IN THE MATTER OF:

CASE NOS. A-2023-0454 & A-2024-0089

Brown's Drug
5106 Southern Blvd
Youngstown, Ohio 44512

License No. 02-0875000

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Brown's Drug for the purpose of resolving all issues between the parties relating to the Board investigation of failure to run OARRS as required, filling prescriptions before the fill date, and multiple violations discovered during two inspections. Together, the Board and Brown's Drug are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit or refuse to grant or renew any license issued pursuant to Section 4729.54 of the Ohio Revised Code.

2. Brown's Drug, located at 5106 Southern Blvd, Youngstown, Ohio, has an active TDDD license with the Board under license number 02-0875000, which lists Nicolette Pipak, RPh as the Responsible Person.

FACTS

1. The Board initiated an investigation of Brown's Drug, Terminal Distributor of Dangerous Drugs license number 02-0875000, related to Brown's Drug's failure to run OARRS as required, filling prescriptions before the fill date, and multiple violations discovered during two inspections.

2. On or about June 30, 2025, the Board sent a Notice of Opportunity for Hearing to Brown's Drug, which outlined the allegations and provided notice of its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.

3. On or about July 25, 2025, Brown's Drug, through counsel Gregory Tapocsi, timely requested an administrative hearing, which was subsequently scheduled for December 8, 2025 and continued to April 14, 2026. This matter was settled via this agreement in lieu of hearing.

WHEREFORE, the parties desire to resolve the issues relating to the above-referenced findings without resorting to further administrative proceedings.

TERMS

NOW THEREFORE, in consideration of the mutual promises herein expressed, the parties knowingly and voluntarily agree as follows:

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.

2. Brown's Drug neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated June 30, 2025; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.

3. Brown's Drug agrees to pay to the Board a monetary penalty the amount of $20,000.00. This fine will be attached to the TDDD license record and must be paid no later than one year from the effective date of this Agreement. To pay this fine, a representative of Brown's Drug must login to www.elicense.ohio.gov and process the items in the cart.

4. Brown's Drug's TDDD license will be subject to a two-year period of probation, beginning the effective date of this Agreement. The terms of probation include the following:
    a. Within 30 days of the effective date of this Agreement, a change of Responsible Person form will be submitted to the Board for Brown's Drug, TDDD license, number 02-0875000, to request the Responsible Person be changed to Richard Pipak, III, RPh.

    b. Within 180 days of the effective date of this Agreement, Brown's Drug will hire a Board-approved independent pharmacy consultant to evaluate the pharmacy's practices, procedures, and compliance with applicable rules and laws, as outlined in Term 7 of this Agreement.

    c. Within 360 days of the effective date of this Agreement, the Board-approved expert will submit to the Board a report of his/her findings, which should include any recommendations for Brown's Drug to attain compliance. Brown's Drug will have no more than 360 days from the effective date of this Agreement to implement the consultant's recommendations and provide an attestation confirming compliance to the Board.

    d. During the two-year period of probation, a violation of this Agreement constitutes a violation of probation and could result in additional discipline and/or tolling of probation.

5. Richard Pipak, III, RPh must obtain ten hours of approved continuing pharmacy education (1.0 CEUs) which may not also be used for license renewal. Richard Pipak, III, RPh must complete the Board sponsored Responsible Person 101 course (1 hour) in addition to the 1.0 CEUs. The

1.0 CEUs and Responsible Person course must be completed within 180 days from the effective date of this Agreement. Copies of completed CEUs must be e-mailed to legal@pharmacy.ohio.gov.

6. The Board hereby imposes a written reprimand on Brown's Drug's TDDD license, number 02-0875000.

7. Brown's Drug agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction, as required by any such state or jurisdiction, in which it currently holds a professional license, including the Board on renewal applications or applications for a new license.

8. Brown's Drug agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Brown's Drug of the terms of one or more federal or state requirements may constitute sufficient grounds for further enforcement action related to any licenses granted to Brown's Drug by the Board and will NOT discharge Brown's Drug from any obligation under the terms of this Agreement.

9. Brown's Drug agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

10. Brown's Drug understands that it has the right to be represented by counsel for review and execution of this agreement.

11. This Agreement is binding upon any and all successors, assigns, affiliates, and subsidiaries of the parties or any other corporation through whom or with whom Brown's Drug will operate.

12. Brown's Drug explicitly withdraws its request for a hearing, waives its right to a hearing and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.

13. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

14. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.

15. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.

16. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses

shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.

17. This Agreement shall become effective upon the date of the Board President's signature below.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties to this Agreement have executed it and/or cause it to be executed by their duly authorized representatives.

Approved by:

Nicolette Pipak, RPh, on behalf of,
Brown's Drug, Respondent

3/31/26
Date of Signature

Gregory Tapocsi, Attorney for Respondent

3.31.26
Date of Signature

Jeff Huston, RPh, President,
Ohio Board of Pharmacy

4.1.2026
Date of Signature

-THIS IS A RED INK STAMP-
I certify this to be a true and exact copy of the original document on file with the Ohio State Board of Pharmacy.
Steven W. Schierholt, Esq., Executive Dir.
Date: 6/30/2025
-MUST HAVE BOARD SEAL TO BE OFFICIAL-

NOTICE OF OPPORTUNITY FOR HEARING
PROPOSAL TO TAKE DISCIPLINARY ACTION AGAINST LICENSEE

IN THE MATTER OF: **CASE NOS. A-2023-0454 & A-2024-0089**

Brown's Drug **License No. 02-0875000**
5106 Southern Blvd
Youngstown, Ohio 44512

June 30, 2025

Dear Brown's Drug:

You are hereby notified, in accordance with the provisions of Section 119.07 of the Ohio Revised Code the Ohio Board of Pharmacy (Board) proposes to take action against your license as a Terminal Distributor of Dangerous Drugs (TDDD) under authority of Section 4729.57 of the Revised Code.

JURISDICTION

1. Pursuant to section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to suspend, revoke, restrict, limit, or refuse to grant or renew any license issued pursuant to section 4729.55 of the ORC to practice as a TDDD in the state of Ohio. Additionally, Section 4729.57 of the Ohio Revised Code grants the Board the authority to impose a monetary penalty or forfeiture not to exceed in severity any fine designated under the Revised Code for a similar offense or $1,000 if the acts committed have not been classified as an offense by the ORC.

2. Brown's Drug, located at 5106 Southern Blvd, Youngstown, Ohio, has an active TDDD license with the Board under license number 02-0875000, which lists Nicolette Pipak, RPh as the Responsible Person.

ALLEGATIONS

1. On or about August 20, 2019, an inspection was conducted at Brown's Drug, located at 5106 Southern Blvd, Youngstown, Ohio, by a Board inspector. Nicolette Pipak, RPh, the Responsible Person, was present, as well as Richard Pipak, Jr, RPh, and Richard Pipak, II, RPh. The

inspection resulted in multiple warnings, with two of the warnings requiring written responses. The warnings included:

a. Expired medication was found comingled with the pharmacy's active drug stock. Specifically, 11 bottles of medication, with expiration dates between 2016 and 2019, were found on the pharmacy's shelves.

b. The TDDD's compounding records were not available for each compound made at the pharmacy. Mr. Pipak, Jr, stated he compounds simple diaper rash creams and magic mouthwash, but he does not maintain a record of the compounding being performed.

c. There was no positive ID for patient counseling.

d. Multiple drugs were found in single-dose containers. The pharmacy placed medications into compliance bubble wrapping and some of the bubble packages contained multiple medications within the same bubble. The packages did not have a beyond use date (BUD) of 60 days from the packaging.

2. On or about December 29, 2022, the Board conducted a second inspection at Brown's Drug. The inspection resulted in seven warnings, including five warnings that required a written response, including, in part:

a. The pharmacy did not have all Schedule II controlled substances stored in a securely locked, substantially constructed cabinet or safe.

b. Pharmacy employees, who are not licensed as a pharmacist, had access to pharmacy keys.

c. Numerous expired/adulterated drugs were observed comingled with the active drug stock. These drugs were not segregated as required. Many of the expired drugs were stored for longer than one year from the date of expiration.

