



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

FAX: 614/752-4836

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

URL: <http://www.pharmacy.ohio.gov>

SETTLEMENT AGREEMENT WITH THE STATE BOARD OF PHARMACY (Docket No. D-071128-019)

In The Matter Of:

HOLLY LANET BLACKLEY, R.Ph.

1110 Virescent Court
Cincinnati, Ohio 45224
(R.Ph. No. 03-3-25775)

This Settlement Agreement is entered into by and between Holly Lanet Blackley and the Ohio State Board of Pharmacy, a state agency charged with enforcing the Pharmacy Practice Act and Dangerous Drug Distribution Act, Chapter 4729. of the Ohio Revised Code.

Holly Lanet Blackley voluntarily enters into this Agreement being fully informed of her rights afforded under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel, the right to a formal adjudication hearing on the issues contained herein, and the right to appeal. Holly Lanet Blackley acknowledges that by entering into this agreement she has waived her rights under Chapter 119. of the Revised Code.

Whereas, the Board is empowered by Section 4729.16 of the Ohio Revised Code to suspend, revoke, place on probation, refuse to grant or renew an identification card or enforce a monetary penalty on the license holder for violation of any of the enumerated grounds therein.

Whereas, Holly Lanet Blackley is licensed to practice pharmacy in the State of Ohio.

Whereas, on or about November 28, 2007, pursuant to Chapter 119. of the Ohio Revised Code, Holly Lanet Blackley was notified of the allegations or charges against her, her right to a hearing, her rights in such hearing, and her right to submit contentions in writing. Holly Lanet Blackley requested a hearing; it was scheduled. The November 28, 2007, Notice of Opportunity for Hearing contains the following allegations or charges:

- (1) Records of the State Board of Pharmacy indicate that Holly Lanet Blackley was originally licensed by the State of Ohio as a pharmacist on June 3, 2003, pursuant to reciprocity, and is currently licensed to practice pharmacy in the State of Ohio.
- (2) Holly Lanet Blackley did, on or about September 17, 2007, when not a registered pharmacist or pharmacy intern, dispense or sell dangerous drugs and/or otherwise engage in the practice of pharmacy, to wit: though Holly Lanet Blackley did not renew her license to practice pharmacy, Holly Lanet Blackley dispensed Rx #6607859, Rx #6607860, and Rx #6607861, and she performed other pharmacy practice tasks. Such conduct is in violation of Section 4729.28 of the Ohio Revised Code.

- (3) Holly Lanet Blackley did, on or about September 18, 2007, when not a registered pharmacist or pharmacy intern, dispense or sell dangerous drugs and/or otherwise engage in the practice of pharmacy, to wit: though Holly Lanet Blackley did not renew her license to practice pharmacy, Holly Lanet Blackley dispensed Rx #6607873 and Rx #6607874, and she performed other pharmacy practice tasks. Such conduct is in violation of Section 4729.28 of the Ohio Revised Code.
- (4) Holly Lanet Blackley did, on or about September 19, 2007, when not a registered pharmacist or pharmacy intern, dispense or sell dangerous drugs and/or otherwise engage in the practice of pharmacy, to wit: though Holly Lanet Blackley did not renew her license to practice pharmacy, Holly Lanet Blackley dispensed Rx #6608024, Rx #6608025, and Rx #6608026, and she performed other pharmacy practice tasks. Such conduct is in violation of Section 4729.28 of the Ohio Revised Code.
- (5) Holly Lanet Blackley did, on or about September 20, 2007, when not a registered pharmacist or pharmacy intern, dispense or sell dangerous drugs and/or otherwise engage in the practice of pharmacy, to wit: though Holly Lanet Blackley did not renew her license to practice pharmacy, Holly Lanet Blackley dispensed Rx #4405468, and she performed other pharmacy practice tasks. Holly Lanet Blackley has acknowledged that she received a letter from the Board office on September 19, 2007, advising her that her license had lapsed. Such conduct is in violation of Section 4729.28 of the Ohio Revised Code.
- (6) Holly Lanet Blackley did, on or about September 21, 2007, when not a registered pharmacist or pharmacy intern, dispense or sell dangerous drugs and/or otherwise engage in the practice of pharmacy, to wit: though Holly Lanet Blackley did not renew her license to practice pharmacy, Holly Lanet Blackley dispensed Rx #4405473, and she performed other pharmacy practice tasks. Holly Lanet Blackley has acknowledged that she received a letter from the Board office on September 19, 2007, advising her that her license had lapsed. Such conduct is in violation of Section 4729.28 of the Ohio Revised Code.
- (7) Holly Lanet Blackley did, on or about September 24, 2007, when not a registered pharmacist or pharmacy intern, dispense or sell dangerous drugs and/or otherwise engage in the practice of pharmacy, to wit: though Holly Lanet Blackley did not renew her license to practice pharmacy, Holly Lanet Blackley dispensed Rx #6608233, Rx #6608234, and Rx #6608235, and she performed other pharmacy practice tasks. Holly Lanet Blackley has acknowledged that she received a letter from the Board office on September 19, 2007, advising her that her license had lapsed. Such conduct is in violation of Section 4729.28 of the Ohio Revised Code.

