



# OHIO STATE BOARD OF PHARMACY

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## ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-970506-039)

In The Matter Of:

**JOHN S. YASKANICH, R.Ph.**

5020 Richelieu Avenue  
Sheffield Lake, Ohio 44054  
(R.Ph. No. 03-3-11655)

### INTRODUCTION

THE MATTER OF JOHN S. YASKANICH CAME TO HEARING ON JUNE 18, 1997, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: SUZANNE L. NEUBER, R.Ph. (presiding); DIANE C. ADELMAN, R.Ph.; ROBERT B. CAVENDISH, R.Ph.; JOHN L. HANNA, R.Ph.; PAUL F. LAMPING, R.Ph.; AMONTE B. LITTLEJOHN, R.Ph.; JOSEPH J. MASLAK, R.Ph.; AND RUTH A. PLANT, R.Ph.

JOHN S. YASKANICH WAS REPRESENTED BY BRIAN F. McNAMEE, AND THE STATE OF OHIO WAS REPRESENTED BY MARY L. HOLLERN, ASSISTANT ATTORNEY GENERAL.

### SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) None

Respondent's Witnesses:

- (1) John S. Yaskanich, Respondent

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1--Six-page Order of the State Board of Pharmacy, Docket No. D-940701-001, in the matter of John S. Yaskanich dated December 12, 1994.
- (2) Exhibit 1A--Letter from Michael J. Duff dated April 24, 1997; two-page Petition for Hearing to Reinstate Pharmacy License of John S. Yaskanich dated April 24, 1997; copy of letter from Detective Joseph J. Palmer dated January 8, 1996; and copy of letter from Francis L. McCafferty dated February 3, 1997.

- (3) Exhibit 1B--Two-page Hearing Schedule letter dated May 6, 1997.
- (4) Exhibit 1C--Continuance Request letter dated May 8, 1997.
- (5) Exhibit 1D--Hearing Schedule letter dated May 13, 1997.
- (6) Exhibit 1E--Letter from Michael J. Duff dated May 16, 1997.
- (7) Exhibit 1F--Hearing Schedule letter dated May 16, 1997.

Respondent's Exhibits:

- (1) Exhibit A--Copy of letter from Francis L. McCafferty dated February 3, 1997.
- (2) Exhibit B--Copy of letter from Detective Joseph J. Palmer dated January 8, 1996.
- (3) Exhibit C--Copy of letter from Francis L. McCafferty dated June 17, 1997.
- (4) Exhibit D--Letter from Sharon Sweda dated June 17, 1997.

FINDING 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) John S. Yaskanich is in compliance with the Order of the Board, Docket No. D-940701-001, dated December 12, 1994.

ACTION OF THE BOARD

The State Board of Pharmacy hereby approves the reinstatement of the pharmacist identification card of John S. Yaskanich to practice pharmacy in the state of Ohio upon meeting the requirements for renewal, including any continuing pharmacy education, and places him on probation for five years from the date his identification card is issued, with the following conditions:

- (A) John S. Yaskanich must continue his ongoing therapy with Dr. Francis McCafferty or another licensed psychiatrist and abide by his/her recommended treatment program.
- (B) John S. Yaskanich must submit quarterly progress reports to the Board (due January 10, April 10, July 10, and October 10) through the end of probation, which include:
  - (1) The written report and documentation provided by Dr. McCafferty or other licensed psychiatrist.
  - (2) A written description of his progress towards recovery and what he has been doing during the previous three months.
- (C) Other 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 the pharmacist identification card of John S. Yaskanich is not in good standing and thereby denies the privilege of being a preceptor and training pharmacy interns.
  - (2) John S. Yaskanich may not serve as a responsible pharmacist.

(3) John S. Yaskanich must abide by the recommended treatment plan of Dr. McCafferty or other licensed psychiatrist and any violation must be reported to the Board immediately.

(4) John S. Yaskanich must not violate the Anti-Stalking Protection Order of the Oberlin Municipal Court dated June 14, 1994.