3. Review of records, including patient profiles and prescriptions, obtained during the inspection and a search warrant conducted by the Mahoning Valley Law Enforcement Task Force, Ohio Board of Pharmacy, and Ohio Narcotics Intelligence Center, on or about July 20, 2023, revealed Brown's Drug was filling patient prescriptions multiple days early, between 2017 and 2021.

a. Many of the prescriptions included a "do not fill until" date; the prescriptions were filled before the date provided by the prescriber. The early fills would cause "a medication surplus" or medication overlap of the previous prescription.

b. The medication surplus primarily involved controlled substances, specifically opioids.

c. A list of patients with prescriptions filled by Brown's Drug before the prescription fill date permitted, between on or about January 2017 to July 2023, is set forth in Attachment A, attached hereto and incorporated as though fully set forth herein.

4. On or about June 7 2021 and October 1, 2021, James Prommersberger, a former Doctor of Medicine, pleaded guilty and was sentenced to a 79-count felony indictment, in Mahoning County Court of Common Pleas. The conviction included drug trafficking, illegal processing and Medicaid fraud. The conviction resulted from an investigation that determined Mr. Prommersberger routinely issued prescriptions for controlled substances without a legitimate medical purpose. His prescriptions were dispensed at 52 pharmacies in Ohio, including Brown's Drugs. The following was learned through the investigation:

    a. Brown's Drug dispensed 133 prescriptions identified to be issued without a medication purpose, between April 2014 and July 2017.

    b. Brown's Drug dispensed the highest quantity of prescriptions identified as having no medical purpose by any of the 52 pharmacies.

    c. A list of patients with prescriptions issued by James Prommersberger without a medical purpose and filled by Brown's Drug, is set forth in Attachment B, attached hereto and incorporated as though fully set forth herein.

5. From on or about 2017 through on or about 2022, Brown's Drug failed to run Ohio Automated Rx Reporting System (OARRS) reports, as required by the Ohio Administrative Code.

    a. A review of 25 Patient Rx History Reports (Reports) revealed that Brown's Drug failed to request and review Reports for all 25 patients, in the following situations:

        i. prior to dispensing a new or different controlled substance or a drug containing gabapentin, and/or

        ii. during the preceding 12 months (Note: Reports must be run for a patient every 12 months prior to dispensing a controlled substance or gabapentin), and/or

        iii. when the prescriber and/or patient is from outside the usual pharmacy geographic area, and/or

        iv. when there is reason to believe the patient has received prescriptions for controlled substances or gabapentin from more than one prescriber in the preceding three months, and/or

        v. patient is exhibiting signs of potential abuse or diversion, including, but not limited to early fills or over-utilization.

    b. The review identified 9 patients that Brown's Drug failed to ever run an OARRS report for, over the period of multiple years.

    c. A list of the violations found from on or about 2017 through on or about 2022, for the 25 patients reviewed, are set forth in Attachment C, attached hereto and incorporated as though fully set forth herein.

6. On or about April 14, 2023, it was discovered that Brown's Drug unlawfully disposed of documents and records that contained patient's Health Insurance Portability and Accountability Act (HIPAA) protected information and other personal identifying information (PII). The HIPAA protected information that was found unprotected and disposed of with regular trash included: patient names, addresses, phone numbers, dates of birth; prescriber names, addresses, phone numbers, DEA numbers, National Provider Identification Numbers (NPI); and prescription numbers, dates written, drug names/strengths/quantities and diagnosis codes.

7. On or about July 20, 2023, Nicolette Pipak, RPh, the Responsible Person of Brown's Drug, was interviewed by an Agent and Regional Agent in Charge, of the Board. She stated the following:

    a. When asked if they were aware of any physicians who write high volumes of controlled substances they would find to be concerning, she stated prescriptions were filled for Dr. Prommersberger for a while until they determined he seemed to be writing prescriptions for just about everyone.

    b. Brown's Drugs would not fill a prescription more than three days early, unless the patient was going on vacation. She explained how people would try to get early fills, but she refused them, stating "we're not stupid."

    c. When Richard Pipak Jr. answered "no" when asked if they fill a lot of prescriptions early, Ms. Pipak added, "there's no shenanigans anymore." Then added, when asked what she meant by "anymore," she stated "ever."

    d. She stated they may not check OARRS as often as they should. They check OARRS for every new patient. When given an example of a patient who has been coming to their pharmacy for 10 years and asked if they would only check OARRS at the beginning of the 10 years, Ms. Pipak stated, "probably" and "I know that's not right" then "I guess we need to run OARRS more."

    e. She stated HIPAA paperwork is shredded before being thrown out.

8. On or about July 20, 2023, Richard Pipak, Jr. RPh, was interviewed by an Agent and Regional Agent in Charge, of the Board. He stated the following:

    a. When asked if a physician ever complained about the pharmacy filling a patient's medication early, he explained there were times when a patient was given a 30-day prescription but would come back for another fill after 26 or 27 days; they would fill those prescriptions if they went through with insurance.

    b. The physicians would sometimes call and say the prescription should only be filled every 30-days. Ms. Pipak stated they are more diligent about that now.

c. When asked if there are systems in place to determine if patients may be obtaining controlled substances from other sources, he advised they run OARRS reports, especially when its someone new or they don't recognize.

d. He stated they may not check OARRS as often as they should.

9. On or about July 20, 2023, Richard Pipak, III, RPh, a pharmacist at Brown's Drug, was interviewed by an Agent and Regional Agent in Charge, of the Board. He stated the following:

a. When asked about early refills of prescriptions, he said they try to follow the policy of the insurance companies, which usually allowed 3-4 days early.

b. When asked if doctors call to complain about patients getting medication fille early, he said, "for the most part, no."

c. They do some shredding (of HIPAA documents) but they do not have a designated HIPAA bin. It is possible that some HIPAA information would make it into the regular trash bin without being shredded.

10. On or about February 7, 2024, a Regional Agent in Charge and Inspector of the Board conducted a follow-up inspection at Brown's Drug. Many repeat violations were found. The following warnings, four of which required a written response, were issued by the Board:

a. A spot check of patient records revealed that OARRS reports were not accessed by Brown's Drug for two patients within the past 12 months, as required by the Ohio Administrative Code.

b. Controlled substances were not stored in a securely locked cabinet or safe.

c. Stock bottles of dextroamphetamine sulfate 5mg and hydrocodone/APAP 5/300mg were located on the pharmacy shelf outside the CII safe. The safe was unlocked.

d. Two refrigerators used for the storage of drugs had two temperature monitoring devices each, with varying temperatures. One refrigerator was observed at 49 degrees F and 36.7 degrees F and the other was observed at 50 degrees F and 39 degrees F.

e. A bottle of rivastigmine tartrate 3mg was found to contain 80 capsules. The package size for this bottle was 60 capsules.

POTENTIAL VIOLATIONS OF LAW

1. Such conduct as set forth in Allegations Section, if proven, each constitutes a violation of the following sections of Rule 4729:5-5-08 of the OAC, as effective November 15, 2022, each violation punishable by a maximum penalty of $1,000:

a. Prior to dispensing any prescription, a pharmacist shall review the patient profile for the purpose of identifying the following:

   i. Over-utilization or under-utilization, OAC Rule 4729:5-5-08(A)(1); and/or

   ii. Therapeutic duplication, OAC Rule 4729:5-5-08(A)(2); and/or

   iii. Drug-disease state contraindications, OAC Rule 4729:5-5-08(A)(3); and/or

   iv. Drug-drug interactions, OAC Rule 4729:5-5-08(A)(4); and/or

   v. Incorrect drug dosage, OAC Rule 4729:5-5-08(A)(5); and/or

   vi. Drug-allergy interactions, OAC Rule 4729:5-5-08(A)(6); and/or

   vii. Abuse/misuse, OAC Rule 4729:5-5-08(A)(7); and/or

   viii. Inappropriate duration of drug treatment, OAC Rule 4729:5-5-08(A)(8); and/or

   ix. Food-nutritional supplements-drug interactions, OAC Rule 4729:5-5-08(A)(9); an/or