Holly Lanet Blackley neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated November 28, 2007; however, the Board has evidence sufficient to sustain the allegations and hereby adjudicates the same.

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of a formal hearing at this time, Holly Lanet Blackley knowingly and voluntarily agrees with the State Board of Pharmacy to the following:

- (A) Holly Lanet Blackley agrees to the imposition of a monetary penalty of five hundred dollars (\$500.00) due and owing within thirty days from the effective date of this Agreement. Checks should be made payable to the "Treasurer, State of Ohio" and mailed with the enclosed form to the State Board of Pharmacy, 77 South High Street, Room 1702, Columbus, Ohio 43215-6126.
- (B) Holly Lanet Blackley must obtain, within six months from the effective date of this Agreement, five hours of continuing pharmacy education (0.5 CEUs), which may not also be used for license renewal.

Holly Lanet Blackley acknowledges that she has had an opportunity to ask questions concerning the terms of this agreement and that all questions asked have been answered in a satisfactory manner. Any action initiated by the Board based on alleged violation of this Agreement shall comply with the Administrative Procedure Act, Chapter 119. of the Ohio Revised Code.

Holly Lanet Blackley waives any and all claims or causes of action she may have against the State of Ohio or the Board, and members, officers, employees, and/or agents of either, arising out of matters which are the subject of this Agreement. Holly Lanet Blackley waives any rights of appeal pursuant to Chapter 119. of the Ohio Revised Code.

This Settlement Agreement shall be considered a public record, as that term is used in Section 149.43 of the Ohio Revised Code, and shall become effective upon the date of the Board President's signature below.

Holly Lanet Blackley, R.Ph., Respondent

03/26/2008
Date of Signature

Charles F. Hertlein, Jr., Attorney for Respondent

03/26/2008
Date of Signature

Gregory Braylock, President, Ohio State Board of Pharmacy

04/09/2008
Date of Signature

Sally Ann Steuk, Ohio Assistant Attorney General

04/09/2008
Date of Signature

MONETARY PENALTY TRANSMITTAL FORM

IN THE MATTER OF:

Holly Lanet Blackley, R.Ph.
(R.Ph. No. 03-3-25775)

THE ENCLOSED AGREEMENT OF THE OHIO STATE BOARD OF PHARMACY IMPOSES A MONETARY PENALTY PURSUANT TO SECTION 4729.16 OF THE REVISED CODE. SAID MONETARY PENALTY OF \$500.00 DUE PRIOR TO THIRTY DAYS FROM THE EFFECTIVE DATE OF THIS AGREEMENT.

TO ENSURE THE PROPER CREDIT, RETURN THIS FORM WITH YOUR PAYMENT TO THE OHIO STATE BOARD OF PHARMACY; 77 SOUTH HIGH STREET, 17TH FLOOR; COLUMBUS, OHIO 43215-6126. PAYMENT IS TO BE MADE PAYABLE TO THE "TREASURER, STATE OF OHIO".

PAYMENT NOT RECEIVED DURING THE DESIGNATED TIME MAY RESULT IN FURTHER ACTION BY THE BOARD THROUGH THE OFFICES OF THE STATE AUDITOR AND ATTORNEY GENERAL.

- FOR BOARD USE ONLY BELOW THIS LINE -

Docket No. _____	D-071128-019	Penalty Type _____	Settlement Agreement
Amount Assessed _____	\$500.00	Control No. _____	
Amount Suspended _____	-0-	Date Received _____	
Amount Due _____	\$500.00	Amount Received _____	