
STATE BOARD OF PHARMACY

THE STATE BOARD OF PHARMACY

VS

MARY WOJCIK TERRY, R.Ph.

THE MATTER OF MARY WOJCIK TERRY, DOCKET NO. 6-148-3, CAME ON FOR CONSIDERATION BY THE STATE BOARD OF PHARMACY ON FRIDAY, JUNE 27, 1986 AS A RESULT OF THE REPORT AND RECOMMENDATION SUBMITTED TO THE BOARD BY HEARING OFFICER AND BOARD MEMBER BETTY J. NICHOL. MOTIONS WERE MADE AND RECORDED THE FOLLOWING ORDER BE 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 J. Nichol, as follows:

- (1) On March 7, 1986, Mary Wojcik Terry was notified by a hand-delivered letter in the offices of the State Board of Pharmacy of her right to a hearing, her rights in such hearing, and her right to submit her contentions in writing.
- (2) As demonstrated by the signed and dated copy of the letter of March 7, 1986, Mary Wojcik Terry received the letter informing her of the allegations, and her rights.
- (3) Mary Wojcik Terry failed to renew her identification card on the fifteenth day of September, as required by Section 4729.12 of the Ohio Revised Code, for 1983, when she did not renew until October 13, 1982.
- (4) Mary Wojcik Terry failed to renew her identification card on the fifteenth day of September, as required by Section 4729.12 of the Ohio Revised Code, for 1986, when she did not renew until March 7, 1986.
- (5) Mary Wojcik Terry did dispense and sell dangerous drugs while not being a registered pharmacist during the lapsed dates of her pharmacist license; in violation of the provisions of Section 4729.28 of the Revised Code.

Conclusions Of Law

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

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- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (3) and (4) of the Findings Of Fact constitutes violating the provisions of Section 4729.12 of the Revised Code.
- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraph (5) of the Findings Of Fact constitutes violating the provisions of Section 4729.28 of the Revised Code.

Pursuant to Section 4729.16 of the Ohio Revised Code, and the foregoing Findings Of Fact and Conclusions 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 J. Nichol. Therefore, the State Board of Pharmacy takes the following actions concerning the pharmacist license held by Mary Wojcik Terry:

(A) On the basis of paragraph (1) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby imposes a monetary penalty of one hundred dollars (\$100.00).

(B) On the basis of paragraph (2) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby imposes a monetary penalty of five hundred dollars (\$500.00).

(C) Further, the Board suspends the one hundred dollar monetary penalty imposed in paragraph (A) above, and four hundred dollars of the five hundred dollar monetary penalty imposed in paragraph (B) above, on condition that Mary Wojcik Terry:

- (1) does not violate any drug laws of the state of Ohio, any other state, or the federal government; and
- (2) abides by the rules of the State Board of Pharmacy.

The one hundred dollar (\$100.00) monetary penalty that was not suspended in paragraph (C) above is due and owing within thirty (30) days of the issuance of this Order. Said monetary penalty should be made payable to the "Treasurer, State of Ohio" and mailed to the State Board of Pharmacy, 65 S. Front Street, Room 504, Columbus, Ohio 43266-0320, with the enclosed form.

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

MOTION CARRIED.

SO ORDERED.