



OHIO STATE BOARD OF PHARMACY

- An Equal Opportunity Employer and Service Provider -

77 S. High Street, 17th Floor; Columbus, Ohio 43266-0320
Telephone: 614/466-4143 FAX: 614/752-4836
TTY/TDD Ohio Relay Service: 1-800/750-0750

ORDER OF THE STATE BOARD OF PHARMACY
(Docket No. D-921017-017)

In The Matter Of:

GEORGE SCHOCK, R.Ph.
8086 Spring Garden Court
West Chester, Ohio 45069
(R.Ph. No. 03-3-11828)

INTRODUCTION

THE MATTER OF GEORGE SCHOCK CAME TO HEARING ON DECEMBER 9, 1992 BEFORE THE FOLLOWING MEMBERS OF THE BOARD: TIMOTHY D. MOORE, R.Ph. (presiding); METTA LOU HENDERSON, R.Ph.; PAUL F. LAMPING, R.Ph.; WAYNE C. MILLER, R.Ph.; RUTH A. PLANT, R.Ph.; NICHOLAS R. REPKE; JOSEPH R. SABINO, R.Ph.; AND ROBERT W. VALENTINE, R.Ph.

GEORGE SCHOCK WAS REPRESENTED BY HARRY B. PLOTNICK, AND THE STATE OF OHIO WAS REPRESENTED BY RONDA ANDERSON, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) George Schock, Respondent
- (2) Mike Cluxton, Ohio State Board of Pharmacy
- (3) Cheryl Rooks, Ohio State Board of Pharmacy
- (4) Bill Schmidt, Ohio State Medical Board

Respondent's Witnesses:

- (1) George Schock, Respondent

(B) Exhibits

State's Exhibits:

- (1) Exhibit 1 - Summary Suspension Order dated July 23, 1992.
- (2) Exhibit 1A - Hearing Request letter dated August 12, 1992.
- (3) Exhibit 1B - Hearing Schedule letter dated August 24, 1992.
- (4) Exhibit 1C - Hearing Schedule letter dated September 11, 1992.
- (5) Exhibit 1D - Notice of Opportunity letter of George Schock, R.Ph. dated October 17, 1992.
- (6) Exhibit 1E - Notice of Opportunity letter of Findlay Market Pharmacy dated November 3, 1992.

- (7) Exhibit 1F - Request for Continuance in the matter of George Schock received October 20, 1992.
- (8) Exhibit 1G - Hearing Schedule letter dated November 9, 1991, (sic 1992).
- (9) Exhibit 2 - Pharmacist File Front Sheet of George Schock showing original date of licensure as August 4, 1976.
- (10) Exhibit 3 - Two-page Application for Registration as a Terminal Distributor of Dangerous Drugs of Findlay Market Pharmacy, 1813 Elm Street, Cincinnati, Ohio 45210 signed and dated by George Schock on October 1, 1991; typewritten attachment of explanations regarding applicant George Schock; and two-page copy of Commonwealth of Kentucky, Kentucky Board of Pharmacy, Order in re: George Schock dated September 5, 1985.
- (11) Exhibit 4 - Two-page copy of Commonwealth of Kentucky, Kentucky Board of Pharmacy, Order in re: George Schock dated September 5, 1985.
- (12) Exhibit 5 - The Ohio State Board of Pharmacy, Order in the matter of George Schock, R.Ph., dated November 8, 1990.
- (13) Exhibit 6 - Three-page copy of twelve labels typed by George Schock.
- (14) Exhibit 9 - Two-page copy of Temporary Restraining Order of George Schock issued July 21, 1992 at 9:00 a.m. in the Court of Common Pleas, Hamilton County Ohio, Case No. A9206474.
- (15) Exhibit 10 - Four prescriptions numbered as follows: 400280, 400800, 406721, and 408726.
- (16) Exhibit 11 - Sixteen prescriptions numbered as follows: 400498, 401096, 401978, 402484, 403003, 403598, 404202, 404732, 405300, 405919, 406443, 406950, 407498, 407901, 408424, and 409238.
- (17) Exhibit 12 - Four prescriptions numbered as follows: 402426, 404153, 404678, and 406380.
- (18) Exhibit 13 - Five prescriptions numbered as follows: 402427, 402965, 404152, 404679, and 406379.
- (19) Exhibit 14 - Four prescriptions numbered as follows: 402236, 404232, 405139, and 409290.
- (20) Exhibit 15 - Nine prescriptions numbered as follows: 400504, 401109, 401435, 402704, 403293, 403589, 405234, 407198, and 407915.
- (21) Exhibit 16 - Twelve prescriptions numbered as follows: 400550, 402371, 403156, 403711, 404276, 405473, 406031, 406601, 407289, 408333, 408841, and 409430.
- (22) Exhibit 17 - Eight prescriptions numbered as follows: 400673, 401093, 401683, 402106, 403321, 403735, 404636, and 405132.
- (23) Exhibit 18 - Eight prescriptions numbered as follows: 402266, 403684, 404352, 404878, 405503, 406038, 407103, and 407617.
- (24) Exhibit 19 - Nine prescriptions numbered as follows: 402986, 403578, 404182, 405091, 405661, 406234, 407124, 407737, and 408121.
- (25) Exhibit 20 - Five prescriptions numbered as follows: 401811, 402234, 402726, 403330, and 403654.
- (26) Exhibit 21 - Four prescriptions numbered as follows: 400805, 402437, 402440, and 405900.
- (27) Exhibit 22 - Five prescriptions numbered as follows: 400452, 402164, 403324, 405138, and 406271.
- (28) Exhibit 23 - Five prescriptions numbered as follows: 400299, 405790, 406586, 407133, and 407624.
- (29) Exhibit 24 - Seven prescriptions numbered as follows: 403864, 404411, 404972, 405591, 406242, 406927, and 407710.
- (30) Exhibit 25 - Thirteen prescriptions numbered as follows: 400655, 402116, 402655, 403563, 404181, 404959, 405607, 406089, 407414, 407878, 408411, 408961, and 409542.

