



OHIO STATE BOARD OF PHARMACY

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THE STATE BOARD OF PHARMACY
(Docket No. D-881205-034)

In The Matter Of:

E. MICHAEL DUCKWORTH, R.Ph.
USAF Hospital Hellenikon
P.O. Box 3108
APO, NY 09223

THE MATTER OF E. MICHAEL DUCKWORTH CAME ON FOR CONSIDERATION BY THE STATE BOARD OF PHARMACY ON THURSDAY, SEPTEMBER 28, 1989 AS A RESULT OF THE REPORT AND RECOMMENDATION SUBMITTED TO THE BOARD BY HEARING OFFICER AND BOARD MEMBER BETTY NICHOL. FOLLOWING CONSIDERATION OF THE REPORT AND RECOMMENDATION, THE TRANSCRIPT OF THE HEARING, AND EVIDENCE ADDUCED AT THE HEARING, MOTIONS WERE MADE AND RECORDED THE FOLLOWING ORDER AS 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 Betty Nichol, as follows:

- (1) The State Board of Pharmacy finds that on December 5, 1988, E. Michael Duckworth was notified by letter of his right to a hearing, his rights in such hearing, and his right to submit his contentions in writing.
- (2) The State Board of Pharmacy finds that as demonstrated by return receipt of December 20, 1988, E. Michael Duckworth received the letter of December 5, 1988 informing him of the allegations regarding continuing pharmacy education submitted for renewal and his rights.
- (3) The State Board of Pharmacy finds that E. Michael Duckworth has not responded in any manner to the letter of December 5, 1988, and has not requested a hearing in this matter.
- (4) The State Board of Pharmacy finds that E. Michael Duckworth has not continued his pharmacy education in accordance with Chapter 4729-7 of the Ohio Administrative Code.
- (5) The State Board of Pharmacy finds that E. Michael Duckworth has not submitted the required 4.5 CEUs needed for renewal of his pharmacist license.

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Order of the Board

Conclusion Of Law

The State Board of Pharmacy hereby agrees with and adopts the Conclusion Of Law set forth in the Report and Recommendation of Hearing Officer and Board Member Betty Nichol, as follows:

- (1) The State Board of Pharmacy concludes that the conduct set forth in paragraphs (4) and (5) of the Findings Of Fact constitutes failure to meet the requirements for a renewal identification card as set forth in Section 4729.12 of the Ohio Revised Code.

Action Of The Board

Pursuant to Section 4729.12 of the Ohio Revised Code, and the foregoing Findings Of Fact and Conclusion 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 Betty Nichol. Therefore, the State Board of Pharmacy hereby denies the renewal application for an identification card for E. Michael Duckworth.

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
#P-417-664-052

ORDER MAILED: NOVEMBER 9, 1989

FZW/pw

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

cc: Steve Dlott, Assistant Attorney General