(5) John S. Yaskanich must not violate the drug laws of the state of Ohio, any other state, or the federal government.

(6) John S. Yaskanich must abide by the rules of the Ohio State Board of Pharmacy.

(7) John S. Yaskanich must comply with the terms of this Order.

John S. Yaskanich is hereby advised that 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.

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

MOTION CARRIED.

SO ORDERED.



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## ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-940701-001)

In The Matter Of:

**JOHN S. YASKANICH, R.Ph.**

5020 Richelieu Avenue  
Sheffield Lake, Ohio 44054  
(R.Ph. No. 03-3-11655)

### INTRODUCTION

THE MATTER OF JOHN S. YASKANICH CAME TO HEARING ON OCTOBER 28, 1994, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: RUTH A. PLANT, R.Ph. (presiding); ROBERT B. CAVENDISH, R.Ph.; JOHN L. HANNA, R.Ph.; PAUL F. LAMPING, R.Ph.; AMONTE B. LITTLEJOHN, R.Ph.; JOSEPH J. MASLAK, R.Ph.; WAYNE C. MILLER, R.Ph.; SUZANNE L. NEUBER, R.Ph.; AND NICHOLAS R. REPKE, PUBLIC MEMBER.

JOHN S. YASKANICH WAS REPRESENTED BY MICHAEL J. DUFF, AND THE STATE OF OHIO WAS REPRESENTED BY ANNE B. STRAIT, ASSISTANT ATTORNEY GENERAL.

### SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) Pennie M. Ackerman
- (2) Deputy Stephen E. Lewis, Lorain County Sheriff's Department
- (3) Detective Joseph Palmer, Lorain County Sheriff's Department

Respondent's Witnesses:

- (1) Francis L. McCafferty, M.D.
- (2) John S. Yaskanich, R.Ph., Respondent

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1 - Summary Suspension Order/Notice of Opportunity letter dated July 1, 1994.
- (2) Exhibit 1A - Hearing Request letter dated July 8, 1994.
- (3) Exhibit 1B - Hearing Schedule letter dated July 13, 1994.

- (4) Exhibit 2 - Pharmacist File Front Sheet of John Steven Yaskanich, Jr. showing original date of registration as August 4, 1976.
- (5) Exhibit 2A - Renewal Application for Pharmacist License, No. 03-3-11655, for a license to practice pharmacy in Ohio from September 15, 1993, to September 15, 1994, of John S. Yaskanich dated August 10, 1993.
- (6) Exhibit 3 - Certified copy of ten-page Lorain County Sheriff's Report, Incident No. 87331, involving Pennie M. Ackerman dated from May 29, 1994, through June 9, 1994.
- (7) Exhibit 3A - Lorain County Sheriff's Supplemental Report, Incident No. 94-087331, dated June 16, 1994; three-page copy of Affidavit of Stephen E. Lewis in the Lorain County Common Pleas Court dated June 16, 1994; and copy of Lorain County Common Pleas Court Search Warrant dated June 16, 1994.
- (8) Exhibit 4 - Five-page facsimile copy of Lorain County Sheriff's Police Incident Report dated April 29, 1994.
- (9) Exhibit 5 - Twelve-page facsimile copy of letter to Detective Palmer and Deputy Steve Lewis, from John S. Yaskanich dated June 19, 1994.
- (10) Exhibit 6 - Four-page copy of typewritten document titled "The Wedding Night, Early morn of March 23".
- (11) Exhibit 7 - Nine-page copy of typewritten document titled "Update of Mr. Bond (James Bond) double agent".
- (12) Exhibit 8 - Seven-page Statement of Pennie M. Ackerman signed and notarized on August 8, 1994.
- (13) Exhibit 9 - Certified copy of nine-page Lorain County Sheriff's Report, Incident No. 85900, involving Pennie M. Ackerman dated from December 23, 1993, through December 29, 1993.
- (14) Exhibit 10 - Certified copy of four-page Lorain County Sheriff's Incident Report, Incident No. 61288, involving Pennie M. Ackerman dated from March 14, 1986, through March 18, 1986.
- (15) Exhibit 11 - Facsimile copy of letter from Francis L. McCafferty dated August 2, 1994.
- (16) Exhibit 12 - Copy of Anti-Stalking Protection Order in the Oberlin Municipal Court, Case No. 94CRB00362, of John S. Yaskanich(*sic*) dated June 14, 1994.
- (17) Exhibit 13 - Three-page copy of Lorain County Sheriff's Supplemental Report, Incident No. 94-087331, dated July 5, 1994.
- (18) Exhibit 14 - Facsimile copy of letter to Detective Palmer and Deputy Steve Lewis from John S. Yaskanich dated July 4, 1994.
- (19) Exhibit 15 - Five-page facsimile containing: letter from Francis L. McCafferty dated September 27, 1994; two-page Plea of Not Guilty by Reason of Insanity in the Oberlin Municipal Court, Lorain County, Ohio, Case No. 94CRB00362, of John S. Yaskanich, date illegible; and two-page Motion for Leave to Enter Plea of Not Guilty by Reason of Insanity Instanter in the Oberlin Municipal Court, Lorain County, Ohio, Case No. 94CRB00362, of John S. Yaskanich, date illegible.

