



# OHIO STATE BOARD OF PHARMACY

77 South High Street, Room 1702; Columbus, OH 43215-6126

-Equal Opportunity Employer and Service Provider-

TEL: 614/466-4143

E-MAIL: [exec@bop.state.oh.us](mailto:exec@bop.state.oh.us)

FAX: 614/752-4836

TTY/TDD: Use the Ohio Relay Service: 1-800/750-0750

[www.pharmacy.ohio.gov](http://www.pharmacy.ohio.gov)

---

## THE STATE BOARD OF PHARMACY

(Docket No. D-890601-126)

In The Matter Of:

**JONAH C. ADIELE, R.Ph.**

3609 E. 5th Street, Apt. A

Dayton, Ohio 45403

(R.Ph. No. 03-3-16213)

THE MATTER OF JONAH C. ADIELE CAME ON FOR CONSIDERATION BY THE STATE BOARD OF PHARMACY ON OCTOBER 25, 1989 AS A RESULT OF THE REPORT AND RECOMMENDATION SUBMITTED TO THE BOARD BY HEARING OFFICER AND BOARD MEMBER GERALD CLOUSE. 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 BE ADOPTED:

### **ORDER**

#### State's Exhibits

- (1) Exhibit A - Notice of Opportunity letter dated June 1, 1989.
- (2) Exhibit B - Hearing Schedule letter dated July 19, 1989.
- (3) Exhibit 1 - Renewal Applications for Jonah C. Adiele for 1986 and 1988.
- (4) Exhibit 2 - Six prescriptions.

#### 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 Gerald Clouse, as follows:

- (1) The State Board of Pharmacy finds that on June 1, 1989, Jonah C. Adiele 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 June 12, 1989, Jonah C. Adiele received the letter of June 1, 1989 informing him of the allegations regarding the dispensing of drugs during the time his pharmacist identification card was lapsed, and his rights.
- (3) The State Board of Pharmacy finds that Jonah C. Adiele has not responded in any manner to the letter of June 1, 1989, and has not requested a hearing in this matter.
- (4) The State Board of Pharmacy finds that records of the Board of Pharmacy indicate that Jonah C. Adiele was initially registered as a pharmacist in Ohio pursuant to examination on August 2, 1985, and has been practicing pharmacy since that date.

Records further indicate that his license has lapsed from September 15, 1986 through June 30, 1988, and also from September 15, 1988 through November 17, 1988.

- (5) The State Board of Pharmacy finds that Jonah C. Adiele did, on or about May 11, 1988, while practicing pharmacy at Rite Aid, 1905 Wayne Ave., Dayton, Ohio 45410, compound, dispense, or sell dangerous drugs while not being a registered pharmacist or a pharmacy intern, to wit: after allowing his license to lapse and prior to its renewal, Jonah C. Adiele dispensed 16 tablets of Tylenol #3, a schedule IV controlled substance. Such conduct is in violation of Section 4729.28 of the Ohio Revised Code.
- (6) The State Board of Pharmacy finds that Jonah C. Adiele did, on or about October 5, 1988, while practicing pharmacy at Rite Aid #3089, 1130 N. Main St., Dayton, Ohio 45405, compound, dispense, or sell dangerous drugs while not being a registered pharmacist or a pharmacy intern, to wit: after allowing his license to lapse and prior to its renewal, Jonah C. Adiele dispensed 30 tablets of Darvocet N-100, a schedule IV controlled substance. Such conduct is in violation of Section 4729.28 of the Ohio Revised Code.
- (7) The State Board of Pharmacy finds that Jonah C. Adiele did, on or about October 14, 1988, while practicing pharmacy at Rite Aid #3089, 1130 N. Main St., Dayton, Ohio 45405, compound, dispense, or sell dangerous drugs while not being a registered pharmacist or a pharmacy intern, to wit: after allowing his license to lapse and prior to its renewal, Jonah C. Adiele dispensed 100 tablets of Percocet 5mg, a schedule II controlled substance. Such conduct is in violation of Section 4729.28 of the Ohio Revised Code.
- (8) The State Board of Pharmacy finds that Jonah C. Adiele did, on or about October 19, 1988, while practicing pharmacy at Rite Aid #3089, 1130 N. Main St., Dayton, Ohio 45405, compound, dispense, or sell dangerous drugs while not being a registered pharmacist or a pharmacy intern, to wit: after allowing his license to lapse and prior to its renewal, Jonah C. Adiele dispensed 20 tablets of Tenormin 100mg, a dangerous drug. Such conduct is in violation of Section 4729.28 of the Ohio Revised Code.
- (9) The State Board of Pharmacy finds that Jonah C. Adiele did, on or about November 9, 1988, while practicing pharmacy at Rite Aid #3089, 1130 N. Main St., Dayton, Ohio 45405, compound, dispense, or sell dangerous drugs while not being a registered pharmacist or a pharmacy intern, to wit: after allowing his license to lapse and prior to its renewal, Jonah C. Adiele dispensed 28 tablets of Erythromycin 250mg, a dangerous drug. Such conduct is in violation of Section 4729.28 of the Ohio Revised Code.
- (10) The State Board of Pharmacy finds that Jonah C. Adiele did, on or about November 11, 1988, while practicing pharmacy at Rite Aid #3089, 1130 N. Main St., Dayton, Ohio 45405, compound, dispense, or sell dangerous drugs while not being a registered pharmacist or a pharmacy intern, to wit: after allowing his license to lapse and prior to its renewal, Jonah C. Adiele dispensed 10 tablets of Tylox, a schedule II controlled substance. Such conduct is in violation of Section 4729.28 of the Ohio 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 Gerald Clouse, as follows:

- (1) The State Board of Pharmacy concludes that the conduct set forth in paragraphs (5) through (10) of the Findings Of Fact constitutes being guilty of unprofessional conduct in the practice of pharmacy.

- (2) The State Board of Pharmacy concludes that the conduct set forth in paragraphs (5) through (10) of the Findings Of Fact constitutes 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.

Action Of The Board

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 Gerald Clouse. Therefore, pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy imposes a monetary penalty of five hundred dollars (\$500.00).

Further, the State Board of Pharmacy suspends four hundred dollars (\$400.00) of the five hundred dollar monetary penalty imposed above.

The one hundred dollar monetary penalty that was not suspended above is 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 43266-0320, with the enclosed form.

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

MOTION CARRIED.

SO ORDERED.