b. Prior to dispensing an outpatient prescription for a controlled substance dangerous drug or a drug containing gabapentin, at a minimum, a pharmacist shall request and review an OARRS report covering at least a one year time period in any of the following circumstances:

   i. A patient adds a new or different controlled substance dangerous drug or a drug containing gabapentin to the patient's therapy that was not previously included, OAC Rule 4729:5-5-08(D)(1); and/or

   ii. An OARRS report has not been reviewed for that patient during the preceding twelve months, as indicated in the patient profile, OAC Rule 4729:5-5-08(D)(2); and/or

   iii. A prescriber is located outside the usual pharmacy geographic area; OAC Rule 4729:5-5-08(D)(3); and/or

   iv. A patient is from outside the usual pharmacy geographic area; OAC Rule 4729:5-5-08(D)(4); and/or

   v. A pharmacist has reason to believe the patient has received prescriptions for controlled substance dangerous drugs or a drug containing gabapentin from more than one prescriber in the preceding three months, unless the prescriptions are from prescribers who practice at the same physical location; OAC Rule 4729:5-5-08(D)(5); and/or

   vi. Patient is exhibiting signs of potential abuse or diversion. This includes, but is not limited to, over-utilization, early refills, appears overly sedated or intoxicated upon presenting a prescription for a controlled substance dangerous drug, or an unfamiliar

patient requesting a reportable drug by specific name, street name, color, or identifying marks, OAC Rule 4729:5-5-08(D)(6).

2. Such conduct as set forth in Allegations Section, if proven, each constitutes a violation of the following sections of Rule 4729:5-5-08 of the OAC, as effective December 1, 2020, each violation punishable by a maximum penalty of $1,000:

   a. Prior to dispensing any prescription, a pharmacist shall review the patient profile for the purpose of identifying the following:

      i. Over-utilization or under-utilization, OAC Rule 4729:5-5-08(A)(1); and/or

      ii. Therapeutic duplication, OAC Rule 4729:5-5-08(A)(2); and/or

      iii. Drug-disease state contraindications, OAC Rule 4729:5-5-08(A)(3); and/or

      iv. Drug-drug interactions, OAC Rule 4729:5-5-08(A)(4); and/or

      v. Incorrect drug dosage, OAC Rule 4729:5-5-08(A)(5); and/or

      vi. Drug-allergy interactions, OAC Rule 4729:5-5-08(A)(6); and/or

      vii. Abuse/misuse, OAC Rule 4729:5-5-08(A)(7); and/or

      viii. Inappropriate duration of drug treatment, OAC Rule 4729:5-5-08(A)(8); and/or

      ix. Food-nutritional supplements-drug interactions, OAC Rule 4729:5-5-08(A)(9); an/or

   b. Prior to dispensing an outpatient prescription for a controlled substance dangerous drug, at a minimum, a pharmacist shall request and review an OARRS report covering at least a one year time period in any of the following circumstances:

      i. A patient adds a new or different controlled substance dangerous drug to the patient's therapy that was not previously included, OAC Rule 4729:5-5-08(D)(1); and/or

      ii. An OARRS report has not been reviewed for that patient during the preceding twelve months, as indicated in the patient profile, OAC Rule 4729:5-5-08(D)(2); and/or

      iii. A prescriber is located outside the usual pharmacy geographic area; OAC Rule 4729:5-5-08(D)(3); and/or

      iv. A patient is from outside the usual pharmacy geographic area; OAC Rule 4729:5-5-08(D)(4); and/or

      v. A pharmacist has reason to believe the patient has received prescriptions for controlled substance dangerous drugs or a drug containing gabapentin from more than one

prescriber in the preceding three months, unless the prescriptions are from prescribers who practice at the same physical location; OAC Rule 4729:5-5-08(D)(5); and/or

vi. Patient is exhibiting signs of potential abuse or diversion. This includes, but is not limited to, over-utilization, early refills, appears overly sedated or intoxicated upon presenting a prescription for a controlled substance dangerous drug, or an unfamiliar patient requesting a reportable drug by specific name, street name, color, or identifying marks, OAC Rule 4729:5-5-08(D)(6).

3. Such conduct as set forth in Allegations Section, if proven, each constitutes a violation of the following sections of Rule 4729:5-5-10 of the OAC, as effective December 1, 2020, each violation punishable by a maximum penalty of $1,000:

   a. A prescription, to be valid, must be issued for a legitimate medical purpose by an individual prescriber acting in the usual course of the prescriber's professional practice. The responsibility for the proper prescribing is upon the prescriber, but a corresponding responsibility rests with the pharmacist who dispenses the prescription. An order purporting to be a prescription issued not in the usual course of bona fide treatment of a patient is not a prescription and the person knowingly dispensing such a purported prescription, as well as the person issuing it, shall be subject to the penalties of law, OAC Rule 4729:5-5-10(A); and/or

   b. A pharmacist dispensing an outpatient prescription shall comply with the requirements of this chapter, including, but not limited to, the following:

      i. Ensure that patient information is profiled pursuant to rule 4729:5-5-07 of the Administrative Code; OAC Rule 4729:5-5-10(D)(1); and/or

      ii. Perform prospective drug utilization review pursuant to rule 4729:5-5-08 of the Administrative Code; OAC Rule 4729:5-5-10(D)(2); and/or

      iii. Ensure that the drug is labeled pursuant to rule 4729:5-5-06 of the Administrative Code, OAC Rule 4729:5-5-10(B)(3).

4. Such conduct as set forth in Allegations Section, if proven, constitutes a violation of each of the following divisions of Section 4729.55 of the ORC, as effective April 6, 2017 and March 22, 2020 and March 31, 2021, TDDD license requirements, each violation punishable by a maximum penalty of $1,000:

   a. A pharmacist … will maintain supervision and control over the possession and custody of dangerous drugs that may be acquired by or on behalf of the applicant, ORC 4729.55(B); and/or

   b. Adequate safeguards are assured that the applicant will carry on the business of a terminal distributor of dangerous drugs in a manner that allows pharmacists and pharmacy interns

employed by the terminal distributor to practice pharmacy in a safe and effective manner, ORC 4729.55(D).

5. Such conduct as set forth in Allegations Section, if proven, constitutes a violation of each of the following divisions of Section 4729.57(B) of the ORC, as effective April 6, 2017 ,September 29, 2017, and April 4, 2023, each violation punishable by a maximum penalty of $1,000:

    a. Violating any rule of the board, ORC Section 4729.57(B)(2); and/or

    b. Violating any provision of this chapter, ORC Section 4729.57(B)(3); and/or

    c. Ceasing to satisfy the qualifications of a terminal distributor of dangerous drugs set forth in section 4729.55 of the Revised Code, ORC Section 4729.57(B)(7); and/or

    d. Any other cause for which the board may impose discipline as set forth in rules adopted under section 4729.26 of the Revised Code, ORC Section 4729.57(B)(10).

6. Such conduct as set forth in Allegations Section, if proven, each constitutes a violation of the following sections of Rule 4729:5-2-01 of the OAC, as effective April 25, 2022, each violation punishable by a maximum penalty of $1,000:

    a. The responsible person shall be responsible for the practice of the profession of pharmacy, including, but not limited to, the supervision and control of dangerous drugs as required in division (B) of section 4729.55 of the Revised Code, adequate safeguards as required in division (C) of section 4729.55 of the Revised Code, security and control of dangerous drugs and maintaining all drug records otherwise required, OAC Rule 4729:5-2-01(A)(2); and/or

    b. The person to whom the terminal distributor of dangerous drugs license has been issued and all pharmacists on duty are responsible for compliance with all state and federal laws, regulations, and rules governing the distribution of drugs and the practice of pharmacy, OAC Rule 4729:5-2-01(A)(3); and/or

    c. The responsible person to whom the terminal distributor of dangerous drugs license has been issued and all licensed health professionals on duty are responsible for compliance with all state and federal laws, regulations, and rules governing the distribution of dangerous drugs, OAC Rule 4729:5-2-01(E)(4); and/or

    d. The responsible person shall be responsible for ensuring the terminal distributor of dangerous drugs requirements are met, including, but not limited to, the supervision and control of dangerous drugs as required in division (B) of section 4729.55 of the Revised Code, adequate safeguards as required in division (C) of section 4729.55 of the Revised Code, security and control of dangerous drugs and maintaining all drug records otherwise required, OAC Rule 4729:5-2-01(E)(6).

