IN THE MATTER OF:

CASE NO. A-2023-0268

Thornville Pharmacy, LLC
c/o Stacy Appleton, RPh
2 North Main Street
Thornville, Ohio 43076

License No. 02-1397150

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Thornville Pharmacy, LLC for the purpose of resolving all issues between the parties relating to the Board investigation of drug security and expired medications. Together, the Board and Thornville Pharmacy, LLC 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. Thornville Pharmacy, LLC, located at 2 North Main Street, Thornville, Ohio, has an active TDDD license with the Board under license number 02-1397150, which lists Stacy Appleton, RPh as the Responsible Person and owner. David Whetstone was listed as the Responsible Person at the time of the conduct.

FACTS

1. The Board initiated an investigation of Thornville Pharmacy, Terminal Distributor of Dangerous Drugs license number 02-1397150, related to Thornville Pharmacy's drug security and expired medications.

2. On or about September 11, 2024, the Board sent a Notice of Opportunity for Hearing to Thornville Pharmacy, 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 September 27, 2024, Thornville Pharmacy, through counsel Gregory Tapocsi, timely requested an administrative hearing, which was subsequently scheduled for March 5, 2025.

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. Thornville Pharmacy neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated September 11, 2024; 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. Thornville Pharmacy agrees to pay to the Board a monetary penalty the amount of $3,000.00. This fine will be attached to your license record and must be paid no later than 180 days from the effective date of this Agreement. To pay this fine you must login to www.elicense.ohio.gov and process the items in your cart.

4. The Board hereby imposes a written reprimand on Thornville Pharmacy's TDDD license, number 02-1397150.

5. Thornville Pharmacy 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.

6. Thornville Pharmacy 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 Thornville Pharmacy 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 Thornville Pharmacy by the Board and will NOT discharge Thornville Pharmacy from any obligation under the terms of this Agreement.

7. Thornville Pharmacy agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

8. Thornville Pharmacy understands that it has the right to be represented by counsel for review and execution of this agreement.

9. 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 Thornville Pharmacy will operate.

10. Thornville Pharmacy 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.

11. 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.

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

13. 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.

14. 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.

15. 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:

Stacy Appleton

1-13-2025

~~Stacy Appleton, RPh, on behalf of,~~
Thornville Pharmacy, LLC, Respondent

Date of Signature

Gregory Tapocsi, Attorney for Respondent

1-14-25

Date of Signature

Mindy Ferris

02.07.2025

Mindy Ferris, RPh, President,
Ohio Board of Pharmacy

Date of Signature

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

IN THE MATTER OF: **CASE NO. A-2023-0268**

Thornville Pharmacy, LLC **License No. 02-1397150**
c/o Stacy Appleton, RPh
2 North Main Street
Thornville, Ohio 43076

September 11, 2024

Dear Thornville Pharmacy and Stacy Appleton, RPh:

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. Thornville Pharmacy, LLC, located at 2 North Main Street, Thornville, Ohio, has an active TDDD license with the Board under license number 02-1397150, which lists Stacy Appleton, RPh as the Responsible Person and owner. David Whetstone was listed as the Responsible Person at the time of the conduct described in the Allegations Section.

ALLEGATIONS

1. On or about March 15, 2023, an agent of the Board conducted an inspection at Thornville Pharmacy, LLC, located at 2 North Main Street, Thornville, Ohio. During the inspection, the agent of the Board was notified that David Whetstone, RPh, was the Responsible Person and that he had been the only Responsible Person since the pharmacy was licensed with the Board in 2003. As a result of the inspection, warnings and/or written responses required were issued for the following violations:

a. The safe containing the Schedule II controlled substances was found to be unlocked and open without a pharmacist around. It was said to be a common practice to leave the safe open during business hours and only secure it at closing.

b. Expired Drugs:
    i. Multiple bottles of expired Schedule II controlled substances were found in the safe mixed in with active drug stock.

    ii. An unsecured cardboard box in the back of the pharmacy under the counter containing expired dangerous drugs and controlled substances, including many Schedule II controlled substances. All drugs were expired more than one year.

