
OHIO STATE BOARD OF PHARMACY

THE STATE BOARD OF PHARMACY
(Docket No. D-880314-146)

In The Matter Of:

GALEN JOSEPH RUSCHMAN
159 Murnan Road
Cold Spring, Kentucky 41076

INTRODUCTION

THE MATTER OF GALEN JOSEPH RUSCHMAN CAME TO HEARING ON APRIL 19, 1988 BEFORE THE FOLLOWING MEMBERS OF THE BOARD: NORMAN LEIBOW, R.Ph. (presiding); GERALD CLOUSE, R.Ph.; TIMOTHY MOORE, R.Ph.; BETTY NICHOL, R.Ph.; JOSEPH SABINO, R.Ph.; JEROME WIESENHAHN, R.Ph.; AND MELVIN WILCZYNSKI, R.Ph.

GALEN JOSEPH RUSCHMAN WAS NOT REPRESENTED BY COUNSEL, AND THE STATE OF OHIO WAS REPRESENTED BY CHRISTOPHER COSTANTINI, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) Joseph Holliday, Ohio Board of Pharmacy
- (2) Galen Joseph Ruschman

Respondent's Witnesses:

(None)

(B) Exhibits

State's Exhibits:

- (1) Exhibit A - Notice of Opportunity dated March 14, 1988.
- (2) Exhibit B - Request for hearing dated March 15, 1988.
- (3) Exhibit C - Hearing schedule letter dated March 21, 1988.
- (4) Exhibit 1 - Diligent Search Letter dated April 18, 1988 from F. Wickham indicating the lapsed dates of Mr. Ruschman's intern license.
- (5) Exhibit 2 - Work records from Christ Hospital indicating Mr. Ruschman worked during lapsed dates of intern license.

Respondent's Exhibits:

(None)

OHIO STATE BOARD OF PHARMACY

FINDING OF FACT

- (1) From the evidence presented, the State Board of Pharmacy finds that Galen Joseph Ruschman did compound and dispense drugs on November 8, 1985; December 5, 1985; February 3, 1986; and April 7, 1986 at Christ Hospital, 2139 Auburn Avenue, Cincinnati, Ohio 45219, Terminal Distributor of Dangerous Drugs License No. 02-034100, without being registered as a pharmacist or pharmacy intern pursuant to Chapter 4729. of the Ohio Revised Code. Such conduct is prohibited by Section 4729.28 of the Ohio Revised Code.

CONCLUSION OF LAW

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in the Finding Of Fact constitutes willful violations of Chapter 4729. of the Ohio Revised Code.

ORDER

Pursuant to Sections 4729.09 and 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following actions concerning Galen Joseph Ruschman:

(A) The State Board of Pharmacy hereby approves the Application for Reciprocal Licensure of Galen Joseph Ruschman.

(B) On the basis of the Conclusion 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 will suspend four hundred dollars (\$400.00) of the five hundred dollar monetary penalty imposed in paragraph (B) above on condition that Galen Joseph Ruschman:

- (1) does not violate the 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.

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

MOTION CARRIED.

SO ORDERED.