GEORGE SCHOCK, R.Ph.
Page Three
Order of the Board

- (31) Exhibit 26 - Eight prescriptions numbered as follows: 401601, 403763, 404587, 405356, 406020, 407264, 408040, and 408859.
- (32) Exhibit 27 - Five prescriptions numbered as follows: 407096, 407707, 408289, 408889, and 409591.
- (33) Exhibit 28 - Ten prescriptions numbered as follows: 400507, 401120, 401592, 402212, 406648, 407187, 407931, 408741, 409263, and 409711.
- (34) Exhibit 29 - Fifteen prescriptions numbered as follows: 400464, 401045, 401482, 402491, 402980, 403568, 404195, 404736, 406016, 406607, 407201, 407721, 408181, 408708, and 409245.
- (35) Exhibit 30 - Eight prescriptions numbered as follows: 400942, 402559, 403381, 403966, 404625, 405193, 405975, and 407100.
- (36) Exhibit 31 - Nine prescriptions numbered as follows: 400706, 402344, 402345, 403512, 404047, 405756, 406272, 406793, and 407352.
- (37) Exhibit 32 - Six prescriptions numbered as follows: 403274, 403579, 405012, 405655, 406119, and 408070.
- (38) Exhibit 33 - Five prescriptions numbered as follows: 403685, 405612, 406216, 406730, and 407291.
- (39) Exhibit 34 - Six prescriptions numbered as follows: 400746, 403187, 403705, 404893, 406738, and 407812.
- (40) Exhibit 35 - Six prescriptions numbered as follows: 402984, 404317, 405472, 407246, 408489, and 409301.
- (41) Exhibit 36 - Eight prescriptions numbered as follows: 400060, 402017, 402691, 404127, 405333, 406425, 407672, and 408519.
- (42) Exhibit 37 - Seven prescriptions numbered as follows: 401726, 402216, 402673, 403586, 404173, 404688, and 405248.
- (43) Exhibit 38 - Four prescriptions numbered as follows: 400250, 400738, 401707, and 405847.
- (44) Exhibit 39 - Nine prescriptions numbered as follows: 400537, 401148, 402987, 402988, 404270, 404909, 405671, 407853, and 409567.
- (45) Exhibit 40 - Six prescriptions numbered as follows: 406481, 406973, 407536, 407941, 408464, and 409023.
- (46) Exhibit 41 - Seven prescriptions numbered as follows: 404333, 405157, 405960, 406528, 407671, 408083, and 408900.
- (47) Exhibit 42 - Nine prescriptions numbered as follows: 400009, 402743, 404690, 405340, 406177, 406682, 407712, 408215, and 409199.
- (48) Exhibit 43 - Six prescriptions numbered as follows: 402511, 402713, 406489, 407204, 407906, 409229.
- (49) Exhibit 44 - Five prescriptions numbered as follows: 407367, 407750, 408278, 408824, and 409288.
- (50) Exhibit 45 - Seven prescriptions numbered as follows: 405212, 405793, 406326, 406826, 407486, 408150, and 409318.
- (51) Exhibit 46 - Five prescriptions numbered as follows: 405498, 406041, 406650, 407210, and 407801.
- (52) Exhibit 47 - Seven prescriptions numbered as follows: 400399, 401077, 402786, 403289, 403949, 404895, and 406802.
- (53) Exhibit 48 - Eight prescriptions numbered as follows: 402220, 402694, 403179, 403694, 404442, 404943, 405654, and 406904.
- (54) Exhibit 49 - Five prescriptions numbered as follows: 400201, 406373, 406878, 407442, and 408343.
- (55) Exhibit 50 - Four prescriptions numbered as follows: 400602, 402330, 403077, and 403780.
- (56) Exhibit 51 - Fifteen prescriptions numbered as follows: 400465, 401066, 402218, 402686, 403272, 403590, 405031, 405580, 406093, 407167, 407692, 408169, 408670, 409163, and 409569.