7. Such conduct as set forth in the Allegations Section, if proven, each constitutes a violation of the following sections of Rule 4729:5-2-01 of the OAC, as effective March 1, 2019, each punishable by a maximum penalty of $1,000:

    a. The responsible person shall be responsible for the practice of the profession of pharmacy, including, but not limited to, the supervision and control of dangerous drugs as required in division (B) of section 4729.55 of the Revised Code, adequate safeguards as required in division (C) of section 4729.55 of the Revised Code, security and control of dangerous drugs and maintaining all drug records otherwise required, OAC Rule 4729:5-2-01(A)(2); and/or

    b. The person to whom the terminal distributor of dangerous drugs license has been issued and all pharmacists on duty are responsible for compliance with all state and federal laws, regulations, and rules governing the distribution of drugs and the practice of pharmacy, OAC Rule 4729:5-2-01(A)(3); and/or

    c. The responsible person to whom the terminal distributor of dangerous drugs license has been issued and all licensed health professionals on duty are responsible for compliance with all state and federal laws, regulations, and rules governing the distribution of dangerous drugs, OAC Rule 4729:5-2-01(E)(4); and/or

    d. The responsible person shall be responsible for ensuring the terminal distributor of dangerous drugs requirements are met, including, but not limited to, the supervision and control of dangerous drugs as required in division (B) of section 4729.55 of the Revised Code, adequate safeguards as required in division (C) of section 4729.55 of the Revised Code, security and control of dangerous drugs and maintaining all drug records otherwise required, OAC Rule 4729:5-2-01(E)(6).

8. Such conduct as set forth in the Allegations Section, if proven, each constitutes a violation of Rule 4729:5-5-02(E)(2) of the OAC, as effective December 1, 2020, each punishable by a maximum penalty of $1,000: All areas where drugs and devices are stored and prepared shall be dry, well-lit, well-ventilated, and maintained in a clean, sanitary and orderly condition. Storage areas shall be maintained at temperatures and conditions which will ensure the integrity of the drugs prior to their dispensing or administering as stipulated by the USP/NF and/or the manufacturer's or distributor's labeling.

9. Such conduct as set forth in the Allegations Section, if proven, each constitutes a violation of each of the following divisions of Rule 4729:5-3-14 of the OAC as effective March 1, 2020, each violation punishable by a maximum penalty of $1,000:

    a. All terminal distributors of dangerous drugs shall provide effective controls and procedures to: Ensure supervision and control of dangerous drugs, as required in division (B) of section 4729.55 of the Revised Code, and adequate safeguards to ensure that dangerous drugs are being distributed in accordance with all state and federal laws, as required in section 4729.55 of the Revised Code, OAC Rule 4729:5-3-14(A)(2).

10. Such conduct as set forth in Allegations Section, if proven, each constitutes a violation of the following sections of Rule 4729:5-4-01 of the OAC, as effective April 25, 2022, each violation punishable by a maximum penalty of $1,000:

    a. Violating any rule of the board, OAC Rule 4729:5-4-01(B)(2); and/or

    b. Violating any provision of Chapter 4729. of the Revised Code, OAC Rule 4729:5-4-01(B)(3); and/or

    c. Ceasing to satisfy the qualifications of a terminal distributor of dangerous drugs set forth in section 4729.55 of the Revised Code, OAC Rule 4729:5-4-01(B)(7); and/or

    d. The method used by the terminal distributor to store, possess or distribute dangerous drugs poses serious harm to others, OAC Rule 4729:5-4-01(B)(23).

11. Such conduct as set forth in Allegations Section, if proven, each constitutes a violation of the following sections of Rule 4729:5-4-01 of the OAC, as effective March 1, 2019, each violation punishable by a maximum penalty of $1,000:

    a. Violating any rule of the board, OAC Rule 4729:5-4-01(B)(2); and/or

    b. Violating any provision of Chapter 4729. of the Revised Code, OAC Rule 4729:5-4-01(B)(3); and/or

    c. Ceasing to satisfy the qualifications of a terminal distributor of dangerous drugs set forth in section 4729.55 of the Revised Code, OAC Rule 4729:5-4-01(B)(7); and/or

    d. The method used by the terminal distributor to store, possess or distribute dangerous drugs poses serious harm to other, OAC Rule 4729:5-4-01(B)(25).

12. Such conduct as set forth in Allegations Section, if proven, each constitutes a violation of the following sections of Rule 4729:5-3-05 of the OAC, as effective April 1, 2018, each violation punishable by a maximum penalty $1,000:

    a. All patient records maintained by a terminal distributor of dangerous drugs shall be maintained in accordance with the following:

        i. For human patients, the Health Insurance Portability and Accountability Act of 1996 (HIPAA), OAC Rule 4729:5-3-05(E)(1); and/or

        ii. All state and federal laws, rules and regulations, OAC Rule 4729:5-3-05(E)(2).

13. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of Rule 4729-16-03 the OAC, as effective May 1, 2015, each punishable by a maximum fine of $1,000:

a. For all non-sterile compounded prescriptions, the pharmacy shall comply with the United States pharmacopeia chapter <795> (01/01/2014), OAC Rule4729-16-03(A); and/or

b. For all compounded prescriptions, the pharmacist shall be responsible for: All compounding records pursuant to rule 4729-16-07 of the Administrative Code, OAC Rule4729-16-03(H)(1).

14. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of Rule 4729-16-06(B)(5) the OAC, as effective May 1, 2015, each punishable by a maximum fine of $1,000:

    a. The responsible pharmacist or prescriber shall maintain the following records: A record of all drugs compounded which shall include at least the following:

        i. Name of drug, strength, and dosage form; OAC Rule 4729-16-06(B)(5)(a)

        ii. Quantity of drug(s) added to each container; OAC Rule 4729-16-06(B)(5)(b)

        iii. Except as provided in paragraph (E) of this rule, disposition of unused drug(s) and amount; OAC Rule 4729-16-06(B)(5)(c)

        iv. Manufacturer's lot number or distributors control number; OAC Rule 4729-16-06(B)(5)(d)

        v. Manufacturer's or distributor's name, if a generic drug is used and the record keeping system is capable of specifically tracking the manufacturer's or distributor's name as part of the documentation; OAC Rule 4729-16-06(B)(5)(e)

        vi. Pharmacy control number, if prepared in anticipation of prescription drug orders based on routine, regularly observed prescribing patterns; OAC Rule 4729-16-06(B)(5)(f)

        vii. Date of compounding; OAC Rule 4729-16-06(B)(5)(g)

        viii. Manufacturer's or distributor's expiration date; OAC Rule 4729-16-06(B)(5)(h)

        ix. The expiration date or beyond-use date; OAC Rule 4729-16-06(B)(5)(i)

        x. Positive identification of the registered pharmacist or prescriber responsible for the compounding or repackaging of each drug product; OAC Rule 4729-16-06(B)(5)(j)

15. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of Rule 4729:5-5-23 the OAC, as effective December 1, 2020, each punishable by a maximum fine of $1,000:

    a. The following applies to an outpatient pharmacy licensed as a terminal distributor of dangerous drugs:

i. Except as provided in paragraph (A)(6) of this rule, a pharmacist shall provide supervision of the dangerous drugs, hypodermics, D.E.A. controlled substance order forms, all records relating to the distribution of dangerous drugs, except where the board has granted permission for such records to be stored at a secure off-site location in accordance with this chapter of the Administrative Code, at all times in order to deter and detect theft or diversion; OAC Rule 4729:5-5-23(A)(1); and/or

ii. All schedule II controlled substance dangerous drugs shall be stored in a securely locked, substantially constructed cabinet or safe and shall not be dispersed through the stock of dangerous drugs. The cabinet or safe shall remain locked and secured when not in use. Schedule III through V controlled substance dangerous drugs may be stored with Schedule II controlled substance dangerous drugs, OAC Rule 4729:5-5-23(A)(5); and/or

iii. Whenever a pharmacist cannot meet the supervision requirements in paragraph (A)(3)(a) of this rule, security of the pharmacy must be provided in accordance with the following:

1. Only a licensed pharmacist may have access to keys or other methods of gaining access to the pharmacy, OAC Rule 4729:5-5-23(A)(6)(c); and/or

2. Only a pharmacist may have access to the pharmacy or stock of dangerous drugs or assume responsibility for the security of dangerous drugs, hypodermics, and any other item or product that requires the supervision or sale by a pharmacist, OAC Rule 4729:5-5-23(A)(6)(f); and/or

b. Refrigerators and freezers used for the storage of dangerous drugs shall comply with the following:

i. Maintain either of the following to ensure proper refrigeration and/or freezer temperatures are maintained:

1. Temperature logs with, at a minimum, daily observations, OAC Rule 4729:5-5-23(B)(1)(a); or

2. A temperature monitoring system capable of detecting and alerting staff of a temperature excursion, OAC Rule 4729:5-5-23(B)(1)(b); or

ii. The terminal distributor shall develop and implement policies and procedures to respond to any out of range individual temperature readings or excursions to ensure the integrity of stored drugs, OAC Rule 4729:5-5-23(B)(2).

16. Such conduct as set forth in the Allegations Section, if proven, each constitutes a violation of Rule 4729:5-3-06 the OAC, as effective March 1, 2019, punishable by a maximum fine of $1,000:

a. To prevent their use, adulterated drugs, as defined in 4729 of the Administrative Code, shall be stored in a separate and secure area apart from the storage of drugs used for dispensing, personally furnishing, compounding and administration:

   i. Adulterated drugs shall be stored no longer than one year from the date of adulteration or expiration by those holding a terminal distributor of dangerous drugs license. Adulterated drugs shall be stored in a manner that prohibits access by unauthorized persons, OAC Rule 4729:5-3-06(A).

17. Such conduct as set forth in the Allegations Section, if proven, each constitutes a violation of Rule 4729-9-17 of the OAC, as effective March 1, 2017, To prevent their use, adulterated drugs, as defined in rule 4729-9-01 of the Administrative Code, shall be stored in a separate and secure area apart from the storage of drugs used for dispensing, personally furnishing, compounding and administration, punishable by a maximum fine of $1,000.

    a. Adulterated drugs must be stored in a separate and secure area apart from the storage of drugs used for dispensing….and shall be stored no longer than one year from the date of expiration by those holding a TDDD, OAC Rule 4729-9-17(A); and/or

    b. Dangerous drugs, other than controlled substances, may be destroyed utilizing proper methods of disposal and following the record keeping requirements noted in rule 4729-9-22 of the Administrative Code, or may be donated to a pharmacy school pursuant to sections 3715.88 to 3715.92 of the Revised Code. Methods of disposal of non-controlled dangerous drugs shall prevent the possession of the drugs by unauthorized persons, Rule 4729-9-17(B).

YOU ARE FURTHER NOTIFIED, in accordance with the provisions of Chapters 119. and 4729. of the Ohio Revised Code, that you are entitled to a hearing before the Ohio Board of Pharmacy, if you request such a hearing within thirty (30) days of the date of the service of this notice.

IF YOU DESIRE A HEARING, such request shall either be mailed to the Ohio Board of Pharmacy, Attn: Legal, 77 South High Street, 17th Floor, Columbus, Ohio 43215-6126 or an e-mail request may be sent to legal@pharmacy.ohio.gov (**please note faxes will <u>not</u> be accepted**). **YOUR REQUEST MUST BE RECEIVED ON OR PRIOR TO THE 30TH DAY FOLLOWING THE SERVICE DATE OF THIS NOTICE.** Please note that if you submit a request via email, your request will be acknowledged within one business day of receipt. If you do not receive an acknowledgment, please contact the Board offices at 614-466-4143 and request the legal department. You may appear at such hearing in person, by your attorney, or by such other representative as is permitted to practice before the agency, or you may present your position, arguments or contentions in writing; and, at this hearing, you may also present evidence and examine any witnesses appearing for and against you. **If you are a business entity, including but not limited to a corporation, limited liability company, or a limited partnership, you must be represented at the hearing by an attorney licensed to practice in the state of Ohio.**

YOU ARE FURTHER ADVISED that if there is no request for such a hearing received by the Board on or prior to the 30th day following the service of this notice, the Ohio Board of Pharmacy, upon consideration of the aforementioned allegations against you, may take action without such a

hearing, and may adopt a final order that contains the board's findings. In the final order, the board may impose any of the sanctions listed in division RC 4729.57(A).

If you have questions regarding the Chapter 119. Administrative Hearing process, please e-mail your questions to legal@pharmacy.ohio.gov or call the Board office at 614-466-4143 and ask for the legal department.

BY ORDER OF THE OHIO BOARD OF PHARMACY

Steven W. Schierholt, Esq., Executive Director

SWS/alg/jrn

Encl: Attachment A, Attachment B, Attachment C, and Confidential Patient ID Key

ATTACHMENT A

- Patient 1
  - Hydrocodone/Acetaminophen 5/325mg – 60 tablets for 30 days.
  - Hydrocodone Bitartrate 40mg – 30 tablets for 30 days.
    - Both were filled on 10/26/2017 and 11/18/2017.
    - 7 days early.

- Patient 2
  - Hydrocodone/Acetaminophen 10/325 – 90 tablets for 30 days.
    - Filled on 09/11/2018 & 10/04/2018.
    - 7 days early.

- Patient 3
  - Morphine ER 15mg – 60 tablets for 30 days.
    - Filled on 05/13/2019 and 06/04/2019.
    - 9 days early.

- Patient 4
  - Morphine ER 30mg – 60 tablets for 30 days.
  - Morphine ER 15mg – 30 tablets for 30 days.
    - Both were filled on 06/25/2019 and 07/19/2019.
    - 6 days early.

- Patient 5
  - Methadone 10mg – 60 tablets for 30 days.
  - Clonazepam 1mg – 60 tablets for 30 days.
  - Temazepam 15mg – 30 tablets for 30 days.
    - All 3 filled on 10/31/2019 & 11/23/2019.
    - 7 days early.

- Patient 6
  - Methadone 10mg – 420 tablets for 30 days.

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Columbus, OH 43215 U.S.A.
Phone: 614 | 466 4143
Fax: 614 | 752 4836

        - Filled on 10/31/2019 & 11/25/2019.
        - 5 days early.

- Patient 7
    - Hydromorphone HCL 16mg – 30 tablets for 30 days
        - Filled on 01/06/2020 & 01/28/2020.
        - 8 days early.

- Patient 8
    - Oxycodone HCL 10mg – 120 tablets for 30 days
        - Filled on 06/04/2020 & 06/30/2020.
        - 4 days early.

- Patient 9
    - Hydrocodone ER 30mg – 30 tablets for 30 days.
    - Hydrocodone/Acetaminophen 10/325mg – 45 tablets for 30 days.
        - Both were filled on 10/04/2021 and 10/28/2021.
        - 6 days early.
        - Both prescriptions have a note stating: DNF more frequently than every 30 days.

- Patient 10
    - Oxycodone HCL 30mg – 240 tablets for 30 days
        - Filled on 11/29/2021 and 12/22/2021.
        - 7 days early.
    - Oxycontin 60mg – 60 tablets for 30 days.
        - Filled on 11/29/2021 and 12/23/2021.
        - 6 days early.