Respondent's Exhibits:

- (1) Exhibit A - Four-page copy of Curriculum Vitae of Francis Lawrence McCafferty, M.D.
- (2) Exhibit B - Two-page copy of St. John West Shore Hospital Admitting Note/History & Physical, Psychiatric Evaluation of John Yaskanich seen by F. McCafferty on July 8, 1994.
- (3) Exhibit C - Two-page Psychological Assessment of John S. Yaskanich seen by Kenneth Harwood, Ph.D. on July 11, 1994.
- (4) Exhibit D - Copy of St. John West Shore Hospital Consultation Report of John Yaskanich by F. McCafferty, M.D. on August 1, 1994.

- (5) Exhibit E - Two-page copy of St. John West Shore Hospital Clinical Resume of John S. Yaskanich by F. McCafferty, M.D. on or about August 4, 1994.
- (6) Exhibit F - Six-page copy of Quick Reference to the Diagnostic Criteria from DSM-IV, American Psychiatric Association, pages 147 through 154, "Schizophrenia and Other Psychotic Disorders".
- (7) Exhibit G - Five-page copy of Sheffield Lake, Ohio Police Department Supplementary Report of John Yaskanich by Chief Walther on January 27, 1982.

#### 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 indicate that John S. Yaskanich was originally licensed to practice pharmacy in the state of Ohio on August 4, 1976, and on or about July 1, 1994, his license was summarily suspended in accordance with Section 3719.121(B) of the Ohio Revised Code.
- (2) On June 13, 1994, John S. Yaskanich was arrested for Menacing by Stalking in violation of Section 2903.211 of the Ohio Revised Code. The complainant/victim of this crime is a blond female with whom John S. Yaskanich once worked. When asked by the arresting officer why John S. Yaskanich had been menacing by stalking the complainant/victim, John S. Yaskanich replied it was because he had been hypnotized 2 years ago.
- (3) Further, John S. Yaskanich wrote letters, which he forwarded to others, in which John S. Yaskanich stated, in part, the following:

.. Todd Billis aka Groucho called me at 11:30 AM at Rite Aid Drug Store at 4106 E. Lake Rd. in Sheffield Lake, Ohio. ... He said he wanted to hypnotize me so that I would sleep better and not be disturbed when Mark arrived ... The first hypnosis started at 11:30 AM in the back office of our pharmacy. ... I hung up the phone. Immediately I felt dizzy, my heart began to pound heavy and my eyes began to water profusely. ... My normal color of my eyes are bright green but now they were very distinctly light grey. I did not feel normal. My forehead above my eyes was swollen. I did fifty "push ups" to physically cause lactic acid to build up at the nerve junctions, and then I felt better. ... At 7 PM [name of person] called me back, he said he went to check on the female again. He said she was brutally raped and that there was blood all over the house and bedroom. ... I told the intruder that it was his last chance to identify himself before I came downstairs and cut his throat with the knife I had in my hand. He said he was a demon. ... My spell was an exact quote of the witches in Mcbeth, "Double, double, toil and trouble, fire burn, and cauldron bubble. ... He said [stalking victim's first name used] was cut pretty bad on her legs. He said she looked like she was gang raped because there was blood all over the house and bedroom. ... He then rehypnotized me again using the real scenario of raping [used stalking victim's full name] twice and putting on the "genie hat." ... so it was really easy to rape her while she was asleep. ... He said it was an ex-girlfriend of mine named [full name of stalking victim] ... On 3-15-92 a man called the Rite Aid Drug Store ... it sounded like squealing or a woman having an orgasm with heavy breathing ... he was going to cut the tit(*sic*) of the nibble(*sic*) off with a sharp razor knife ...also called back one more time to ask what would be good to calm someone down who was high on a stimulant drug ... He asked if

Valium would help? ... I said with the vodka the Valium would have a synergistic(*sic*) effect on a person ... he then cut off her blouse with a knife ... started to have intercourse(*sic*) from the rear with the blonde(*sic*) girl (stalking victim's first name) ...started to draw her back to the house by her hair ... he was going to mess up her braces and cut the ends of her tits off if she did not cooperate ... dragged her back out into the room where the couch was ... then each person took turns having oral sex with her...I said I had access to a 12 gauge double barrel and a 12 gauge pump ...

The above letters indicate that while practicing pharmacy and while licensed by the Board of Pharmacy to practice that profession John S. Yaskanich is having delusions of demonic episodes, hypnotic episodes, and changes in his physical appearance. These episodes, which John S. Yaskanich has reduced to letters, involve fantasies regarding violence and death along with sexually explicit/graphic details regarding the victim whom John S. Yaskanich has been criminally charged with Menacing by Stalking in violation of Section 2903.211 of the Ohio Revised Code.

#### CONCLUSION OF LAW

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (2) and (3) of the Findings of Fact constitutes being impaired mentally to such a degree as to render John S. Yaskanich unfit to practice pharmacy as provided in Division (A)(3) of Section 4729.16 of the Ohio Revised Code.

#### ACTION OF THE BOARD

Pursuant to Section 3719.121 of the Ohio Revised Code, the State Board of Pharmacy hereby removes the Summary Suspension Order issued July 1, 1994.

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following actions in the matter of John S. Yaskanich:

- (A) On the basis of the Findings of Fact and Conclusion of Law set forth above, the State Board of Pharmacy hereby suspends the pharmacist identification card, No. 03-3-11655, held by John S. Yaskanich indefinitely and such suspension is effective as of the date of the mailing of this Order. Pursuant to Rule 4729-9-01(F) of the Ohio Administrative Code, John S. Yaskanich may not be employed by or work in a facility licensed by the Board of Pharmacy to possess or distribute dangerous drugs during such period of suspension.
- (B) Two years after the effective date of this Order, the Board will consider any petition filed by John S. Yaskanich for a hearing, pursuant to Revised Code Chapter 119., upon the question of the reinstatement of his license to practice pharmacy in Ohio. The Board will consider the reinstatement of the license only if the following conditions have been met:
  - (1) John S. Yaskanich has continued psychotherapy/counseling and any recommended treatment program with Dr. Francis McCafferty or another licensed psychiatrist.
  - (2) John S. Yaskanich has promptly informed the Board in writing of any change in frequency of visits and/or health care provider.

(3) John S. Yaskanich has not violated the Anti-Stalking Protection Order of the Oberlin Municipal Court dated June 14, 1994.

(4) At the time of petitioning the Board for reinstatement, John S. Yaskanich must provide written documentation from his psychiatrist regarding compliance with the recommended treatment program including the use of all prescription drugs from the date of this Order.

Division (B) of Section 4729.16 of the Revised Code provides that: "Any individual whose identification card is revoked, suspended, or refused, shall return his identification card and certificate of registration to the offices of the state board of pharmacy within ten days after receipt of the 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.