- (57) Exhibit 52 - Eight prescriptions numbered as follows: 400561, 401485, 406876, 407583, 407987, 408518, 409063, and 409585.
- (58) Exhibit 53 - Six prescriptions numbered as follows: 404395, 404944, 405561, 406069, 406593, and 407146.
- (59) Exhibit 54 - Seven prescriptions numbered as follows: 401478, 401942, 404032, 405677, 406692, 408757, and 409180.
- (60) Exhibit 55 - Fifteen prescriptions numbered as follows: 400542, 401141, 401988, 402529, 403496, 404037, 404571, 405156, 405754, 406259, 406789, 407349, 407749, 408538, and 409576.
- (61) Exhibit 56 - Eight prescriptions numbered as follows: 400535, 402733, 403666, 404764, 405517, 407259, 407958, and 409022.
- (62) Exhibit 57 - Four prescriptions numbered as follows: 402943, 403487, 404147, and 405043.
- (63) Exhibit 58 - Four prescriptions numbered as follows: 402677, 403516, 404784, and 405981.
- (64) Exhibit 59 - Nine prescriptions numbered as follows: 400137, 400659, 404592, 405247, 405870, 407271, 407970, 408555, and 409425.
- (65) Exhibit 60 - Accountability Statement of Findlay Market Pharmacy for Tenuate/Diethylpropion 25mg tabs dated October 8, 1992; Accountability Statement of Findlay Market Pharmacy for Tenuate Dospan/Diethylpropion 75mg tabs dated October 8, 1992; Accountability Statement of Findlay Market Pharmacy for Fiorinal, Butalbital 50mg caps and tabs dated October 8, 1992; Accountability Statement of Findlay Market Pharmacy for Fioricet, Esgic, Dialog, Butalbital w/Acet. & Caffeine dated October 8, 1992; Accountability Statement of Findlay Market Pharmacy for Fiorinal #3/Butalbital, Aspirin, Caffeine & Codeine 30mg caps dated October 8, 1992; Accountability Statement of Findlay Market Pharmacy for Phenobarbital ¼gr tabs dated October 8, 1992; Accountability Statement of Findlay Market Pharmacy for Phenobarbital ½gr tabs dated October 8, 1992; Accountability Statement of Findlay Market Pharmacy for Phenobarbital 1¼gr tabs dated October 8, 1992; and Accountability Statement of Findlay Market Pharmacy for Phenobarbital 1gr tabs dated October 8, 1992.
- (66) Exhibit 61 - Forty-nine page transcript of interview of George Schock, also present was Bob Cole and Mike Cluxton, Ohio State Board of Pharmacy dated June 10, 1992.
- (67) Exhibit 62 - Dangerous Drug Distributor Inspection Report of Findlay Market Pharmacy, Terminal Distributor No. 02-678200, signed and dated by George Schock on November 5, 1991.
- (68) Exhibit 62A - Two-page letter from George Schock dated November 21, 1991.
- (69) Exhibit 63 - Three-page Dangerous Drug Distributor Inspection Report of Findlay Market Pharmacy, Terminal Distributor No. 02-678200, signed and dated by George Schock on June 10, 1992.
- (70) Exhibit 64 - Two-page handwritten notes of Cheryl Rooks referring to activity on October 23, 1991; October 30, 1991; and October 31, 1991.
- (71) Exhibit 65 - Telephone prescription pad of Findlay Market Pharmacy with twenty-one out of thirty-three prescriptions pre-written with information such as drug, quantity, physician, physician DEA number, and a Findlay Market Pharmacy label placed on the back of the twenty-one pre-written prescriptions.

Respondent's Exhibits:

- (1) Exhibit A - Two-page letter from Judith A. Gissy dated September 1, 1992.
- (2) Exhibit B - Certified Journal Entry in the Court of Common Pleas, Hamilton County, Ohio, of George Schock, Case No. A9206474, dated October 5, 1992.

