)

Acetaminophen w/Codeine #4	72 tablets
Alprazolam 1.0mg	39 tablets
Diazepam 10mg	35 tablets
Diazepam 5mg	10 tablets

(found in the hatch of Mr. Loboschefske's car admittedly for his own use)

Empirin w/Codeine #3	3 tablets
Empirin w/Codeine #4	4 tablets
Triazolam .25mg	4 tablets
Butalbital w/Codeine #3	3 tablets

Such conduct is in violation of Section 2925.03(A)(6) of the Ohio Revised Code.

- (5) From the evidence presented, the State Board of Pharmacy finds that Gareth C. Loboschefska did, on or about July 20, 1989, while not being a licensed terminal distributor of dangerous drugs or a practitioner, possess for sale dangerous drugs, to wit: Gareth C. Loboschefska possessed with intentions to sell 30 Nitro-Dur II 2.5mg/24hr patches. Such conduct is in violation of Section 4729.51(C) of the Ohio Revised Code.
- (6) From the evidence presented, the State Board of Pharmacy finds that Gareth C. Loboschefska did, between April 30, 1987 and July 21, 1989, obtain dangerous drugs by committing a theft offense, to wit: Gareth C. Loboschefska stole the following schedules III and IV controlled substances from Shales Talmadge Pharmacy:

Acetaminophen w/Codeine #3	5,742 tablets
Acetaminophen w/Codeine #4	3,185 tablets
Diazepam 5mg	4,735 tablets
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Amobarbital NA/Secobarbital NA 200mg	210 capsules
Amobarbital NA/Secobarbital NA 100mg	91 capsules
Ethchlorvynol 200mg	113 capsules
Propoxyphene Napsylate 100mg	183 tablets
Secobarbital NA 100mg	67 capsules
Ethchlorvynol 750mg	142 capsules

Such conduct is in violation of Section 2925.21(A) of the Ohio Revised Code.

- (7) From the evidence presented, the State Board of Pharmacy finds that Gareth C. Loboschefska was, on or about December 5, 1989, convicted in the Lucas County Common Pleas Court, Toledo, Ohio, of two counts of Theft of Drugs in violation of Section 2925.21(A) of the Ohio Revised Code, a felony of the fourth degree. Such conduct is in violation of Section 2925.21(A) of the Ohio Revised Code.

#### CONCLUSIONS OF LAW

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (2) through (7) of the Findings Of Fact constitute being guilty of a felony and gross immorality as provided in Division (A)(1) of Section 4729.16 of the Ohio Revised Code.
- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (2) through (7) of the Findings Of Fact constitute dishonesty and unprofessional conduct in the practice of pharmacy as provided in Division (A)(2) of Section 4729.16 of the Ohio Revised Code.

- (3) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (2) through (7) of the Findings Of Fact constitute willfully violating the provisions of Section 3715.52 to 3715.72 or Chapter 2925., 3719., or 4729. of the Revised Code as provided in Division (A)(5) of Section 4729.16 of the Ohio Revised Code.

ORDER

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following actions concerning the pharmacist license, No. 03-3-10562, held by Gareth C. Loboschefski:

(A) On the basis of paragraph (1) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby revokes the pharmacist identification card held by Gareth C. Loboschefski.

(B) On the basis of paragraph (2) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby revokes the pharmacist identification card held by Gareth C. Loboschefski.

(C) On the basis of paragraph (3) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby revokes the pharmacist identification card held by Gareth C. Loboschefski.

Division (B) of Section 4729.16 of the Revised Code provides in pertinent part that: "Any individual whose identification card is revoked, ..., 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.

GARETH C. LOBOSCHEFSKI, R.Ph.  
Page Seven  
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 497 578 766

ORDER MAILED: DECEMBER 18, 1990

FZW/sb

By

  
Franklin Z. Wickham, Executive Director

cc: Jeanny Eaton, Assistant Attorney General  
Ronald L. House, Attorney for Respondent; 88 E. Broad Street;  
Columbus, Ohio 43215-3506



# OHIO STATE BOARD OF PHARMACY

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

THE STATE BOARD OF PHARMACY

vs

GARETH C. LOBOSCHEFSKI, R.Ph.

THE MATTER OF GARETH C. LOBOSCHEFSKI, DOCKET NO. 6-158-3, CAME ON FOR CONSIDERATION BY THE STATE BOARD OF PHARMACY ON FRIDAY, JUNE 27, 1986 AS A RESULT OF THE REPORT AND RECOMMENDATION SUBMITTED TO THE BOARD BY HEARING OFFICER AND BOARD MEMBER MELVIN WILCZYNSKI. MOTIONS WERE MADE AND RECORDED THE FOLLOWING ORDER BE ADOPTED:

## ORDER

### 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 Melvin Wilczynski, as follows:

- (1) Gareth C. Loboschefski, on December 18, 1985, was notified to submit records or certificates to the Board verifying the fact that he had continued his pharmacy education as reported for renewal in September of that year.
- (2) Gareth C. Loboschefski, on February 3, 1986, was further notified that since he had not responded to the original request of December 18, 1985, he be permitted an additional ten days to respond before action was initiated.
- (3) Gareth C. Loboschefski, on February 18, 1986, was issued a Notice of Opportunity since no evidence had been submitted by that date.
- (4) Gareth C. Loboschefski has not continued his pharmacy education in accordance with the regulations of the Board as required by Section 4729.12 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 Melvin Wilczynski, as follows:

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (1) through (3) of the Findings Of Fact constitutes violating the provisions of Rule 4729-7-03 of the Administrative Code.
- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraph (4) of the Findings Of Fact constitutes failure to meet the requirements of Section 4729.12 of the Revised Code.

Pursuant to Section 4729.16 of the Ohio Revised Code, and the foregoing Findings Of Fact and Conclusions Of Law set forth above, 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 Melvin Wilczynski. Therefore, the State Board of Pharmacy hereby denies the issuance of a renewal application for the 1987 licensure year until Mr. Loboschefski has complied with the requirements of Section 4729.12 of the Ohio Revised Code.

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: July 19, 1986

FZW/sb

By

Franklin Z. Wickham  
Franklin Z. Wickham, Executive Director

cc: John E. Breen, Assistant Attorney General