ATTACHMENT B

Patient	Pharmacy	Date Filled	Date Written		Quantity	Days Supply
Patient 11	BROWN'S DRUG	4/1/2014	4/1/2014	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	4/1/2014	4/1/2014	CARISOPRODOL 350 MG TABLET	30	30
	BROWN'S DRUG	5/5/2014	5/5/2014	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	6/30/2014	6/30/2014	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	7/28/2014	7/28/2014	CARISOPRODOL 350 MG TABLET	30	30
	BROWN'S DRUG	8/25/2014	8/25/2014	HYDROCODON-ACETAMINOPHN 10-325	90	30
	BROWN'S DRUG	8/25/2014	8/25/2014	CARISOPRODOL 350 MG TABLET	30	30
	BROWN'S DRUG	9/22/2014	9/22/2014	HYDROCODON-ACETAMINOPHN 10-325	90	30
	BROWN'S DRUG	9/22/2014	9/22/2014	CARISOPRODOL 350 MG TABLET	30	30
	BROWN'S DRUG	10/20/2014	10/20/2014	HYDROCODON-ACETAMINOPHN 10-325	60	30
	BROWN'S DRUG	11/18/2014	11/18/2014	CARISOPRODOL 350 MG TABLET	15	15
	BROWN'S DRUG	11/18/2014	11/18/2014	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	12/15/2014	12/15/2014	CARISOPRODOL 350 MG TABLET	15	15
	BROWN'S DRUG	12/15/2014	12/15/2014	HYDROCODON-ACETAMINOPHEN 5-325	90	30
	BROWN'S DRUG	1/14/2015	1/14/2015	HYDROCODON-ACETAMINOPH 7.5-325	60	30
Patient 12	BROWN'S DRUG	8/18/2014	8/18/2014	CARISOPRODOL 350 MG TABLET	30	30
	BROWN'S DRUG	9/22/2014	9/22/2014	HYDROCODON-ACETAMINOPHN 10-325	90	30
	BROWN'S DRUG	9/22/2014	9/22/2014	CARISOPRODOL 350 MG TABLET	30	30
	BROWN'S DRUG	10/20/2014	10/14/2014	CARISOPRODOL 350 MG TABLET	15	15
	BROWN'S DRUG	11/10/2014	11/10/2014	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	11/10/2014	11/10/2014	CARISOPRODOL 350 MG TABLET	30	30
	BROWN'S DRUG	12/8/2014	12/8/2014	CARISOPRODOL 350 MG TABLET	30	30
	BROWN'S DRUG	12/8/2014	12/8/2014	HYDROCODON-ACETAMINOPHEN 5-325	60	30
	BROWN'S DRUG	1/12/2015	1/12/2015	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	2/9/2015	2/9/2015	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	3/18/2015	3/18/2015	HYDROCODON-ACETAMINOPH 7.5-325	30	30
	BROWN'S DRUG	4/13/2015	4/13/2015	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	5/21/2015	5/21/2015	OXYCODONE-ACETAMINOPHEN 5-325	30	5
	BROWN'S DRUG	5/26/2015	5/26/2015	HYDROCODON-ACETAMINOPHN 10-325	15	8
	BROWN'S DRUG	5/27/2015	5/27/2015	CARISOPRODOL 350 MG TABLET	30	30
	BROWN'S DRUG	6/12/2015	6/9/2015	HYDROCODON-ACETAMINOPH 7.5-325	15	8
	BROWN'S DRUG	9/12/2016	9/12/2016	LYRICA 100 MG CAPSULE	60	30

	BROWN'S DRUG	2/27/2017	2/27/2017	HYDROCODON-ACETAMINOPH 7.5-325	30	10
	BROWN'S DRUG	3/13/2017	3/13/2017	HYDROCODON-ACETAMINOPHN 10-325	20	10
	BROWN'S DRUG	4/4/2017	4/4/2017	HYDROCODON-ACETAMINOPHN 10-325	20	10
	BROWN'S DRUG	4/12/2017	4/12/2017	HYDROCODON-ACETAMINOPH 7.5-325	10	5
	BROWN'S DRUG	4/17/2017	4/17/2017	HYDROCODON-ACETAMINOPH 7.5-325	15	8
	BROWN'S DRUG	4/24/2017	4/24/2017	HYDROCODON-ACETAMINOPH 7.5-325	15	8
	BROWN'S DRUG	5/1/2017	5/1/2017	HYDROCODON-ACETAMINOPH 7.5-325	30	15
	BROWN'S DRUG	5/15/2017	5/15/2017	HYDROCODON-ACETAMINOPH 7.5-325	30	10
	BROWN'S DRUG	6/19/2017	6/19/2017	HYDROCODON-ACETAMINOPHN 10-325	20	10
	BROWN'S DRUG	6/26/2017	6/26/2017	HYDROCODON-ACETAMINOPH 7.5-325	20	10
	BROWN'S DRUG	7/3/2017	7/3/2017	HYDROCODON-ACETAMINOPHN 10-325	30	10
	BROWN'S DRUG	7/24/2017	7/24/2017	HYDROCODON-ACETAMINOPHN 10-325	20	10
	BROWN'S DRUG	8/14/2017	8/14/2017	HYDROCODON-ACETAMINOPH 7.5-325	20	10
	BROWN'S DRUG	8/21/2017	8/21/2017	HYDROCODON-ACETAMINOPHN 10-325	30	10
Patient 13	BROWN'S DRUG	8/11/2014	8/11/2014	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	10/13/2014	10/13/2014	HYDROCODON-ACETAMINOPHN 10-325	60	30
	BROWN'S DRUG	11/18/2014	11/18/2014	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	12/15/2014	12/15/2014	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	1/26/2015	1/26/2015	HYDROCODON-ACETAMINOPHN 10-325	60	30
	BROWN'S DRUG	3/2/2015	3/2/2015	HYDROCODON-ACETAMINOPHN 10-325	60	30
	BROWN'S DRUG	3/25/2015	3/16/2015	HYDROCODON-ACETAMINOPHN 10-325	60	30
	BROWN'S DRUG	4/29/2015	4/29/2015	HYDROCODON-ACETAMINOPHN 10-325	60	30
	BROWN'S DRUG	5/26/2015	5/26/2015	HYDROCODON-ACETAMINOPHN 10-325	60	30
	BROWN'S DRUG	6/24/2015	6/18/2015	HYDROCODON-ACETAMINOPHN 10-325	60	30
	BROWN'S DRUG	7/28/2015	7/28/2015	HYDROCODON-ACETAMINOPHN 10-325	60	30
	BROWN'S DRUG	8/24/2015	8/24/2015	HYDROCODON-ACETAMINOPHN 10-325	60	30
	BROWN'S DRUG	9/23/2015	9/23/2015	HYDROCODON-ACETAMINOPHN 10-325	60	30
	BROWN'S DRUG	10/28/2015	10/28/2015	HYDROCODON-ACETAMINOPHN 10-325	30	30
	BROWN'S DRUG	1/6/2016	1/6/2016	HYDROCODON-ACETAMINOPHN 10-325	60	30
	BROWN'S DRUG	3/2/2016	3/2/2016	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	4/27/2016	4/27/2016	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	7/27/2016	7/27/2016	HYDROCODON-ACETAMINOPH 7.5-325	30	30
	BROWN'S DRUG	8/30/2016	8/30/2016	HYDROCODON-ACETAMINOPH 7.5-325	30	30
	BROWN'S DRUG	9/27/2016	9/27/2016	HYDROCODON-ACETAMINOPH 7.5-325	30	30