Joint Exhibits:

- (1) Exhibit 1 - Subpoena ordering appearance of Dr. Eli Schneider, M.D. to appear December 9, 1992 at 8:00 a.m. to testify in the matter of George Schock, R.Ph., delivered to 1811 Elm Street, Cincinnati, Ohio 45210, by Deputy Snowden on November 16, 1992.
- (2) Exhibit 2 - Subpoena ordering appearance of Dr. Eli Schneider, M.D. to appear December 9, 1992 at 8:00 a.m. to testify in the matter of George Schock, R.Ph., delivered to 980 Avondale Avenue, Cincinnati, Ohio 45229, by Deputy Musgrove on November 13, 1992.

FINDINGS OF FACT

- (1) From the evidence presented, the State Board of Pharmacy finds that records of the Board indicate that George Schock was originally licensed in the state of Ohio on August 4, 1976 pursuant to examination, and his license to practice pharmacy in Ohio was summarily suspended on July 23, 1992.
- (2) From the evidence presented, the State Board of Pharmacy finds that George Schock was, on September 5, 1985, disciplined by the Kentucky State Board of Pharmacy due to a drug abuse problem. George Schock's license to practice pharmacy in Kentucky was suspended for one year. The suspension was suspended, and George Schock was placed on probation for 5 years under conditions.
- (3) From the evidence presented, the State Board of Pharmacy finds that on or about November 8, 1990, the Ohio State Board of Pharmacy determined that George Schock made false statements on his pharmacist renewal application and his "Notification of Change of Responsible Person" card which he had submitted to the Board office in order to obtain and/or maintain licensure and in order to conceal the findings made by the Kentucky Board of Pharmacy. Such conduct is in violation of Section 2921.13 of the Ohio Revised Code. The Board also concluded that George Schock was guilty of dishonesty and unprofessional conduct in the practice of pharmacy; and addicted to or abusing drugs to such a degree as to render him unfit to practice pharmacy.
- (4) From the evidence presented, the State Board of Pharmacy finds that George Schock knowingly sold a controlled substance in an amount less than the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance to Juanita Anderson when such prescription was not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
409238	ADIPEX-P	14	---

Such conduct is in violation of Section 2925.03(A)(1) of the Ohio Revised Code.

- (5) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than three times the bulk amount when the

conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Patricia Chenault when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
400550	ADIPEX-P	14	30Sep91
402371	ADIPEX-P	14	21Nov91
403156	ADIPEX-P	14	12Dec91
403711	ADIPEX-P	14	30Dec91
404276	ADIPEX-P	14	--
405473	ADIPEX-P	14	13Feb92
406031	ADIPEX-P	14	--
406601	ADIPEX-P	14	--
407289	ADIPEX-P	14	30Mar92
408333	ADIPEX-P	14	--

Such conduct is in violation of Section 2925.03(A)(7) of the Ohio Revised Code.

- (6) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Coletta Clay when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
400673	ADIPEX-P	14	04Oct91
401683	ADIPEX-P	14	02Dec91
402106	ADIPEX-P	14	14Nov91
403321	ADIPEX-P	14	16Dec91
403735	ADIPEX-P	14	02Jan92
404636	ADIPEX-P	14	23Jan92
405132	ADIPEX-P	14	06Feb92

Such conduct is in violation of Section 2925.03(A)(7) of the Ohio Revised Code.

- (7) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount less than the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Arlene Clements when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
404352	TENUATE	14	--
404878	TENUATE	14	30Jan92
405503	TENUATE	14	13Feb92
406038	TENUATE	14	27Feb92
407617	TENUATE	14	09Apr92
407103	TENUATE	14	--

Such conduct is in violation of Section 2925.03(A)(1) of the Ohio Revised Code.

- (8) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than bulk, but less than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Barbara Coldiron when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
405091	TENUATE	42	03Feb92
406234	TENUATE	42	--
407124	TENUATE	42	--
407737	TENUATE	42	19Apr92
408121	TENUATE	42	29Apr92

Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.

- (9) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Ida Davis when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
400655	ADIPEX-P	14	03Oct91
402116	ADIPEX-P	14	14Nov91
404959	ADIPEX-P	14	01Feb92
406089	ADIPEX-P	14	--
407414	ADIPEX-P	14	02Apr92
408411	ADIPEX-P	14	02May92
408961	ADIPEX-P	14	--
409542	ADIPEX-P	14	--

Such conduct is in violation of Section 2925.03(A)(7) of the Ohio Revised Code.

- (10) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Virginia Davis when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
401601	ADIPEX-P	14	31Oct91
403763	ADIPEX-P	14	02Jan92
404587	ADIPEX-P	14	23Jan92
405356	ADIPEX-P	14	10Feb92

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
406020	ADIPEX-P	14	--
407264	ADIPEX-P	14	31Mar92
408040	ADIPEX-P	14	23Apr92
408859	ADIPEX-P	14	--

Such conduct is in violation of Section 2925.03(A)(7) of the Ohio Revised Code.

