



# OHIO STATE BOARD OF PHARMACY

77 South High Street, Room 1702; Columbus, OH 43215-6126

-Equal Opportunity Employer and Service Provider-

TEL: 614/466-4143

E-MAIL: [exec@bop.state.oh.us](mailto:exec@bop.state.oh.us)

FAX: 614/752-4836

TTY/TDD: Use the Ohio Relay Service: 1-800/750-0750

URL: <http://www.pharmacy.ohio.gov>

## ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-950315-043)

In The Matter Of:

**DOROTHY AILEEN SANFORD, R.Ph.**

8919 Mockingbird Lane  
Cincinnati, Ohio 45231  
(R.Ph. No. 03-3-10650)

### INTRODUCTION

THE MATTER OF DOROTHY AILEEN SANFORD CAME TO HEARING ON NOVEMBER 29, 1995, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: PAUL F. LAMPING, R.Ph. (presiding); AMONTE B. LITTLEJOHN, R.Ph.; JOSEPH J. MASLAK, R.Ph.; WAYNE C. MILLER, R.Ph.; SUZANNE L. NEUBER, R.Ph.; RUTH A. PLANT, R.Ph.; AND NICHOLAS R. REPKE, PUBLIC MEMBER.

DOROTHY AILEEN SANFORD WAS REPRESENTED BY JAMES R. SCHOLLES; AND THE STATE OF OHIO WAS REPRESENTED BY MARY L. HOLLERN, ASSISTANT ATTORNEY GENERAL.

### SUMMARY OF EVIDENCE

#### (A) Testimony

State's Witnesses:

- (1) Christopher K. Reed, Ohio State Board of Pharmacy
- (2) Robert Amiet, Jr., R.Ph., Ohio State Board of Pharmacy
- (3) Dorothy Sanford, R.Ph., Respondent

Respondent's Witnesses:

- (1) Dorothy Sanford, Respondent
- (2) Thomas Rinsky, R.Ph.

#### (B) Exhibits

State's Exhibits:

- (1) Exhibit 1--Notice of Opportunity letter dated March 15, 1995.
- (2) Exhibit 1A--Hearing Request letter from Jack C. Rubenstein dated April 5, 1995.
- (3) Exhibit 1B--Hearing Request letter from Dorothy A. Sanford dated April 7, 1995.

