



# OHIO STATE BOARD OF PHARMACY

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

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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

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## ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-060418-069)

In The Matter Of:

**RONALD H. STEVENS, R.Ph.**

201 West Jefferson Street

Stone Creek, Ohio 43840

(R.Ph. No. 03-3-21936)

### INTRODUCTION

THE MATTER OF RONALD H. STEVENS CAME FOR HEARING ON AUGUST 4, 2008, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: NATHAN S. LIPSYC, R.Ph. (presiding); DONALD M. CASAR, R.Ph.; ELIZABETH I. GREGG, R.Ph.; BARTON G. KADERLY, PUBLIC MEMBER; RICHARD F. KOLEZYNSKI, R.Ph.; DEBORAH A. LANGE, R.Ph.; HEATHER L. PASQUALE, R.Ph.; AND JEROME J. WIESENHAHN, R.Ph.

RONALD H. STEVENS WAS NOT PRESENT NOR WAS HE REPRESENTED BY COUNSEL. THE STATE OF OHIO WAS REPRESENTED BY SALLY ANN STEUK, ASSISTANT ATTORNEY GENERAL.

### SUMMARY OF EVIDENCE

#### State's Witnesses

1. Thomas M. Miksch, Ohio State Board of Pharmacy
2. Michael Quigley, R.Ph.

#### Respondent's Witnesses

None

#### State's Exhibits

1. Reinstatement Hearing Request letter from Ronald H. Stevens [04-04-06]  
1A-1N. Procedurals
2. State Board of Pharmacy Order In Re Ronald H. Stevens [04-14-05]
3. Hearing Continuance Request Letter from Ronald Stevens [09-25-06]; Memorandum from Agent Thomas Miksch to David Rowland [10-02-06]; Docket Sheets, Ronald H. Stevens vs. Teri E. Stevens, Case No. DR-2006-03-0748, Summit County Common Pleas Court [03-07-06 to 03-04-08]
4. E-mail from Ronald H. Stevens to David Rowland [01-30-07]
5. Hearing Continuance Request Letter from Ronald H. Stevens [05-15-07]
6. Hearing Continuance Request Letter from Ronald H. Stevens [11-26-07]; Hearing Continuance Request Letter from Ron Stevens [11-30-07]
7. Hearing Continuance Request Letter from Ronald H. Stevens [03-17-08]
8. Notarized Statement of Michael Quigley, R.Ph. [03-26-08]

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9. Hearing Continuance Request Letter from Ronald H. Stevens [07-26-08]

Respondent's Exhibits

None

FINDINGS OF FACT

After having heard the testimony, observed the demeanor of the witnesses, considered the evidence, and weighed the credibility of each, the State Board of Pharmacy finds that Ronald H. Stevens has not complied with the terms set forth in the Order of the State Board of Pharmacy, Docket No. D-041006-026, effective April 14, 2005, nor has he demonstrated satisfactory proof to the Board that he is no longer addicted to or abusing liquor or drugs or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy.

DECISION OF THE BOARD

On the basis of the Finding of Fact set forth above, and after consideration of the record as a whole, the State Board of Pharmacy hereby denies the reinstatement of the pharmacist identification card, No. 03-3-21936, held by Ronald H. Stevens to practice pharmacy in Ohio. Pursuant to Rule 4729-9-01(F) of the Ohio Administrative Code, Ronald H. Stevens may not be employed by or work in a facility licensed by the State Board of Pharmacy to possess or distribute dangerous drugs during suspension.

Further, after August 2016, the Board will consider any petition filed by Ronald H. Stevens for a hearing, pursuant to Ohio Revised Code Chapter 119., for reinstatement. The Board will only consider reinstatement of the license to practice pharmacy in Ohio if the following condition has been met:

Ronald H. Stevens must show compliance with the terms of his Board Order of April 14, 2005.

Jerome Wiesenbahn moved for the Findings of Fact and the Decision of the Board; Deborah Lange seconded the motion. Motion passed (Aye-7/Nay-0).

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 Ohio Revised Code authorizes an appeal from this Order. An order that denied admission to an examination, or denied the issuance or renewal of a license or registration, or revoked or suspended a license, may be appealed to the court of common pleas in the Ohio county of your place of business or in your Ohio county of residence. Any other order may be appealed to the Court of Common Pleas of Franklin County, Ohio.