        1. The box also contained a document from the Board dated August 1996 which gave permission to David Whetstone to dispose of outdated controlled substances.

    iii. The entire list of expired drugs found during the inspection is set forth in Attachment A, attached hereto and incorporated as though fully set forth herein.

    iv. It was explained to Mr. Whetstone that all expired drugs, that have been expired for one year or more, must be destroyed and the DEA-41 records must be submitted to the Board no later than March 24, 2023. Mr. Whetstone indicated the RX Destroyer would be delivered on March 17, 2023. It was also explained that all expired drugs, that have been expired for less than one year, must be segregated from the active drug stock.

c. The refrigerators used for storing drugs were monitored via a handwritten daily log; however, there were several days with no recorded temperature and there were no temperatures recorded on Sundays. It was confirmed that the temperature was not checked on the days the pharmacy was closed.

d. Several return to stock bottles were found in the active drug stock; however, they did not include an expiration date, either from the manufacturer or one year from the date of dispensing.

e. On or about March 23, 2023, the pharmacy provided DEA-41 Forms to the Board. The forms indicated all the expired drugs found at the inspection had been destroyed.

f. On or about April 11, 2023 and April 18, 2023, written responses- stating the issues regarding expired drugs have been resolved- were submitted to the Board.

2. On or about May 9, 2023, and agent and inspector of the Board conducted an inspection at Thornville Pharmacy. The following was discovered:

a. Several expired drugs were found in the active drug stock. The entire list of expired drugs found in the active drug stock during the May 9, 2023 inspection is set forth in Attachment B, attached hereto and incorporated as though fully set forth herein.

b. Board staff verified 39 occasions when the expired drugs were dispensed to patients from 2021 to the date of the inspection. The entire list of expired drugs dispensed between 2021 and 2023 is set forth in Attachment C, attached hereto and incorporated as though fully set forth herein.

3. Thornville Pharmacy was inspected by the Board on or about February 15, 2018. During the course of the inspection, the Board Inspector issued a written response required after finding 17 expired drugs, with the oldest drug dating back to 2013. An adequate response was submitted to the Board stating that an independent returns agency inspects drug stock twice per year.

4. On or about May 23, 2023, David Whetstone, RPh, was interviewed by an agent of the Board. He stated the following:
   a. The expired controlled substances found during the first inspection were destroyed on March 16, 2023 with an RX Destroyer.

   b. When asked about the drugs in the cardboard box that had not been destroyed, despite a 1996 letter from the Board giving permission to the pharmacy to destroy expired drugs, Mr. Whetstone stated the agent assigned to the pharmacy's region at the time of the letter did not come to the pharmacy to oversee destruction, which was required at the time.

   c. When discussing the 2018 inspection, Mr. Whetstone stated in 2018 the pharmacy used a reverse distributor which sent an employee twice per year to check active drug stock and remove expired drug stock. Since that time, the reverse distributor went out of business.

   d. After the March 15, 2023 inspection, Mr. Whetstone believed the Board agent "picked what [he] needed" and staff failed to check for more expired drugs on their own. It was "an error on [the pharmacy's] part".

   e. The pharmacy implemented a new procedure in which they are placing silver stars on drug bottles set to expire within the year.

   f. Staff did not do a good enough job checking expiration dates and did not rotate stock bottles properly on the shelves. Staff was very lackadaisical in rotating stock bottles.

   g. If a prescription came in for 90 tablets and the drug came in a 90-tablet stock bottle, staff would dispense the stock bottle instead of the already opened bottle so they would not have to count 90 tablets. This led to stock bottles not being used in order of expiration dates.

POTENTIAL VIOLATIONS OF LAW

1. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of section 3715.52(A)(1) of the ORC, the manufacture, sale, or delivery, holding or offering for sale of any food, drug, device, or cosmetic that is adulterated or misbranded, a misdemeanor of the fourth degree, punishable by a maximum penalty of $2,000 if committed by an organization.

2. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of section 3715.52(A)(2) of the ORC, the adulteration or misbranding of any food, drug, device, or cosmetic, a misdemeanor of the fourth degree, punishable by a maximum penalty of $2,000 if committed by an organization.

3. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of section 3715.64(A)(1), as effective March 21, 2017, Misbranded drug – its labeling is false or misleading in any particular, punishable by a maximum penalty of $1,000.

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, March 22, 2020 and March 31, 2021, TDDD license requirements, each violation punishable by a maximum penalty of $1,000: 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).