- (4) Exhibit 1C--Two-page Hearing Schedule letter dated April 14, 1995.
- (5) Exhibit 1D--Letter of Representation from James R. Scholles dated April 17, 1995.
- (6) Exhibit 1E--Hearing Schedule letter dated April 21, 1995.
- (7) Exhibit 1F--Pharmacist File Front Sheet of Dorothy Aileen Sanford showing original date of registration as October 9, 1973; and Renewal Application for Pharmacist License, No. 03-3-10650, for a license to practice pharmacy in Ohio from September 15, 1994, to September 15, 1995, of Dorothy Aileen Sanford dated June 25, 1994.
- (8) Exhibit 1G--Hearing Schedule letter dated June 30, 1995.
- (9) Exhibit 1H--Hearing Schedule letter dated July 11, 1995.
- (10) Exhibit 2--Copy of Plotnick Pharmacy Medical Expenses of Patient Elissa Barnes dated from January 1, 1989 to December 31, 1989; and Plotnick Pharmacy Medical Expenses of Patient Elissa Barnes dated from January 1, 1990, to February 28, 1991.
- (11) Exhibit 3--Report of Prescriptions for Elissa Barnes dated from August 21, 1989, through December 20, 1990.
- (12) Exhibit 4--Fifty prescriptions for Elissa Barnes numbered as follows: 4005818, 4005819, 4005982, 4005983, 4006132, 4006133, 4006280, 4006281, 4006462, 4006463, 4006546, 4006547, 4006617, 4006618, 4006830, 4006831, 4006970, 4006971, 4007213, 4007214, 4007364, 4007365, 4007520, 4007521, 4007627, 4007628, 4007758, 4007759, 4007897, 4007898, 4008031, 4008032, 4008207, 4008208, 4008316, 4008317, 4008518, 4008519, 4008688, 4008689, 4009149, 4009150, 4009595, 4009596, 4009744, 4009745, 4009912, 4009913, 4010053, and 4010054.
- (13) Exhibit 5--Statement of Dorothy A. Sanford signed and notarized on March 17, 1992.
- (14) Exhibit 6--Plotnick Pharmacy Medical Expenses of Bill Chaney from January 1, 1990, to April 10, 1993.
- (15) Exhibit 7--Report of Prescriptions for Bill Chaney dated from April 2, 1990, to January 12, 1991.
- (16) Exhibit 8--Twenty-five prescriptions for Bill Chaney numbered as follows: 4007839, 4007840, 4007981, 4007982, 4008126, 4008127, 4008255, 4008256, 4008452, 4008453, 4008547, 4008548, 4008656, 4008657, 4008787, 4008788, 4008875, 4008876, 4009271, 4009272, 4009865, 4010066, 4010067, 4010191, and 4010192.
- (17) Exhibit 9--Plotnick Pharmacy Medical Expenses of Lilly Chaney dated from January 1, 1989, to December 31, 1989; and Plotnick Pharmacy Medical Expenses of Lilly Chaney dated from January 1, 1990, to February 28, 1991.
- (18) Exhibit 10--Report of Prescriptions for Lilly Chaney dated from October 26, 1989, through December 10, 1990.
- (19) Exhibit 11--Thirty-five prescriptions for Lilly Chaney numbered as follows: 4006415, 4006416, 4006566, 4006567, 4006725, 4006726, 4007045, 4007046, 4007545, 4007546, 4007719, 4007720, 4007806, 4007807, 4007940, 4007941, 4008055, 4008056, 4008192, 4008193, 4008354, 4008413, 4008414, 4008607, 4008608, 4008739, 4008740, 4008821, 4008822, 4009039, 4009040, 4009269, 4009270, 4009957, and 4009958.
- (20) Exhibit 12--Plotnick Pharmacy Medical Expenses of Wanda Devault dated from January 1, 1990, to February 28, 1991.
- (21) Exhibit 13--Report of Prescriptions for Wanda Devault dated from January 4, 1990, to December 27, 1990.
- (22) Exhibit 14--Thirty-four prescriptions for Wanda Devault numbered as follows: 4006984, 4006985, 4007114, 4007115, 4007247, 4007248, 4007373, 4007374, 4007563, 4007564, 4007643, 4007644, 4007803, 4007804, 4007963, 4007964, 4008101, 4008102, 4008293, 4008294, 4008527, 4008528, 4008963, 4008964, 4009068, 4009069, 4009205, 4009206, 4009373, 4009374, 4009469, 4009470, 4010093, and 4010095.