- (11) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than bulk, but less than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Patricia Earls when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
407096	IONAMIN 30MG	14	26Mar92
407707	IONAMIN 30MG	14	11Apr92
408289	IONAMIN 30MG	14	30Apr92
408889	IONAMIN 30MG	14	14May92
409591	IONAMIN 30MG	14	--

Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.

- (12) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than bulk, but less than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Kay Eaton when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
401592	ADIPEX-P	14	31Oct91
407187	ADIPEX-P	14	28Mar92
408741	ADIPEX-P	14	--
409263	ADIPEX-P	14	--

Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.

- (13) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Claudia Ellis when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
400464	ADIPEX-P	14	28Sep91
401045	ADIPEX-P	14	--

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
401482	ADIPEX-P	14	28Oct91
402491	ADIPEX-P	14	27Nov91
406016	ADIPEX-P	14	--
406607	ADIPEX-P	14	--
407721	ADIPEX-P	14	11Apr92

Such conduct is in violation of Section 2925.03(A)(7) of the Ohio Revised Code.

- (14) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Cora Fields when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
400942	ADIPEX-P	14	10Oct91
402559	ADIPEX-P	14	25Nov91
403381	ADIPEX-P	14	12/16/91
403966	ADIPEX-P	14	06Jan92
404625	ADIPEX-P	14	23Jan92
405193	ADIPEX-P	14	--
405975	ADIPEX-P	14	24Feb92
407100	ADIPEX-P	14	26Mar92

Such conduct is in violation of Section 2925.03(A)(7) of the Ohio Revised Code.

- (15) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Barbara Gibson when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
400706	ADIPEX-P	14	05Oct91
402344	ADIPEX-P	14	21Nov91
404047	ADIPEX-P	14	09Jan92
405756	ADIPEX-P	14	--
406272	ADIPEX-P	14	--
406793	ADIPEX-P	14	19Mar92
407352	ADIPEX-P	14	02Apr92

Such conduct is in violation of Section 2925.03(A)(7) of the Ohio Revised Code.

- (16) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount less than the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised

Code, to wit: George Schock sold the following controlled substance in the following amounts to Juanita Hazley when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
403579	ADIPEX-P	14	28Dec91
408070	ADIPEX-P	14	23Apr92

Such conduct is in violation of Section 2925.03(A)(1) of the Ohio Revised Code.

- (17) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than bulk, but less than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Nelda Hornsby when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
403685	ADIPEX-P	14	30Dec91
406216	ADIPEX-P	14	--
406730	ADIPEX-P	14	--
407291	ADIPEX-P	14	30Mar92

Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.

- (18) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than bulk, but less than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Ann Hughes when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
403187	TENUATE	42	12Dec91
403705	TENUATE	42	30Dec91
404893	TENUATE	42	--
406738	TENUATE	42	--
407812	TENUATE	42	--

Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.

- (19) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than bulk, but less than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Shirley Johnson when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
404317	ADIPEX-P	14	16Jan92
405472	ADIPEX-P	14	13Feb92
407246	ADIPEX-P	14	30Mar92
408489	ADIPEX-P	14	--
409301	ADIPEX-P	14	28May92

Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.

- (20) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than bulk, but less than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Bernadette Kidd when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
402017	ADIPEX-P	14	11Nov91
404127	ADIPEX-P	14	--
407672	ADIPEX-P	14	09Apr92

Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.

- (21) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than bulk, but less than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Lola King when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
400250	ADIPEX-P	14	21Sep91
401707	ADIPEX-P	14	02Nov91
405847	ADIPEX-P	14	22Feb92

Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.

- (22) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than bulk, but less than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Josephine Long when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
400537	ADIPEX-P	14	--
401148	ADIPEX-P	14	14Oct91

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
404270	ADIPEX-P	14	13Jan92
404909	ADIPEX-P	14	31Jan92
407853	ADIPEX-P	14	18Apr92
409567	ADIPEX-P	14	04Jun92

Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.

- (23) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than bulk, but less than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Renee Marcum when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
406481	ADIPEX-P	14	--
406973	ADIPEX-P	14	23Mar92
407536	ADIPEX-P	14	06Apr92
407941	ADIPEX-P	14	20Apr92
408464	ADIPEX-P	14	--
409023	ADIPEX-P	14	18May92

Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.

- (24) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Eunice Mills when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
400009	IONAMIN 30MG	14	16Sep91
402743	IONAMIN 30MG	14	02Dec91
404690	IONAMIN 30MG	14	29Jan92
405340	IONAMIN 30MG	14	10Feb92
406177	IONAMIN 30MG	14	--
406682	IONAMIN 30MG	14	--
408215	IONAMIN 30MG	14	27Apr92

Such conduct is in violation of Section 2925.03(A)(7) of the Ohio Revised Code.