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 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. Except as provided in section 4729.89 of the Revised Code, violating any provision of the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, or Chapter 3715. of the Revised Code, ORC Section 4729.57(B)(4); and/or

    d. 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

    e. 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 4729:5-5-23 of the OAC, as effective March 4, 2020, each violation punishable by a maximum penalty of $1,000:

a. 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

b. Refrigerators and freezers used for the storage of dangerous drugs shall comply with the following: (1) Maintain either of the following to ensure proper refrigeration and/or freezer temperatures are maintained:

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

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

7. Such conduct as set forth in Allegations Section, if proven, each constitutes a violation of the following sections of Rule 4729:5-3-14(A) of the OAC, as effective March 4, 2020, each violation punishable by a maximum penalty of $1,000: All terminal distributors of dangerous drugs shall provide effective controls and procedures to:

a. Deter and detect the theft and diversion of dangerous drugs, OAC Rule 4729:5-3-14(A)(1); and/or

b. 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).

8. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of Rule 4729:5-2-01(A) of the OAC, as effective March 1, 2019 and April 25, 2022, Responsible Person-Terminal Distributor, 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).

9. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of Rule 4729-5-11(A) of the OAC, as effective February 17, 2017, Responsible Person, 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 as required in rule 4729-9-11 of the Administrative Code and maintaining all drug records otherwise required, OAC Rule 4729-5-11(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 4729-5-11(A)(3).

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. Except as provided in section 4729.89 of the Revised Code, violating any provision of the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, or Chapter 3715. of the Revised Code, OAC Rule 4729:5-4-01(B)(4); and/or

    d. 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).

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

    a. To prevent their use, adulterated drugs, as defined in agency 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, OAC Rule 4329:5-3-06; and/or

    b. 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 4329:5-3-06(A).

12. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of Rule 4729:5-5-02(E)(3) of the OAC, as effective December 1, 2020, Minimum Standards, punishable by a maximum penalty of $1,000: All storage areas shall provide adequate security for all dangerous drugs in accordance with the requirements of agency 4729 of the Administrative Code. A pharmacy shall maintain the current contact information for the pharmacy's security system vendor.

13. Such conduct as set forth in Allegations Section, if proven, each constitutes a violation of the following sections of Rule 4729:5-5-22 of the OAC, as effective December 1, 2020, each violation punishable by a maximum penalty of $1,000:

    a. An outpatient pharmacy may return dangerous drugs to stock shelves that have been dispensed, but have never left the pharmacy (i.e. never picked up by a patient or caregiver) or the control of a pharmacy delivery agent (i.e. never delivered to a patient or caregiver), if the pharmacy complies with all of the following:

        i. The pharmacy has the capability to place the expiration date, as required by this rule, on the prescription label, OAC Rule 4729:5-5-22(B)(1); and/or

        ii. The expiration date on the label shall not exceed the expiration date on the manufacturer's container or one year from the date the drug was originally dispensed and placed in the prescription vial, whichever date is earlier. If multiple manufacturer containers are used, the expiration date shall not exceed the expiration date on the manufacturer's container that will expire first or one year from the date the drug was originally dispensed and placed in the prescription vial, whichever date is earlier. If the prescription container is the manufacturer's original sealed packaging, the expiration date is the expiration date listed on the packaging, OAC Rule 4729:5-5-22(B)(2); and/or

        iii. The dangerous drug products returned to stock shelves shall be maintained in the container in which they were filled and shall maintain their original prescription label containing the original expiration date assigned. The label on the container shall not be removed, altered, or replaced with another label or have any other label added, except as follows:

            1. Adding to or modifying the existing label, if the drug name, dose, and original expiration date are maintained, OAC Rule 4729:5-5-22(B)(3)(a); and/or

            2. Adding a new label over the existing label on the container. In this instance, the drug shall be verified by a pharmacist or an electronic verification system following the application of the new label. The new label shall include the expiration date assigned on the original label, OAC Rule 4729:5-5-22(B)(3)(b); and/or

3. A prescription label may be removed if the prescription container is the manufacturer's original sealed packaging and the removal of the label does not remove or otherwise cause to make unreadable the expiration date and lot number on the manufacturer's packaging, OAC Rule 4729:5-5-22(B)(3)(c); and/or

iv. A dangerous drug that exceeds its assigned expiration date, as described in paragraph (B) of this rule, shall be removed from the area for the storage of drugs used for dispensing and administration in accordance with rule 4729:5-3-06 of the Administrative Code, OAC Rule 4729:5-5-22(C).

14. 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:

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

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

g. Except as provided in section 4729.89 of the Revised Code, violating any provision of the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, or Chapter 3715. of the Revised Code, OAC Rule 4729:5-4-01(B)(4); and/or

h. Violating any provision of the federal drug abuse control laws or Chapter 2925. or 3719. of the Revised Code, OAC Rule 4729:5-4-01(B)(5); and/or

i. 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

j. 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).