- (23) Exhibit 15--Plotnick Pharmacy Medical Expenses of Gaye Evans dated from January 1, 1989, to December 31, 1989; and two-page Plotnick Pharmacy Medical Expenses of Gaye Evans dated from January 1, 1990, to February 28, 1991.
- (24) Exhibit 16--Report of Prescriptions for Gaye Evans dated from August 24, 1989, to December 17, 1990.
- (25) Exhibit 17--Sixty-one prescriptions for Gaye Evans numbered as follows: 4005865, 4005866, 4006038, 4006039, 4006172, 4006173, 4006362, 4006363, 4006569, 4006570, 4006717, 4006718, 4006863, 4006864, 4006978, 4006979, 4007116, 4007117, 4007245, 4007246, 4007368, 4007369, 4007508, 4007509, 4007638, 4007639, 4007781, 4007783, 4007885, 4007886, 4008018, 4008019, 4008157, 4008158, 4008269, 4008270, 4008383, 4008384, 4008513, 4008514, 4008628, 4008629, 4008631, 4008749, 4008750, 4008827, 4008828, 4009033, 4009034, 4009250, 4009251, 4009376, 4009377, 4009635, 4009636, 4009734, 4009735, 4009884, 4009885, 4010007, and 4010008.
- (26) Exhibit 18--Plotnick Pharmacy Medical Expenses of Charles Geyer dated from January 1, 1989, through December 31, 1989; and two-page Plotnick Pharmacy Medical Expenses of Charles Geyer dated from January 1, 1990, through February 28, 1991.
- (27) Exhibit 19--Two-page report of Prescriptions for Charles Geyer dated from August 14, 1989, to December 10, 1990.
- (28) Exhibit 20--Seventy prescriptions for Charles Geyer numbered as follows: 4005741, 4005742, 4005890, 4005891, 4006022, 4006023, 4006124, 4006125, 4006276, 4006277, 4006345, 4006346, 4006458, 4006459, 4006557, 4006558, 4006682, 4006683, 4006825, 4006827, 4006962, 4006963, 4007112, 4007113, 4007208, 4007209, 4007331, 4007332, 4007467, 4007468, 4007601, 4007602, 4007738, 4007740, 4007859, 4007860, 4007976, 4007977, 4008120, 4008121, 4008251, 4008252, 4008351, 4008352, 4008474, 4008475, 4008603, 4008604, 4008720, 4008721, 4008818, 4008819, 4008921, 4008922, 4009031, 4009032, 4009136, 4009137, 4009244, 4009245, 4009400, 4009401, 4009561, 4009562, 4009680, 4009681, 4009794, 4009797, 4009953, and 4009954.
- (29) Exhibit 21--Plotnick Pharmacy Medical Expenses of Joyce Geyer dated from January 1, 1989, to December 31, 1989; and Plotnick Pharmacy Medical Expenses of Joyce Geyer dated from January 1, 1990, to February 28, 1991.
- (30) Exhibit 22--Two-page report of Prescriptions for Joyce Geyer dated from August 14, 1989, to December 10, 1990.
- (31) Exhibit 23--Seventy prescriptions for Joyce Geyer numbered as follows: 4005743, 4005744, 4005892, 4005893, 4006020, 4006021, 4006126, 4006127, 4006274, 4006275, 4006347, 4006348, 4006456, 4006457, 4006559, 4006560, 4006684, 4006685, 4006822, 4006823, 4006961, 4006964, 4007110, 4007111, 4007206, 4007207, 4007334, 4007335, 4007469, 4007470, 4007603, 4007604, 4007741, 4007742, 4007978, 4007979, 4007857, 4007858, 4008122, 4008123, 4008253, 4008254, 4008349, 4008350, 4008476, 4008477, 4008605, 4008606, 4008722, 4008723, 4008816, 4008817, 4008923, 4008924, 4009029, 4009030, 4009134, 4009135, 4009242, 4009243, 4009398, 4009399, 4009563, 4009564, 4009678, 4009679, 4009798, 4009799, 4009955, and 4009956.
- (32) Exhibit 24--Plotnick Pharmacy Medical Expenses of Fred Guerriri dated from January 1, 1990, to February 28, 1991.
- (33) Exhibit 25--Report of Prescriptions for Fred Guerriri dated from June 22, 1989, to November 15, 1990.
- (34) Exhibit 26--Twenty-five prescriptions for Fred Guerriri numbered as follows: 4005785, 4005786, 4006649, 4006650, 4006785, 4006786, 4006968, 4006969, 4007360, 4007361, 4007950, 4007951, 4008100, 4008233, 4008234, 4008686, 4008687, 4008948, 4008949, 4009060, 4009061, 4009361, 4009362, 4009707, and 4009708.