- (25) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than bulk, but less than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Ellen Spivey when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
405212	ADIPEX-P	14	--
405793	ADIPEX-P	14	--
406326	ADIPEX-P	14	--
406826	ADIPEX-P	14	--
409318	ADIPEX-P	14	--

Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.

- (26) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than bulk, but less than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Charlotte Talbert when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
400399	FASTIN	14	26Sep91
402786	FASTIN	14	02Dec91
403949	FASTIN	14	06Jan92
404895	FASTIN	14	--
406802	FASTIN	14	--

Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.

- (27) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than bulk, but less than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Juanita Terrell when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
403179	ADIPEX-P	14	12Dec91
403694	ADIPEX-P	14	30Dec91
404943	ADIPEX-P	14	01Feb92
406904	ADIPEX-P	14	--

Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.

- (28) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than bulk, but less than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Pamela Thompson when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
400602	ADIPEX-P	14	03Oct91
402330	ADIPEX-P	14	21Nov91
403077	ADIPEX-P	14	09Dec91
403780	ADIPEX-P	14	02Jan92

Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.

- (29) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than bulk, but less than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Annysse Triggs when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
400465	ADIPEX-P	14	28Sep91
406093	ADIPEX-P	14	--
407167	ADIPEX-P	14	28Mar92
409163	ADIPEX-P	14	--
409569	ADIPEX-P	14	04Jun92

Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.

- (30) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Sandy Wallace when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
400561	ADIPEX-P	14	30Sep91
401485	ADIPEX-P	14	28Oct91
406876	ADIPEX-P	14	21Mar92
407583	ADIPEX-P	14	06Apr92
407987	ADIPEX-P	14	20Apr92
408518	ADIPEX-P	14	--
409063	ADIPEX-P	14	--
409585	ADIPEX-P	14	04Jun92

Such conduct is in violation of Section 2925.03(A)(7) of the Ohio Revised Code.

- (31) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than bulk, but less than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Vivian Ward when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
401478	ADIPEX-P	14	28Oct91
404032	ADIPEX-P	14	09Jan92
405677	ADIPEX-P	14	17Feb92
406692	ADIPEX-P	14	--
408757	ADIPEX-P	14	11May92
409180	ADIPEX-P	14	23May92

Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.

- (32) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Barbara Wilhelm when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
400542	ADIPEX-P	14	30Sep91
401141	ADIPEX-P	14	14Oct91
401988	ADIPEX-P	14	11Nov91
402529	ADIPEX-P	14	25Nov91
404037	ADIPEX-P	14	09Jan92
404571	ADIPEX-P	14	23Jan92
405156	ADIPEX-P	14	06Feb92
405754	ADIPEX-P	14	--
406259	ADIPEX-P	14	--
406789	ADIPEX-P	14	19Mar92
407349	ADIPEX-P	14	02Apr92
407749	ADIPEX-P	14	16Apr92

Such conduct is in violation of Section 2925.03(A)(7) of the Ohio Revised Code.

- (33) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount less than the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Barbara Wilhelm when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
408538	IONAMIN 30MG	14	07May92
409576	IONAMIN 30MG	14	04Jun92

Such conduct is in violation of Section 2925.03(A)(1) of the Ohio Revised Code.

- (34) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the

Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Betty Williams when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
400535	ADIPEX-P	14	30Sep91
402733	ADIPEX-P	14	02Dec91
403666	ADIPEX-P	14	30Dec91
404764	ADIPEX-P	14	27Jan92
405517	ADIPEX-P	14	13Feb92
407259	ADIPEX-P	14	30Mar92
407958	ADIPEX-P	14	20Apr92
409022	ADIPEX-P	14	18May92

Such conduct is in violation of Section 2925.03(A)(7) of the Ohio Revised Code.

- (35) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount less than the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Morris Williams when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
404784	ADIPEX-P	14	27Jan92
405981	ADIPEX-P	14	24Feb92

Such conduct is in violation of Section 2925.03(A)(1) of the Ohio Revised Code.

- (36) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about the following dates, knowingly sell a controlled substance in an amount greater than bulk, but less than three times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold the following controlled substance in the following amounts to Janna Wolber when such prescriptions were not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
400137	ADIPEX-P	14	19Sep91
400659	ADIPEX-P	14	03Oct91
404592	ADIPEX-P	14	23Jan92
405247	ADIPEX-P	14	08Feb92
407271	ADIPEX-P	14	30Mar92
407970	ADIPEX-P	14	--

Such conduct is in violation of Section 2925.03(A)(5) of the Ohio Revised Code.