	BROWN'S DRUG	12/6/2016	12/6/2016	HYDROCODON-ACETAMINOPH 7.5-325	30	30
	BROWN'S DRUG	1/3/2017	1/3/2017	HYDROCODON-ACETAMINOPH 7.5-325	30	30
	BROWN'S DRUG	2/7/2017	2/7/2017	HYDROCODON-ACETAMINOPH 7.5-325	30	30
	BROWN'S DRUG	3/7/2017	3/7/2017	HYDROCODON-ACETAMINOPH 7.5-325	30	30
	BROWN'S DRUG	5/2/2017	5/2/2017	HYDROCODON-ACETAMINOPHEN 5-325	30	30
	BROWN'S DRUG	5/2/2017	5/2/2017	LYRICA 150 MG CAPSULE	20	10
	BROWN'S DRUG	5/24/2017	5/24/2017	LYRICA 150 MG CAPSULE	60	30
	BROWN'S DRUG	7/3/2017	7/3/2017	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	7/3/2017	7/3/2017	LYRICA 150 MG CAPSULE	60	30
Patient 14	BROWN'S DRUG	11/2/2015	11/2/2015	TRAMADOL HCL 50 MG TABLET	60	30
	BROWN'S DRUG	1/6/2016	1/6/2016	TRAMADOL HCL 50 MG TABLET	60	30
Patient 15	BROWN'S DRUG	4/15/2014	4/15/2014	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	5/12/2014	5/12/2014	HYDROCODON-ACETAMINOPH 7.5-325	90	30
	BROWN'S DRUG	6/23/2014	6/23/2014	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	7/21/2014	7/21/2014	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	9/22/2014	9/22/2014	HYDROCODON-ACETAMINOPHN 10-325	20	7
	BROWN'S DRUG	3/3/2015	3/3/2015	HYDROCODON-ACETAMINOPHN 10-325	60	30
	BROWN'S DRUG	3/23/2015	3/23/2015	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	4/14/2015	4/14/2015	HYDROCODON-ACETAMINOPHN 10-325	60	30
	BROWN'S DRUG	4/27/2015	4/27/2015	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	5/11/2015	5/11/2015	HYDROCODON-ACETAMINOPHN 10-325	60	30
	BROWN'S DRUG	5/11/2015	5/11/2015	CARISOPRODOL 350 MG TABLET	30	30
	BROWN'S DRUG	5/26/2015	5/26/2015	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	6/8/2015	6/8/2015	OXYCODONE-ACETAMINOPHEN 5-325	30	10
	BROWN'S DRUG	7/6/2015	7/6/2015	HYDROCODON-ACETAMINOPH 7.5-325	15	8
	BROWN'S DRUG	8/3/2015	8/3/2015	HYDROCODON-ACETAMINOPHN 10-325	60	30
	BROWN'S DRUG	8/17/2015	8/17/2015	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	8/31/2015	8/31/2015	HYDROCODON-ACETAMINOPHN 10-325	30	8
	BROWN'S DRUG	9/14/2015	9/14/2015	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	9/29/2015	9/29/2015	TRAMADOL HCL 50 MG TABLET	10	5
	BROWN'S DRUG	10/26/2015	10/26/2015	HYDROCODON-ACETAMINOPH 7.5-325	10	5
	BROWN'S DRUG	11/23/2015	11/23/2015	TRAMADOL HCL 50 MG TABLET	15	8
	BROWN'S DRUG	12/19/2016	12/19/2016	TRAMADOL HCL 50 MG TABLET	20	10
	BROWN'S DRUG	1/2/2017	1/2/2017	HYDROCODON-ACETAMINOPH 7.5-325	60	30

	BROWN'S DRUG	1/30/2017	1/30/2017	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	2/27/2017	2/27/2017	HYDROCODON-ACETAMINOPH 7.5-325	60	30
	BROWN'S DRUG	4/3/2017	4/3/2017	HYDROCODON-ACETAMINOPH 7.5-325	15	5
	BROWN'S DRUG	4/10/2017	4/10/2017	HYDROCODON-ACETAMINOPH 7.5-325	30	10
	BROWN'S DRUG	5/22/2017	5/22/2017	HYDROCODON-ACETAMINOPH 7.5-325	30	10
	BROWN'S DRUG	6/19/2017	6/19/2017	HYDROCODON-ACETAMINOPH 7.5-325	20	10
	BROWN'S DRUG	6/28/2017	6/28/2017	HYDROCODON-ACETAMINOPH 7.5-325	30	10
	BROWN'S DRUG	7/24/2017	7/24/2017	HYDROCODON-ACETAMINOPH 7.5-325	30	10
Patient 16	BROWN'S DRUG	4/8/2014	4/8/2014	HYDROCODON-ACETAMINOPHN 10-325	120	30
	BROWN'S DRUG	4/8/2014	4/8/2014	CARISOPRODOL 350 MG TABLET	30	30
	BROWN'S DRUG	5/6/2014	5/6/2014	CARISOPRODOL 350 MG TABLET	30	30
	BROWN'S DRUG	5/6/2014	5/6/2014	HYDROCODON-ACETAMINOPHN 10-325	120	30
	BROWN'S DRUG	6/3/2014	6/3/2014	CARISOPRODOL 350 MG TABLET	60	30
	BROWN'S DRUG	6/3/2014	6/3/2014	HYDROCODON-ACETAMINOPHN 10-325	120	30
	BROWN'S DRUG	7/7/2014	7/7/2014	CARISOPRODOL 350 MG TABLET	30	30
	BROWN'S DRUG	7/7/2014	7/7/2014	HYDROCODON-ACETAMINOPHN 10-325	120	30
	BROWN'S DRUG	8/11/2014	8/11/2014	CARISOPRODOL 350 MG TABLET	60	30
	BROWN'S DRUG	8/11/2014	8/11/2014	HYDROCODON-ACETAMINOPHN 10-325	120	30
	BROWN'S DRUG	9/9/2014	9/9/2014	CARISOPRODOL 350 MG TABLET	60	30
	BROWN'S DRUG	9/9/2014	9/9/2014	HYDROCODON-ACETAMINOPHN 10-325	120	30
	BROWN'S DRUG	10/14/2014	10/14/2014	CARISOPRODOL 350 MG TABLET	60	30
	BROWN'S DRUG	11/18/2014	11/18/2014	CARISOPRODOL 350 MG TABLET	30	30
	BROWN'S DRUG	6/2/2015	6/2/2015	CARISOPRODOL 350 MG TABLET	60	30
Patient 17	BROWN'S DRUG	6/9/2016	6/8/2016	HYDROCODON-ACETAMINOPH 7.5-325	30	30
	BROWN'S DRUG	7/1/2016	7/1/2016	HYDROCODON-ACETAMINOPHEN 5-325	30	30
	BROWN'S DRUG	3/27/2017	3/27/2017	GABAPENTIN 400 MG CAPSULE	60	30
	BROWN'S DRUG	3/27/2017	3/27/2017	HYDROCODON-ACETAMINOPHEN 5-325	20	10
	BROWN'S DRUG	4/10/2017	4/10/2017	TRAMADOL HCL 50 MG TABLET	20	10
Patient 18	BROWN'S DRUG	5/13/2015	5/13/2015	CARISOPRODOL 350 MG TABLET	15	15
	BROWN'S DRUG	5/13/2015	5/13/2015	TRAMADOL HCL 50 MG TABLET	60	30
	BROWN'S DRUG	6/24/2015	6/24/2015	TRAMADOL HCL 50 MG TABLET	60	30
	BROWN'S DRUG	6/24/2015	6/24/2015	CARISOPRODOL 350 MG TABLET	15	15
	BROWN'S DRUG	7/29/2015	7/29/2015	TRAMADOL HCL 50 MG TABLET	60	30
	BROWN'S DRUG	7/29/2015	7/29/2015	CARISOPRODOL 350 MG TABLET	30	30

ATTACHMENT C

- Patient 19
  - Approximately 45 fills at Brown's Drug from 11/7/2017 to 09/24/2022 for:
    - Oxycodone/Acetaminophen 5/325mg and 7.5/325.
      - OARRS checks on 11/10/2017 & 12/04/2018 by N. Pipak.

- Patient 20
  - Approximately 61 fills at Brown's Drug from 11/10/2017 to 03/16/2020 for:
    - Suboxone 8mg-2mg.
    - Oxycodone 5mg and 15mg.
    - Tramadol 50mg.
    - Pregabalin 75mg.
    - Lyrica 75mg.
      - OARRS check on 09/16/2019 by N. Pipak.

- Patient 21
  - Approximately 125 fills at Brown's Drug from 10/26/2017 to 06/18/2022 for:
    - Morphine sulfate ER 15mg and 30mg.
      - OARRS check on 11/02/2019 by K. Holman.

- Patient 22
  - Approximately 67 fills at Brown's Drug from 10/31/2017 to 06/09/2022 for:
    - Morphine sulfate 15mg.
    - Tramadol 50mg.
    - Modafinil 200mg.
    - Hydrocodone/acetaminophen 5/325mg and 10/325mg.
    - Pregabalin 75mg and 100mg.
    - Acetaminophen/codeine #3.
      - **No OARRS checks during that time period**.