- (35) Exhibit 27--Plotnick Pharmacy Medical Expenses of Julia Harrison dated from January 1, 1989, to December 31, 1989; and two-page Medical Expenses of Julia Harrison dated from January 1, 1990, to February 28, 1991.
- (36) Exhibit 28--Two-page report of Prescriptions for Julia Harrison dated from August 14, 1989, to December 30, 1990.
- (37) Exhibit 29--Sixty-six prescriptions for Julia Harrison numbered as follows: 4005748, 4005749, 4005856, 4005857, 4005975, 4005976, 4006072, 4006073, 4006197, 4006198, 4006272, 4006273, 4006848, 4006849, 4006723, 4006724, 4006958, 4006959, 4007108, 4007109, 4007277, 4007278, 4007399, 4007400, 4007570, 4007571, 4007736, 4007737, 4007923, 4007924, 4008075, 4008076, 4008186, 4008187, 4008303, 4008304, 4008472, 4008473, 4008601, 4008602, 4008718, 4008719, 4008843, 4008844, 4008910, 4008911, 4009027, 4009028, 4009138, 4009139, 4009230, 4009231, 4009365, 4009366, 4009481, 4009482, 4009593, 4009594, 4009705, 4009706, 4009835, 4009836, 4009986, 4009987, 4010109, and 4010110.
- (38) Exhibit 30--Plotnick Pharmacy Medical Expenses of Barbara Hayes dated from January 1, 1990, to February 28, 1991.
- (39) Exhibit 31--Report of Prescriptions for Barbara Hayes dated from March 20, 1990, to January 3, 1991.
- (40) Exhibit 32--Thirty prescriptions for Barbara Hayes numbered as follows: 4007678, 4007679, 4008307, 4008308, 4008411, 4008412, 4008545, 4008546, 4008654, 4008655, 4008770, 4008771, 4008925, 4008926, 4009035, 4009036, 4009184, 4009185, 4009344, 4009345, 4009445, 4009446, 4009695, 4009696, 4009900, 4009901, 4010030, 4010031, 4010126, and 4010127.
- (41) Exhibit 33--Plotnick Pharmacy Medical Expenses of Susan Maddux dated from January 1, 1990, to February 28, 1991.
- (42) Exhibit 34--Report of Prescriptions for Sue Maddux dated from April 16, 1990, to January 3, 1991.
- (43) Exhibit 35--Twenty-six prescriptions for Susan Maddux numbered as follows: 4007916, 4008188, 4008440, 4008630, 4008751, 4008752, 4008836, 4008837, 4008954, 4008955, 4009064, 4009065, 4009162, 4009163, 4009280, 4009281, 4009616, 4009617, 4009731, 4009732, 4009904, 4009905, 4010039, 4010040, 4010130, and 4010131.
- (44) Exhibit 39--Plotnick Pharmacy Medical Expenses of Tom Prather dated from January 1, 1989, to December 31, 1989; and Plotnick Pharmacy Medical Expenses of Tom Prather dated from January 1, 1990, to February 28, 1991.
- (45) Exhibit 40--Report of Prescriptions for Tom Prather dated from August 14, 1989, to November 29, 1990.
- (46) Exhibit 41--Twenty-two prescriptions for Tom Prather numbered as follows: 4005752, 4005753, 4005894, 4005895, 4006024, 4006025, 4006129, 4006130, 4006349, 4006350, 4006460, 4006461, 4006564, 4006565, 4006691, 4006692, 4006850, 4006851, 4006965, 4006966, 4009847, and 4009848.
- (47) Exhibit 42--Plotnick Pharmacy Medical Expenses of Sue Ryan dated from January 1, 1989, to December 31, 1989; and Plotnick Pharmacy Medical Expenses of Sue Ryan dated from January 1, 1990, to February 1, 1991.
- (48) Exhibit 43--Report of Prescriptions for Sue Ryan dated from August 14, 1989, to November 29, 1990.
- (49) Exhibit 44--Forty-four prescriptions for Sue Ryan numbered as follows: 4005750, 4005751, 4005896, 4005897, 4006128, 4006131, 4006334, 4006335, 4006351, 4006352, 4006561, 4006562, 4006693, 4006694, 4007016, 4007017, 4007336, 4007337, 4007529, 4007530, 4007729, 4007730, 4007878, 4007879, 4008035, 4008036, 4008214, 4008215, 4008331, 4008332, 4008838, 4008839, 4008873,

4008874, 4009276, 4009277, 4009438, 4009439, 4009606, 4009607, 4009746, 4009747, 4009843, and 4009844.