- (37) From the evidence presented, the State Board of Pharmacy finds that George Schock knowingly sold a controlled substance in an amount less than the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock sold

the following controlled substance to Janna Wolber when such prescription was not written for legitimate medical purposes:

<u>RX NO.</u>	<u>DRUG</u>	<u>QTY.</u>	<u>DATE</u>
408555	IONAMIN 30MG	14	07May92

Such conduct is in violation of Section 2925.03(A)(1) of the Ohio Revised Code.

- (38) From the evidence presented, the State Board of Pharmacy finds that George Schock was, on or about July 9, 1992, observed to be impaired physically and mentally while attempting to practice pharmacy, and his actions indicated that he was impaired physically and mentally to such a degree as to render him unfit to practice pharmacy.
- (39) From the evidence presented, the State Board of Pharmacy finds that George Schock was, on or about July 10, 1992, observed to be impaired physically and mentally while attempting to practice pharmacy, and his actions indicated that he was impaired physically and mentally to such a degree as to render him unfit to practice pharmacy.
- (40) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about July 13, 1992, knowingly use a controlled substance when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: George Schock gave a sample of his urine to the Cincinnati Police Department which was determined to have unacceptable levels of Phenobarbital, a schedule IV controlled substance, Butalbital, a schedule III controlled substance, and Diethylpropion, a schedule IV controlled substance. George Schock had not been prescribed these medications, and his actions indicated that he was impaired physically and mentally to such a degree as to render him unfit to practice pharmacy. Such conduct is in violation of Section 2925.11 of the Ohio Revised Code.
- (41) From the evidence presented, the State Board of Pharmacy finds that George Schock was, on or about July 20, 1992, observed to be impaired physically and mentally while in the pharmacy, to wit: George Schock was found on the floor convulsing. Such conduct indicates that George Schock is impaired physically and mentally to such a degree as to render him unfit to practice pharmacy.
- (42) From the evidence presented, the State Board of Pharmacy finds that on or about July 21, 1992, the Hamilton County Common Pleas Court issued a Temporary Restraining Order which restrained George Schock from removing or interfering with the personal property located within Findlay Market Pharmacy, at which he is the Owner and Responsible Pharmacist, due to his continued inability to practice pharmacy because of drug abuse and/or addiction, because George Schock continued to attempt to practice pharmacy while being impaired, and because there were no other pharmacists at the store to maintain supervision and control pursuant to Section 4729.27 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 (3) through (37), and (40) of the Findings of Fact constitute being guilty of unprofessional conduct 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 (3) through (37), and (40) of the Findings of Fact constitute being guilty of 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), (3), and (38) through (42) of the Findings of Fact constitutes being addicted to or abusing liquor or drugs or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy as provided in Division (A)(3) of Section 4729.16 of the Ohio Revised Code.
- (4) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (4) through (37), and (40) of the Findings of Fact constitute being guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of any of 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.

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, Docket No. D-920723-006, issued July 23, 1992.

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following actions concerning George Schock:

- (A) On the basis of paragraph (1) of the Conclusions of Law set forth above, the State Board of Pharmacy hereby revokes the identification card, No. 03-3-11828, held by George Schock effective as of the date of the mailing of this order.
- (B) On the basis of paragraph (2) of the Conclusions of Law set forth above, the State Board of Pharmacy hereby revokes the identification card, No. 03-3-11828, held by George Schock effective as of the date of the mailing of this order.
- (C) On the basis of paragraph (3) of the Conclusions of Law set forth above, the State Board of Pharmacy hereby revokes the identification card, No. 03-3-11828, held by George Schock effective as of the date of the mailing of this order.

GEORGE SCHOCK, R.Ph.
Page Nineteen
Order of the Board

(D) On the basis of paragraph (4) of the Conclusions of Law set forth above, the State Board of Pharmacy hereby revokes the identification card, No. 03-3-11828, held by George Schock effective as of the date of the mailing of this order.

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.

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: February 1, 1993

CERTIFIED MAIL
Return Receipt
#P 596 184 071

FZW/so

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

cc: Ronda Anderson, Assistant Attorney General
Harry B. Plotnick, Attorney for Respondent; Suite 115; 9624 Cincinnati-
Columbus Road; Cincinnati, Ohio 45241



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-900416-076)

In The Matter Of:

GEORGE SCHOCK, R.Ph.
8086 Spring Garden Court
West Chester, Ohio 45069
(R.Ph. No. 03-3-11323)

INTRODUCTION

THE MATTER OF GEORGE SCHOCK CAME TO HEARING ON SEPTEMBER 25, 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.; TIMOTHY MOORE, R.Ph.; BETTY NICHOL, R.Ph.; ROBERT VALENTINE, R.Ph.; AND MELVIN WILCZYNSKI, R.Ph.