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 not 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/kll

Encl: Attachments A, B & C

ATTACHMENT A

Expired Drugs, March 15, 2023 Inspection

Name	NDC	DEA Schedule Listed on Package	Date of Expiration
Mepergan Fortis	**0008-0261-02**	**II**	**No Expiration Listed on Bottle**
Dilaudid	**0044-1024-02**	**II**	**02/1989**
Seconal Sodium	**0002-0640-02**	**II**	**02/1993**
Seconal Sodium	**0002-0640-02**	**II**	**02/1993**
Dilaudid	**0044-1021-02**	**II**	**08/1993**
Dolophine Hydrochloride	**0002-1072-02**	**II**	**08/1993**
Dolophine Hydrochloride	**0002-1072-02**	**II**	**08/1993**
Dilaudid	**0044-1021-02**	**II**	**08/1993**
Hydromorphone	**0879-0715-01**	**II**	**01/1995**
Chlordiazepoxide and Amitriptyline	**0378-0277-01**	**IV**	**07/1995**
Percodan	**0590-0135-70**	**II**	**12/1995**
Ban-Tuss HC Liquid	**50732-607-16**	**III *(II at time of inspection)***	**02/1996**
Meprobamate	**0677-0233-10**	**IV**	**03/1996**
Percodan	**0590-0135-70**	**II**	**07/1996**
Marinol	**0054-2601-11**	**II *(III at time of inspection)***	**11/1997**
Histussin D	**0563-0864-16**	**III**	**03/1998**
Aspirin and Codeine	**0172-3984-60**	**III**	**05/1998**
Histussin HC	**0563-0860-16**	**III**	**06/1998**
Estazolam	**0074-3735-13**	**IV**	**07/1998**
Phenobarbital	**0677-0762-10**	**IV**	**09/1998**
Oxycodone	**0879-0532-01**	**II**	**11/1998**
Tranxene	**0074-4389-13**	**IV**	**12/1998**
Tranxene	**0074-4390-13**	**IV**	**12/1998**
Tranxene	**0074-4389-13**	**IV**	**12/1998**
Phentermine Hydrochloride	**0182-1026-01**	**IV**	**02/1999**
Estazolam	**0074-3736-13**	**IV**	**03/1999**
Cylert	**0074-6025-13**	**IV**	**06/2000**
Poly-Histine-D	**0563-1662-16**	**Not Shown**	**08/2000**
Levorphanol Tartrate	**0004-0044-01**	**II**	**10/2000**
Levorphanol Tartrate	**0004-0044-01**	**II**	**10/2000**
Phenobarbital	**0603-1508-58**	**IV**	**10/2000**
Cylert	**0074-6057-13**	**IV**	**11/2000**
Cylert	**0074-6088-13**	**IV**	**02/2001**
Demerol	**0024-0335-04**	**II**	**03/2001**
Demerol	**0024-0335-04**	**II**	**03/2001**
Chlordiazepoxide	**0254-2372-28**	**Rx Only *(IV at time of inspection)***	**08/2001**

ATTACHMENT A

Expired Drugs, March 15, 2023 Inspection

Dilaudid	**0044-1022-02**	**II**	**10/2001**
Cylert	**0074-6088-13**	**IV**	**11/2001**
Cylert	**0074-6025-13**	**IV**	**02/2002**
Poly-CS Syrup	**0603-1527-58**	**V**	**07/2002**
Uni-Multihist CS	**0677-1526-33**	**V**	**07/2002**
Poly-CS Syrup	**0603-1527-58**	**V**	**07/2002**
Levall	**62022-931-16**	**III *(II at time of inspection)***	**08/2002**
Panlor	**0525-0016-01**	**III**	**09/2002**
Aspirin and Codeine	**0677-0647-01**	**III**	**10/2002**
Dexedrine	**0007-3512-20**	**II**	**11/2002**
Dexedrine	**0007-3512-20**	**II**	**11/2002**
Carisoprodol, Aspirin, and Codeine	**52152-138-02**	**III**	**11/2002**
Aspirin and Codeine	**0172-3984-60**	**III**	**11/2002**
Levall	**62022-939-16**	**III *(II at time of inspection)***	**11/2002**
Cylert	**0074-6073-13**	**IV**	**01/2003**
Vicodin	**0044-0728-02**	**III *(II as of time of inspection)***	**03/2003**
Anexsia	**62022-663-01**	**III *(II at time of inspection)***	**08/2003**
Dilaudid	**0044-1053-01**	**II**	**08/2003**
Dilaudid	**0044-1022-02**	**II**	**09/2003**
Triazolam	**49884-454-62**	**IV**	**05/2004**
Mebaral	**0024-1232-05**	**IV**	**05/2004**
Levall	**66813-939-16**	**III** *(II at time of inspection)*	**06/2004**
Panlor	**0525-0016-01**	**III**	**10/2004**
Panlor DC	**0525-0016-01**	**III**	**10/2004**
Pancof-EXP	**0525-9798-16**	**III**	**10/2004**
Pancof	**0525-9474-16**	**III**	**10/2004**
Methyltestosterone	**0115-7037-01**	**III**	**03/2005**
Percocet	**63481-628-70**	**II**	**06/2005**
Percocet	**63481-628-70**	**II**	**06/2005**
Percocet	**63481-629-70**	**II**	**10/2005**
Tussigon	**61570-081-01**	**III**	**12/2005**
Percocet	**63481-627-70**	**II**	**12/2005**
Fentanyl Transdermal System	**50458-033-05**	**II**	**09/2006**
Methadone Hydrochloride	**64019-538-25**	**II**	**10/2006**
Methadone Hydrochloride	**64019-538-25**	**II**	**10/2006**
Percocet	**63481-621-70**	**II**	**12/2006**
Percocet	**63481-621-70**	**II**	**12/2006**