- (50) Exhibit 45--Plotnick Pharmacy Medical Expenses of Darylle Simmons dated from January 1, 1989, to December 31, 1990; and Plotnick Pharmacy Medical Expenses of Darylle Simmons dated from January 1, 1990, to February 28, 1991.
- (51) Exhibit 46--Report of Prescriptions for Darylle Simmons dated from September 25, 1989, to December 20, 1990.
- (52) Exhibit 47--Forty-four prescriptions for Darylle Simmons numbered as follows: 4006134, 4006135, 4006282, 4006283, 4006689, 4006690, 4006824, 4006826, 4006972, 4006973, 4007210, 4007211, 4007647, 4007648, 4007766, 4007767, 4007955, 4007956, 4008160, 4008161, 4008281, 4008282, 4008345, 4008346, 4008576, 4008577, 4008776, 4008777, 4008889, 4008890, 4009002, 4009003, 4009160, 4009161, 4009380, 4009381, 4009597, 4009598, 4009742, 4009743, 4009841, 4009842, 4010055, and 4010056.
- (53) Exhibit 48--Copy of page 236 of "Facts and Comparisons", January 1995; and copy of pages 237 through 240a of "Facts and Comparisons", March 1989.
- (54) Exhibit 49--Copy of page 817 of "Physicians' Desk Reference", 1989.
- (55) Exhibit 50--Copy of pages 2349 and 2350 of "Physicians' Desk Reference", 1989.
- (56) Exhibit 51--Summary of Patient Records dated from March 6, 1990, through January 17, 1991, sealed record.
- (57) Exhibit 52--Summary of Patient Records dated from April 16, 1990 through January 24, 1991, sealed record.
- (58) Exhibit 53--Two-page Summary of Patient Records dated from February 11, 1988, through December 20, 1990, sealed record.
- (59) Exhibit 54--Two-page Summary of Patient Records dated from September 29, 1988, through November 15, 1990, sealed record.
- (60) Exhibit 55--Summary of Patient Records dated from May 4, 1989, through March 26, 1990, sealed record.
- (61) Exhibit 56--Two-page Summary of Patient Records dated from June 29, 1989, through January 17, 1991, sealed record.
- (62) Exhibit 57--Summary of Patient Records dated from June 11, 1990, through January 14, 1991, sealed record.
- (63) Exhibit 58--Five-page Summary of Patient Records dated from June 4, 1986, through December 13, 1990, sealed record.
- (64) Exhibit 59--Summary of Patient Records dated from May 18, 1989, through January 24, 1991, sealed record.

#### Respondent's Exhibits:

- (1) Exhibit A--Combined copy of pages 975 and 976 of "Physician's Desk Reference", copyright year not indicated.

#### FINDINGS OF FACT

After having heard the testimony, considered the evidence, observed the demeanor of the witnesses, and weighed their credibility, the State Board of Pharmacy finds the following to be fact:

- (1) Records of the Board of Pharmacy indicate that Dorothy Aileen Sanford was originally licensed in the state of Ohio on October 9, 1973, pursuant to reciprocity, and is currently licensed to practice pharmacy in the state of Ohio.