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Such an appeal, setting forth the order appealed from and the grounds of the appeal, must be commenced by the filing of the ORIGINAL Notice of Appeal with the State Board of Pharmacy and a copy with the appropriate court within fifteen (15) days after the mailing of this Order and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

**BY ORDER OF THE STATE BOARD OF PHARMACY**

ORDER MAILED & EFFECTIVE: SEPTEMBER 9, 2008

By: \_\_\_\_\_  
William T. Winsley, M.S., R.Ph., Executive Director

WTW/lp

CERTIFIED MAIL/Return Receipt  
7004 2510 0006 9804 0303

c: Sally Ann Steuk, Assistant Attorney General



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## ORDER OF THE STATE BOARD OF PHARMACY

(Docket No. D-041006-026)

In The Matter Of:

**RONALD HEATH STEVENS, R.Ph.**

4378 Millburn Avenue

Stow, Ohio 44224

(R.Ph. No. 03-3-21936)

### INTRODUCTION

THE MATTER OF RONALD HEATH STEVENS CAME FOR HEARING ON MARCH 7, 2005, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: LAWRENCE J. KOST, R.Ph. (presiding); GREGORY BRAYLOCK, R.Ph.; SUZANNE R. EASTMAN, R.Ph.; ROBERT P. GIACALONE, R.Ph.; ELIZABETH I. GREGG, R.Ph.; NATHAN S. LIPSYC, R.Ph.; KEVIN J. MITCHELL, R.Ph.; DOROTHY S. TEATER, PUBLIC MEMBER; AND JAMES E. TURNER, R.Ph.

RONALD HEATH STEVENS WAS NOT REPRESENTED BY COUNSEL AND THE STATE OF OHIO WAS REPRESENTED BY SALLY ANN STEUK, ASSISTANT ATTORNEY GENERAL.

### SUMMARY OF EVIDENCE

#### State's Witnesses

1. Thomas Miksch, Ohio State Board of Pharmacy

#### Respondent's Witnesses

1. Ronald Heath Stevens, R.Ph., Respondent
2. Teri Stevens

#### State's Exhibits

1. Summary Suspension Order/Notice of Opportunity For Hearing letter [10-06-04]  
1A-1F. Procedurals
2. Notarized Statement of David Woychik [02-17-04]
3. Notarized Statement of Ronald H. Stevens [09-21-04]
4. Record of Illegal Prescriptions [11-22-02 to 01-29-04]
5. Rx #151178 [11-22-02]; Rx #152440 [01-13-03]; Rx #155421 [05-03-03]; Rx #157107 [07-15-03]; Rx #157108 [07-15-03]; Rx #369535 [10-29-03]; Rx #171368 [11-03-03]; Rx #175194 [10-29-03]
6. Notarized Statement of Michael K. Brockett [04-21-04]
- 6A. Notarized Statement of Michael Brockett, M.D. [02-22-05]
- 6B. Notarized Statement of Kurt Miller, L.P.N. [02-22-05]

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- 7. Rx #C151965 [12-20-02]; Rx #C152799 [01-28-03]; Rx #C155725 [05-16-03]; Rx #C157144 [07-16-03]; Rx #157915 [08-21-03]; Rx #158695 [09-25-03]; Rx #170637 [10-01-03]; Rx #174284 [12-17-03]; Rx #700566 [01-29-04]

Respondent's Exhibits

- A-D. Handwritten Contentions of Ronald Heath Stevens [not dated]
- E. Letter from Michael K. Brockett, M.D. [10-27-04]
- F. Letter from Kurt D. Miller, L.P.N. [10-27-04]
- G-H. Handwritten Contentions of Ronald Heath Stevens [not dated]

FINDINGS OF FACT

After having heard the testimony, observed the demeanor of the witnesses, considered the evidence, and weighed the credibility of each, the State Board of Pharmacy finds the following to be fact:

- (1) Records of the Board of Pharmacy indicate that Ronald Heath Stevens was originally licensed by the State of Ohio as a pharmacist on July 30, 1996, pursuant to examination, and that Ronald Heath Stevens' license to practice pharmacy in Ohio was summarily suspended effective October 6, 2004.
- (2) Ronald Heath Stevens is addicted to the use of controlled substances and/or is abusing drugs or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy, to wit: Ronald Heath Stevens has admitted to Board agents that he is addicted to controlled substances and that he "is afraid that if he stopped taking them [he] wouldn't be able to handle the withdrawal." Such conduct indicates that Ronald Heath Stevens is within the ambit of Section 3719.121 and/or 4729.16(A)(3) of the Ohio Revised Code.
- (3) Ronald Heath Stevens did, on or about the following dates, intentionally create and/or knowingly possess false or forged prescriptions, to wit: Ronald Heath Stevens created the following prescriptions and/or their refill information without authorization from a prescriber, and filed them in the pharmacies in which he was employed making them to appear legitimate.

