

IN THE MATTER OF DANIEL HELTON BRADY

THE MATTER OF THE PHARMACIST EXAMINATION APPLICATION OF DANIEL H. BRADY, DOCKET NO. 6-43-3, WAS HEARD PURSUANT TO CHAPTER 119., OHIO REVISED CODE. AFTER CONSIDERATION OF THE EVIDENCE PRESENTED AT THE HEARING MOTION WAS MADE AND RECORDED THAT THE FOLLOWING ORDER BE ADOPTED:

ORDER

- (1) The Board finds Mr. Brady appears to be gainfully employed, is enrolled in a university pursuing further professional academic studies and does not illegally use or abuse any dangerous drug.
- (2) Therefore, the Board finds that Mr. Brady is of good moral character and habits and pursuant to Revised Code Section 4729.08 is qualified to take the licensure examination for registration as a pharmacist in Ohio.

The Motion was approved by a majority of the State Board of Pharmacy.

Motion Carried.

So Ordered.

(02-11-81)

THE STATE BOARD OF PHARMACY

VS

DANIEL HELTON BRADY

THE MATTER OF THE STATE BOARD OF PHARMACY VERSUS DANIEL HELTON BRADY, DOCKET 6-33-2, WAS HEARD PURSUANT TO CHAPTERS 4729. AND 119., REVISED CODE. AFTER CONSIDERATION OF THE EVIDENCE ADDUCED, MOTION WAS MADE AND RECORDED THE FOLLOWING ORDER BE ADOPTED:

ORDER

FINDINGS OF FACT:

- 1) From the evidence presented, the State Board of Pharmacy finds that Daniel Helton Brady did, on or about April 5, 1979, obtain or exert control over dangerous drugs, to wit; Eskatrol, Dexedrine, Demerol, Biphetamine, Percodan, Preludin and Seconal without the consent or beyond the scope of the consent given by the owner, K-Mart Pharmacy, 4475 Mahoning Avenue, Austintown Ohio, as charged in part 2(a) of the citation letter.
- 2) From the evidence presented, the State Board of Pharmacy finds that Daniel Helton Brady did, on or about April 6, 1979, obtain or exert control over dangerous drugs, to wit; Biphetamine, Demerol, Desoxyn, Eskatrol, Percodan, Perludin and Quaalude without the consent or beyond the scope of the consent given by the owner, K-Mart Pharmacy, 4475 Mahoning Avenue, Austintown Ohio, as charged in part 2(b) of the citation letter.
- 3) From the evidence presented, the State Board of Pharmacy finds that Daniel Helton Brady did, on several occasions in the years 1978 and 1979, change his place of employment without notifying the State Board of Pharmacy of the new address of employment, as charged in part 2(c) of the citation letter.
- 4) The State Board of Pharmacy finds that there was insufficient evidence to support the charge set forth in part 2(d) of the citation letter alleging that Daniel Helton Brady did, on or about April 6, 1979, use a controlled substance.

CONCLUSIONS OF LAW:

- 1) The State Board of Pharmacy finds that the conduct set forth in paragraphs 1 and 2 of the findings of fact is in violation of the provisions of Sections 2925.21(A) and 2193.02, Ohio Revised Code.
- 2) The State Board of Pharmacy finds that the conduct set forth in paragraph 3 of the findings of fact is in violation of State Pharmacy Board Rule 4729-5-03(B).
- 3) The State Board of Pharmacy finds that the conduct set forth in paragraphs 1 and 2 of the findings of fact constitutes gross immorality within the meaning of section 4729.16(A), Ohio Revised Code.
- 4) The State Board of Pharmacy, on the basis of paragraphs 1, 2, and 3 of the findings of facts, concludes that Daniel Helton Brady did on more than one occasion violate the provisions of Chapters 2925. and 4729. Ohio Revised Code.

PURSUANT TO SECTION 4729.16(A) AND 4729.16(C), OHIO REVISED CODE, AND THE FOREGOING FINDING OF FACT AND CONCLUSIONS OF LAW, THE STATE BOARD OF PHARMACY HEREBY REVOKES THE IDENTIFICATION CARD OF DANIEL HELTON BRADY, EFFECTIVE IMMEDIATELY.

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

MOTION CARRIED.

SO ORDERED.

(9/19/79)