GEORGE SCHOCK WAS REPRESENTED BY G. RICHARD WILSON, AND THE STATE OF OHIO WAS REPRESENTED BY JEANNY EATON, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

State's Exhibits:

- (1) Exhibit A - Notice of Opportunity letter dated April 16, 1990.
- (2) Exhibit B - Hearing Request letter dated May 16, 1990.
- (3) Exhibit C - Hearing Schedule letter dated May 25, 1990.
- (4) Exhibit D - Request for Continuance letter dated June 1, 1990.
- (5) Exhibit E - Hearing Schedule letter dated June 15, 1990.
- (6) Exhibit 1 - Pharmacist File Front Sheet of George Schock showing original date of registration as August 4, 1976.
- (7) Exhibit 2 - Notification Of Change Of Responsible Person card for Terminal Distributor showing George Schock as responsible person at Salem Pharmacy, 1102 Salem Avenue, Dayton, Ohio 45406-5144.
- (8) Exhibit 3 - Notification Of Change card for Wholesale Distributor showing George Schock as responsible person at Salem Pharmacy, 1102 Salem Avenue, Dayton, Ohio 45406-5144.
- (9) Exhibit 4 - Renewal Application As A Pharmacist for George Schock dated August 5, 1989.
- (10) Exhibit 5 - Kentucky Board of Pharmacy Order in the matter of George Schock dated September 5, 1985.

Respondent's Exhibits:

- (1) Exhibit 1 - Affidavit of George Schock dated September 24, 1990.
- (2) Exhibit 2 - Affidavit of Mary Schock dated September 24, 1990.

- (3) Exhibit 3 - Affidavit of Michael Mantsch dated September 24, 1990.
- (4) Exhibit 4 - Affidavit of Professor Carl Mills dated September 24, 1990.

FINDINGS OF FACT

- (1) From the evidence presented, the State Board of Pharmacy finds that records of the Board of Pharmacy indicate that George Schock has been licensed to practice pharmacy in the state of Ohio since August 4, 1976, pursuant to examination, and has been listed as the Responsible Pharmacist pursuant to Section 4729.27 of the Ohio Revised Code and Rule 4729-5-11 of the Ohio Administrative Code at Salem Pharmacy #10, 1102 Salem Avenue, Dayton, Ohio 45406-3144, since November 22, 1989.
- (2) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about August 5, 1989, knowingly make a false statement when the statement was made with purpose to secure the issuance by a governmental agency of a renewal license, to wit: on George Schock's application for renewal form, Mr. Schock stated that he had never been found guilty by a state government agency of violations of drug laws when in fact the Kentucky Board of Pharmacy had, on September 5, 1985, found George Schock had a drug abuse problem.
- (3) From the evidence presented, the State Board of Pharmacy finds that George Schock did, on or about November 9, 1989, knowingly make a false statement when the statement was made in writing on a Notification of Change of Responsible Person card and a Notification of Change card which is required by law, to wit: on the Notification of Change of Responsible Person for a terminal distributor license and on the Notification of Change for a wholesale distributor license, completion of which is required by Sections 4729.27, 4729.53, and 4729.55 of the Ohio Revised Code and Rule 4729-5-11(B) of the Ohio Administrative Code, George Schock stated that he has never been charged by a state government agency of violations of drug laws when in fact the Kentucky Board of Pharmacy had, on September 5, 1985, found, after issuance of formal charges, George Schock to have a drug abuse problem.

CONCLUSIONS 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 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.
- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (2) and (3) of the Findings Of Fact constitute being addicted to or abusing drugs to such a degree as to render him unfit to practice pharmacy as provided in Division (A)(3) of Section 4729.16 of the Ohio Revised Code.

GEORGE SCHOCK, R.Ph.
Page Three
Order of the Board

- (3) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (2) and (3) of the Findings Of Fact constitute violating the provisions of Chapter 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 hereby imposes a monetary penalty of five hundred dollars (\$500.00), due and owing within thirty (30) days of the issuance of this Order. The monetary penalty should be made payable to the "Treasurer, State of Ohio" and mailed to the State Board of Pharmacy, 77 S. High Street, 17th Floor, Columbus, Ohio 43266-0330, with the enclosed form.

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.

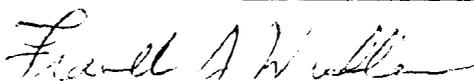
BY ORDER OF THE STATE BOARD OF PHARMACY

CERTIFIED MAIL
Return Receipt
#P 497 578 751

ORDER MAILED: NOVEMBER 8, 1990

FZW/sb

By


Franklin Z. Wickham, Executive Director

cc: Jeanny Eaton, Assistant Attorney General
G. Richard Wilson, Attorney for Respondent; 2134 Alpine Place;
P. O. Box 6491; Cincinnati, Ohio 45206