Rx #	Date	Drug	Qty
151178	11/22/02	Soma 350 mg	120
151178	11/27/02	Soma 350 mg	120
151178	12/26/02	Soma 350 mg	120
151178	01/07/03	Soma 350 mg	120
152440	01/13/03	Soma 350 mg	360
152440	01/20/03	Soma 350 mg	120
152440	01/24/03	Soma 350 mg	120
152440	02/14/03	Soma 350 mg	120
152440	03/07/03	Soma 350 mg	240
152440	03/21/03	Soma 350 mg	240
152440	03/28/03	Soma 350 mg	120
155421	05/02/03	Soma 350 mg	300
155421	05/17/03	Soma 350 mg	300
155421	06/09/03	Soma 350 mg	300
155421	06/20/03	Soma 350 mg	300
155721	07/10/03	Soma 350 mg	300

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157107	07/15/03	Soma 350 mg	300
157108	07/15/03	Soma 350 mg	300
157107	08/01/03	Soma 350 mg	300
157108	08/14/03	Soma 350 mg	300
Rx #	Date	Drug	Qty
157107	08/27/03	Soma 350 mg	300
157108	09/10/03	Soma 350 mg	300
157107	09/25/03	Soma 350 mg	300
369535	10/29/03	carisoprodol 350 mg	300
171368	11/03/03	Wellbutrin XL 300 mg	60
175194	12/31/03	carisoprodol 350 mg	300

Such conduct is in violation of Section 2925.23(A) of the Ohio Revised Code.

- (4) Ronald Heath Stevens did, on or about the following dates, intentionally create and/or knowingly possess false or forged prescriptions, to wit: Ronald Heath Stevens created the following prescriptions and/or their refill information without authorization from a prescriber, and filed them in the pharmacy in which he was employed making them to appear legitimate.

Rx #	Date	Drug	Qty
151965	12/20/02	Vicoprofen 7.5 mg	300
151965	01/10/03	Vicoprofen 7.5 mg	300
151965	01/27/03	Vicoprofen 7.5 mg	300
152799	01/28/03	Vicoprofen 7.5 mg	300
151965	02/07/03	Vicoprofen 7.5 mg	300
151965	02/21/03	Vicoprofen 7.5 mg	300
152799	03/07/03	Vicoprofen 7.5 mg	300
152799	03/21/03	Vicoprofen 7.5 mg	300
152799	04/20/03	Vicoprofen 7.5 mg	300
152799	05/16/03	Vicoprofen 7.5 mg	300
155725	05/16/03	Vicoprofen 7.5 mg	300
155725	06/04/03	Vicoprofen 7.5 mg	300
155725	06/20/03	Vicoprofen 7.5 mg	300
155725	07/10/03	Vicoprofen 7.5 mg	300
157144	07/16/03	Vicoprofen 7.5 mg	300
155725	07/29/03	Vicoprofen 7.5 mg	300
157915	08/21/03	Vicoprofen 7.5 mg	300
157144	08/27/03	Vicoprofen 7.5 mg	300
157144	09/10/03	Vicoprofen 7.5 mg	300
158695	09/25/03	Robitussin AC	8 oz
170637	10/22/03	Vicoprofen 7.5 mg	300
170637	11/05/03	Vicoprofen 7.5 mg	300
174284	11/14/03	Vicoprofen 7.5 mg	300
170637	11/19/03	Vicoprofen 7.5 mg	300
170637	12/03/03	Vicoprofen 7.5 mg	300
174284	12/17/03	Vicoprofen 7.5 mg	300
174284	12/31/03	Vicoprofen 7.5 mg	300
174284	01/14/04	Vicoprofen 7.5 mg	300
700566	01/29/04	hydrocodone BT - ibuprofen ( <i>sic</i> )	300

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Such conduct is in violation of Section 2925.23(B) of the Ohio Revised Code.