- Patient 23
  - Approximately 170 fills at Brown's Drug from 10/26/2017 to 09/14/2022 for:
    - Hysingla ER 40mg.
    - Hydrocodone/Acetaminophen 5/325mg.

        - Clonazepam 0.5mg and 1mg.
        - Tramadol 50mg.
            - **No OARRS checks during that time period.**

- Patient 24
    - Approximately 72 fills at Brown's Drug from 11/06/2017 to 09/20/2022 for:
        - Hydrocodone/Acetaminophen 5/325mg and 10/325mg.
        - Carisoprodol 350mg.
        - Buprenorphine 10mcg patch.
            - **No OARRS checks during that time period.**

- Patient 25
    - Approximately 48 fills at Brown's Drug from 11/06/2017 to 05/18/2021 for:
        - Oxycodone/Acetaminophen 7.5/325mg.
        - Hydrocodone/Acetaminophen 7.5/325mg.
        - Buprenorphine 7.5 and 10 mcg patch.
            - OARRS check on 01/05/2019 by K. Holman.

- Patient 26
    - Approximately 78 fills at Brown's Drug from 05/08/2018 to 12/15/2020 for:
        - Oxycodone ER 20mg and 30mg.
        - Hydrocodone/Acetaminophen 5/325mg.
        - Oxycontin ER 20mg and 30mg.
        - Morphine Sulfate ER 15mg and 30mg.
            - OARRS check on 05/08/2018 by N. Pipak.

- Patient 27
    - Approximately 242 fills at Brown's Drug from 10/20/2017 to 09/23/2022 for:
        - Alprazolam 0.5mg.
        - Carisoprodol 350mg.
        - Oxycodone 15mg.
        - Zolpidem Tartrate 5mg.
        - Hydromorphone 2mg and ER 12mg.
        - Hydrocodone/Acetaminophen 10/325mg.
            - OARRS check on 06/04/2019 by K. Holman.

- Patient 28
    - Approximately 69 fills at Brown's Drug from 11/03/2017 to 09/23/2022 for:
        - Hydromorphone ER 12mg and 16mg.
        - Fentanyl 25mcg patch.
        - Hydrocodone/Acetaminophen 10/325mg.

        - Cheratussin AC syrup.
        - Hysingla ER 60mg.
            - **No OARRS checks during that time period.**

- Patient 29
    - Approximately 179 fills at Brown's Drug from 10/19/2017 to 09/23/2022 for:
        - Gabapentin 800mg.
        - Morphine Sulfate ER 15mg and 30mg.
        - Hysingla ER 40mg and 60mg.
            - **No OARRS checks during that time period.**

- Patient 30
    - Approximately 170 fills at Brown's Drug from 10/19/2017 to 09/15/2022 for:
        - Oxycodone 10mg, 20mg, 30mg and 40mg.
        - Dextroamphetamine/Amphetamine 30mg.
        - Oxycontin 20mg.
        - Gabapentin 100mg.
        - Buprenorphine/Naloxone 8/2mg.
            - OARRS check on 03/11/2019 by K. Holman.

- Patient 31
    - Approximately 63 fills at Brown's Drug from 11/06/2017 to 09/28/2022 for:
        - Hydrocodone/Acetaminophen 10/325mg.
        - Oxycodone 10mg.
        - Gabapentin 300mg.
        - Buprenorphine/Naloxone 8/2mg.
            - **No OARRS checks during that time period.**

- Patient 32
    - Approximately 121 fills at Brown's Drug from 10/21/2017 to 09/16/2022 for:
        - Oxycodone 10mg.
        - Dextroamphetamine/Amphetamine 30mg.
            - OARRS check on 06/28/2019 by N. Pipak.

- Patient 33
    - Approximately 90 fills at Brown's Drug from 10/19/2017 to 09/26/2022 for:
        - Gabapentin 300mg.
        - Oxycodone 15mg, 20mg and 30mg.
            - OARRS check on 06/07/2018 by K. Holman.

- Patient 34

    - Approximately 160 fills at Brown's Drug from 10/28/2017 to 04/09/2020 for:
        - Temazepam 30mg.
        - Methadone 10mg.
        - Methylphenidate 10mg.
        - Clonazepam 1mg.
        - Hydrocodone/Acetaminophen 5/325mg.
        - Testosterone 200mg/ml.
            - OARRS checks on 02/06/2019 by K. Holman.

- Patient 35
    - Approximately 137 fills at Brown's Drug from 10/28/2017 to 04/09/2020 for:
        - Methadone 10mg.
        - Temazepam 15mg.
        - Clonazepam 1mg.
        - Oxycodone 30mg.
        - Testosterone 200mg/ml.
            - OARRS check on 02/06/2019 by K. Holman.

- Patient 36
    - Approximately 179 fills at Brown's Drug from 11/13/2017 to 09/22/2022 for:
        - Nucynta ER 100mg.
        - Oxycontin 20mg, 30mg and 60mg.
        - Gabapentin 300mg, 400mg and 800mg.
        - Diazepam 10mg.
        - Methadone 10mg.
        - Oxycodone 10mg, 20mg and 30mg.
            - **No OARRS checks during that time period.**

- Patient 37
    - Approximately 216 fills at Brown's Drug from 10/24/2017 to 10/11/2022 for:
        - Oxycodone/Acetaminophen 5/325mg, 7.5/325mg and 10/325mg.
        - Clonazepam 0.5mg, 1mg and 2mg.
        - Gabapentin 100mg.
        - Dextroamphetamine/Amphetamine 20mg and 30mg.
        - Pregabalin 75mg and 150mg.
            - OARRS check on 12/15/2017 by G. Scandy.

- Patient 38
    - Approximately 184 fills at Brown's Drug from 10/27/2017 from 10/5/2022 for:
        - Gabapentin 300mg and 400mg.
        - Alprazolam 1mg and 2mg.

        - Hydrocodone/Acetaminophen 10/325mg.
        - Dextroamphetamine/Amphetamine 30mg.
        - Oxycodone 5mg.
            - OARRS checks on 06/04/2019 & 02/06/2020 by K. Holman.

- Patient 39
    - Approximately 150 fills at Brown's Drug from 10/16/2017 to 09/23/2022 for:
        - Hydrocodone/Acetaminophen 5/325mg, 7.5/325mg and 10/325mg.
        - Lyrica 150mg.
        - Gabapentin 300mg.
        - Buprenorphine/Naloxone 8/2mg.
        - Pregabalin 150mg.
            - OARRS check on 06/11/2018 by K. Holman.

- Patient 40
    - Approximately 37 fills at Brown's Drug from 10/17/2017 to 08/29/2022 for:
        - Hydrocodone/Acetaminophen 5/325mg, 7.5/325mg and 10/325mg.
        - Tramadol 50mg.
        - Acetaminophen/Codeine #3.
            - OARRS check 06/24/2019 by N. Pipak.

- Patient 41
    - Approximately 114 fills at Brown's Drug from 10/28/2017 to 09/20/2022 for:
        - Alprazolam 0.5mg and 1mg.
        - Gabapentin 300mg.
        - Hydrocodone/Acetaminophen 7.5/325mg and 10/325mg.
        - Morphine Sulfate ER 15mg and 30mg.
            - **No OARRS checks during that time period.**

- Patient 42
    - Approximately 98 fills at Brown's Drug from 11/30/2017 to 01/10/2022 for:
        - Embeda ER 30/1.2mg.
        - Morphine Sulfate 15mg.
        - Nucynta ER 100mg.
        - Hysingla ER 30mg and 40mg.
        - Hydrocodone/Acetaminophen 10/325mg.
        - Belbuca 450mcg film.
        - Hydrocodone ER 30mg.
            - OARRS check on 11/30/2017 by N. Pipak.

- Patient 43

- Approximately 73 fills at Brown's Drug from 06/19/2018 to 09/28/2022 for:
    - Oxycodone 5mg and 10mg.
    - Gabapentin 300mg.
    - Oxycodone/Acetaminophen 5/325mg.
    - Clonazepam 0.5mg.
    - Hydrocodone/Acetaminophen 5/325mg and 7.5/325mg.
    - Diazepam 5mg.
        - **No OARRS checks during that time period.**