- (2) Dorothy Aileen Sanford did, from August 21, 1989, through December 20, 1990, sell a controlled substance in an amount equal to or exceeding three times the bulk amount, but in an amount less than one hundred times that amount, when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: over a 486-day time period, and knowing that other such sales were being made, Dorothy Aileen Sanford sold 480 unit doses of Bontril 35mg and 228 unit doses of Adipex-P to the same patient for purposes of weight control when such was not for a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A)(7) of the Ohio Revised Code.
- (3) Dorothy Aileen Sanford did, from April 2, 1990, through January 12, 1991, sell a controlled substance in an amount equal to or exceeding the bulk amount, but in an amount less than three times that amount, when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: over a 286-day time period, and knowing that other such sales were being made, Dorothy Aileen Sanford sold 90 unit doses of Bontril 35mg and 42 unit doses of Adipex-P to the same patient for purposes of weight control when such was not for a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.
- (4) Dorothy Aileen Sanford did, from October 26, 1989, through December 10, 1990, sell a controlled substance in an amount equal to or exceeding the bulk amount, but in an amount less than three times that amount, when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: over a 410-day time period, and knowing that other such sales were being made, Dorothy Aileen Sanford sold 120 unit doses of Bontril 35mg and 45 unit doses of Adipex-P to the same patient for purposes of weight control when such was not for a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.
- (5) Dorothy Aileen Sanford did, from January 4, 1990, through December 27, 1990, sell a controlled substance in an amount equal to or exceeding three times the bulk amount, but in an amount less than one hundred times that amount, when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: over a 357-day time period, and knowing that other such sales were being made, Dorothy Aileen Sanford sold 127 unit doses of Bontril 35mg and 127 unit doses of Adipex-P to the same patient for purposes of weight control when such was not for a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A)(7) of the Ohio Revised Code.
- (6) Dorothy Aileen Sanford did, from August 24, 1989, through December 17, 1990, sell a controlled substance in an amount equal to or exceeding three times the bulk amount, but in an amount less than one hundred times that amount, when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: over a 480-day time period, and knowing that other such sales were being made, Dorothy Aileen Sanford sold 374 unit doses of Bontril 35mg and 170 unit doses of Adipex-P to the same patient for purposes of weight control when such was not for a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A)(7) of the Ohio Revised Code.
- (7) Dorothy Aileen Sanford did, from August 14, 1989, through December 10, 1990, sell a controlled substance in an amount equal to or exceeding the bulk amount, but in an amount less than three times that amount, when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: over a 483-day time period, and knowing that other such sales were being made, Dorothy Aileen Sanford sold

150 unit doses of Plegine 35mg and 73 unit doses of Adipex-P to the same patient for purposes of weight control when such was not for a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.

- (8) Dorothy Aileen Sanford did, from August 14, 1989, through December 10, 1990, sell a controlled substance in an amount equal to or exceeding the bulk amount, but in an amount less than three times that amount, when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: over a 483-day time period, and knowing that other such sales were being made, Dorothy Aileen Sanford sold 200 unit doses of Bontril 35mg and 73 unit doses of Adipex-P to the same patient for purposes of weight control when such was not for a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.
- (9) Dorothy Aileen Sanford did, from June 22, 1989, through November 15, 1990, sell a controlled substance in an amount equal to or exceeding three times the bulk amount, but in an amount less than one hundred times that amount, when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: over a 511-day time period, and knowing that other such sales were being made, Dorothy Aileen Sanford sold 285 unit doses of Bontril 35mg and 140 unit doses of Adipex-P to the same patient for purposes of weight control when such was not for a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A)(7) of the Ohio Revised Code.
- (10) Dorothy Aileen Sanford did, from August 14, 1989, through December 30, 1990, sell a controlled substance in an amount equal to or exceeding three times the bulk amount, but in an amount less than one hundred times that amount, when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: over a 503-day time period, and knowing that other such sales were being made, Dorothy Aileen Sanford sold 550 unit doses of Bontril 35mg and 201 unit doses of Adipex-P to the same patient for purposes of weight control when such was not for a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A)(7) of the Ohio Revised Code.
- (11) Dorothy Aileen Sanford did, from March 20, 1990, through January 3, 1991, sell a controlled substance in an amount equal to or exceeding the bulk amount, but in an amount less than three times that amount, when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: over a 290-day time period, and knowing that other such sales were being made, Dorothy Aileen Sanford sold 30 unit doses of Plegine 35mg, 42 unit doses of Tenuate 25mg, and 56 unit doses of Adipex-P to the same patient for purposes of weight control when such was not for a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.
- (12) Dorothy Aileen Sanford did, from April 16, 1990, through January 3, 1991, sell a controlled substance in an amount less than the minimum bulk amount, when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: over a 263-day time period, and knowing that other such sales were being made, Dorothy Aileen Sanford sold 88 unit doses of Bontril 35mg and 21 unit doses of Adipex-P to the same patient for purposes of weight control when such was not for a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A)(1) of the Ohio Revised Code.