CONCLUSIONS OF LAW

- (1) The State Board of Pharmacy concludes that paragraphs (3) and (4) of the Findings of Fact constitute being guilty of gross immorality as provided in Division (A)(1) of Section 4729.16 of the Ohio Revised Code.
- (2) The State Board of Pharmacy concludes that paragraphs (3) and (4) 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) The State Board of Pharmacy concludes that paragraph (2) 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) The State Board of Pharmacy concludes that paragraphs (3) and (4) of the Findings of Fact constitute being guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of provisions of Chapter 2925. of the Revised Code as provided in Division (A)(5) of Section 4729.16 of the Ohio Revised Code.

DECISION OF THE BOARD

Pursuant to Section 3719.121 of the Ohio Revised Code, the State Board of Pharmacy hereby removes the Summary Suspension Order issued to Ronald Heath Stevens on October 6, 2004.

Pursuant to Section 4729.16 of the Ohio Revised Code, and after consideration of the record as a whole, the State Board of Pharmacy hereby suspends indefinitely the pharmacist identification card, No. 03-3-21936, held by Ronald Heath Stevens and such suspension is effective as of the date of the mailing of this Order.

- (A) Ronald Heath Stevens, pursuant to Rule 4729-9-01(F) of the Ohio Administrative Code, may not be employed by or work in a facility licensed by the State Board of Pharmacy to possess or distribute dangerous drugs during such period of suspension.
- (B) Ronald Heath Stevens, pursuant to Section 4729.16(B) of the Ohio Revised Code, must return his identification card and license (wall certificate) to the office of the State Board of Pharmacy within ten days after receipt of this Order unless the Board office is already in possession of both. The identification card and wall certificate should be sent by certified mail, return receipt requested.

Further, after one year from the effective date of this Order, the Board will consider any petition filed by Ronald Heath Stevens for a hearing, pursuant to Ohio Revised Code Chapter 119., for reinstatement. The Board will only consider reinstatement of the license to practice pharmacy in Ohio if the following conditions have been met:

- (A) Ronald Heath Stevens must enter into a new contract, signed within thirty days after the effective date of this Order, with an Ohio Department of Alcohol and Drug Addiction Services (ODADAS) treatment provider or a treatment provider

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acceptable to the Board for a period of not less than five years and, upon signing, mail a copy of the contract to the Board office. The contract must provide that:

- (1) Random, **observed** urine drug screens shall be conducted at least once each month.
    - (a) Urine drug screens may not be conducted at Marietta Health Care Systems, Inc.
    - (b) The urine sample must be given within twelve hours of notification. The urine drug screen must include testing for creatinine or specific gravity of the sample as the dilutional standard.
    - (c) Carisoprodol and hydrocodone must be included in the standard urine drug screen.
    - (d) Results of all drug screens must be negative. Refusal of a drug screen or a diluted drug screen is equivalent to a positive result. Any positive results, including those which may have resulted from ingestion of food, but excluding false positives which resulted from medication legitimately prescribed, indicates a violation of the contract.
  - (2) Attendance is required a minimum of three times per week at an Alcoholics Anonymous, Narcotics Anonymous, and/or similar support group meeting.
  - (3) The program shall immediately report to the Board any violations of the contract and/or lack of cooperation.
- (B) Ronald Heath Stevens must demonstrate satisfactory proof to the Board that he is no longer addicted to or abusing drugs or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy.
- (C) Ronald Heath Stevens must provide, at the reinstatement petition hearing, documentation of the following:
- (1) Compliance with the contract required above (e.g.-proof of giving the sample within twelve hours of notification and copies of all drug screen reports, meeting attendance records, treatment program reports, etc.);
  - (2) Compliance with the continuing pharmacy education requirements set forth in Chapter 4729-7 of the Ohio Administrative Code as applicable and in effect on the date of petitioning the Board for reinstatement;
  - (3) Compliance with the terms of this Order.
- (D) If reinstatement is not accomplished within three years of the effective date of this Order, Ronald Heath Stevens must also show successful completion of the NAPLEX examination or an equivalent examination approved by the Board.

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Upon such time as the Board may consider reinstatement, Ronald Heath Stevens will be afforded a Chapter 119. hearing. At such time, the Board may consider reinstatement with or without restrictions and/or conditions as the Board deems appropriate under the circumstances.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF PHARMACY (Aye-7/Nay-1).

MOTION CARRIED.

SO ORDERED.

**BY ORDER OF THE STATE BOARD OF PHARMACY**

ORDER MAILED & EFFECTIVE:     **APRIL 14, 2005**    

By: \_\_\_\_\_

William T. Winsley, M.S., R.Ph., Executive Director