
OHIO STATE BOARD OF PHARMACY

ORDER OF THE STATE BOARD OF PHARMACY
(Docket No. D-910530-075)

In The Matter Of:

TODD AARON SMITH
2025 St. Rt. 235
Xenia, Ohio 45385
(Intern No. 06-0-00425)

Introduction

THE MATTER OF TODD AARON SMITH CAME ON FOR CONSIDERATION BY THE STATE BOARD OF PHARMACY ON SEPTEMBER 26, 1991.

State's Exhibits

- (1) Exhibit A - Notice of Opportunity letter dated May 30, 1991.
- (2) Exhibit 1 - Intern File Front Sheet of Todd Aaron Smith showing original date of registration as March 30, 1989.
- (3) Exhibit 2 - Statement of Preceptor of Eric T. Juergens for Todd Aaron Smith dated March 21, 1991 and received in the Board office March 28, 1991.
- (4) Exhibit 3 - Two Practical Experience Affidavits for Todd Aaron Smith, signed by Eric T. Juergens, dated March 25, 1991, and received in the Board office March 28, 1991.

Respondent's Exhibits

- (1) Exhibit A - Letter from Todd A. Smith received in the Board office March 28, 1991.

Findings Of Fact

- (1) On May 30, 1991, Todd Aaron Smith 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) As demonstrated by return receipt of April 4, 1991, Todd Aaron Smith received the letter of May 30, 1991 informing him of the proposal to deny internship credit for practical experience, and his rights.
- (3) Todd Aaron Smith has not responded in any manner to the letter of May 30, 1991, and has not requested a hearing in this matter.
- (4) Upon consideration of the record as a whole, the State Board of Pharmacy finds that records of the Board indicate that Todd Aaron Smith was originally licensed as an intern in the state of Ohio on March 30, 1989.

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- (5) Upon consideration of the record as a whole, the State Board of Pharmacy finds that records of the Board indicate that Todd Aaron Smith's Practical Experience Affidavits for the following time period and hours worked were received on March 28, 1991:

<u>Week Ending/Hours</u>	<u>Week Ending/Hours</u>	<u>Week Ending/Hours</u>
01-06-90 34	09-01-90 77	11-24-90 46
03-04-90 70	09-29-90 83	12-08-90 17
07-21-90 8	10-13-90 6.5	12-22-90 23
08-04-90 68	10-27-90 20.5	01-05-91 46.5
08-18-90 77	11-10-90 14	01-19-91 18
02-02-91 25.5		

Records further indicate that the Board received your Statement of Preceptor form for the above-stated time period on March 28, 1991.

- (6) Upon consideration of the record as a whole, the State Board of Pharmacy finds that Todd Aaron Smith failed to file a Statement of Preceptor form within thirty days of beginning training as required by paragraph (G) of Rule 4729-3-01 of the Ohio Administrative Code.
- (7) Upon consideration of the record as a whole, the State Board of Pharmacy finds that Todd Aaron Smith has not submitted evidence of extraordinary circumstances as required by paragraph (G)(1) of Rule 4729-3-01 of the Administrative Code.

Conclusion Of Law

- (1) The State Board of Pharmacy concludes that paragraphs (5) through (7) of the Findings Of Fact constitute failure to meet the exemption clause as provided in paragraph (G)(1) of Rule 4729-3-01 of the Ohio Administrative Code.

Action Of The Board

Pursuant to Rule 4729-3-01 of the Ohio Administrative Code, the State Board of Pharmacy hereby refuses to accept an earlier filing date for the Statement Of Preceptor form submitted by Todd Aaron Smith on March 28, 1991, and therefore refuses to grant internship credit for practical experience obtained under the supervision of Eric T. Juergens prior to February 26, 1991.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF PHARMACY (Aye-5/Nay-0/Abstain-1[Henderson]).

MOTION CARRIED.

SO ORDERED.