- (13) Dorothy Aileen Sanford did, from August 14, 1989, through January 4, 1990, sell a controlled substance in an amount less than the minimum bulk amount, when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: over a 144-day time period, and knowing that other such sales were being made, Dorothy Aileen Sanford sold 15 unit doses of Bontril 35mg and 15 unit doses of Adipex-P to the same patient for purposes of weight control when such was not for a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A)(1) of the Ohio Revised Code.
- (14) Dorothy Aileen Sanford did, from August 14, 1989, through November 29, 1990, sell a controlled substance in an amount equal to or exceeding the bulk amount, but in an amount less than three times that amount, when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: over a 473-day time period, and knowing that other such sales were being made, Dorothy Aileen Sanford sold 71 unit doses of Bontril 35mg and 71 unit doses of Adipex-P to the same patient for purposes of weight control when such was not for a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.
- (15) Dorothy Aileen Sanford did, from September 25, 1989, through December 20, 1990, sell a controlled substance in an amount equal to or exceeding three times the bulk amount, but in an amount less than one hundred times that amount, when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: over a 451-day time period, and knowing that other such sales were being made, Dorothy Aileen Sanford sold 300 unit doses of Bontril 35mg and 141 unit doses of Adipex-P to the same patient for purposes of weight control when such was not for a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A)(7) 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 (15) of the Findings of Fact constitute being guilty of unprofessional conduct in the practice of pharmacy as provided in Division (A)(2) 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 (15) of the Findings of Fact constitute being guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of provisions of Chapter 2925. of the Revised Code as provided in Division (A)(5) of Section 4729.16 of the Ohio Revised Code.

#### ACTION OF THE BOARD

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following actions in the matter of Dorothy Aileen Sanford:

- (A) On the basis of the Findings of Fact and paragraph (1) of the Conclusions of Law set forth above, the State Board of Pharmacy hereby places the pharmacist identification card, No. 03-3-10650, held by Dorothy Aileen Sanford on probation for one year effective as of the date of the mailing of this Order. The terms of probation are as follows:

(1) Pursuant to paragraph (D)(1) of Rule 4729-3-01 of the Ohio Administrative Code, the State Board of pharmacy hereby declares that Dorothy Aileen Sanford's pharmacist identification card is not in good standing and thereby denies the privilege of being a preceptor and training pharmacy interns.

(2) Dorothy Aileen Sanford may not serve as a responsible pharmacist.

(3) Dorothy Aileen Sanford must not violate the drug laws of the state of Ohio, any other state, or the federal government.

(4) Dorothy Aileen Sanford must abide by the rules of the Ohio State Board of Pharmacy.

(5) Dorothy Aileen Sanford must comply with the terms of this Order.

The Board may at any time revoke probation for cause, modify the conditions of probation, and reduce or extend the period of probation. At any time during this period of probation, the Board may revoke probation for a violation occurring during the probation period.

(B) On the basis of the Findings of Fact and 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 days of the issuance of this Order. The monetary penalty should be made payable to the "Treasurer, State of Ohio" and mailed with the enclosed form to the State Board of Pharmacy, 77 South High Street, 17th Floor, Columbus, Ohio 43266-0320.

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

MOTION CARRIED.

SO ORDERED.