ATTACHMENT A

Expired Drugs, March 15, 2023 Inspection

Balacet	**10122-301-10**	**IV**	**07/2007**
Trimethobenzamide	**53489-376-01**	**Rx Only**	**04/2008**
Crantex HC Liquid	**51991-234-16**	**III *(II at time of inspection)***	**01/2009**
Panlor SS	**0525-0032-01**	**III**	**02/2009**
Fentanyl Transdermal System	**0245-0421-05**	**II**	**03/2015**
Fentanyl Transdermal System	**0245-0421-05**	**II**	**03/2015**
Hydrocodone Bitartrate and Acetaminophen Tablets	**27808-115-01**	**II**	**05/2020**
Hydrocodone Bitartrate and Acetaminophen Tablets	**27808-115-01**	**II**	**05/2020**
Hydrocodone Polistirex and Chlorpheniramine Polistirex	**62542-301-17**	**II**	**06/2020**
Hydrocodone Bitartrate and Homatropine Methylbromide	**10702-055-01**	**II**	**11/2020**
Hydrocodone Polistirex and Chlorpheniramine Polistirex	**62542-301-17**	**II**	**01/2021**
Hydrocodone Bitartrate and Acetaminophen Solution	**0121-0772-16**	**II**	**03/2021**
Hydrocodone Bitartrate and Homatropine Methylbromide	**10702-055-01**	**II**	**05/2021**
Dextroamphetamine	**13107-035-01**	**II**	**08/2021**
Dextroamphetamine	**13107-035-01**	**II**	**09/2021**
Dextroamphetamine	**13107-035-01**	**II**	**09/2021**

ATTACHMENT B

Expired Drugs in Active Drug Stock, May 9, 2023

Name	NDC	DEA Schedule Listed on Package	Date of Expiration
Erythromycin	52536-103-03	Rx Only	Jan-21
Cyclobenzaprine	0591-5658-01	Rx Only	May-21
Enalapril Maleate	51672-4040-3	Rx Only	Jun-21
Acetazolamide	50742-233-01	Rx Only	Oct-21
Viibryd	0456-1120-30	Rx Only	Nov-21
Acetazolamide	71930-009-12	Rx Only	Dec-21
Levetiracetam	68180-117-07	Rx Only	Jan-22
Etodolac	68382-271-01	Rx Only	Jan-22
Valsartan	33342-065-10	Rx Only	Jan-22
Ramipril	68180-589-01	Rx Only	Feb-22
Olanzapine	69543-380-30	Rx Only	Feb-22
Prazosin HCl	0093-4067-01	Rx Only	Apr-22
Phenobarbital	0143-1450-05	IV	May-22
Doxycycline	68382-782-01	Rx Only	May-22
Cinacalcet	67877-503-30	Rx Only	Jul-22
Colesevelam Hydrochloride	43598-230-18	Rx Only	Jul-22
Chlorthalidone	75834-110-01	Rx Only	Jul-22
Viibryd	0456-1110-30	Rx Only	Jul-22
Clomipramine Hydrochloride	59746-710-90	Rx Only	Aug-22
Chlorpromazine Hydrochloride	70710-1130-1	Rx Only	Aug-22
Digoxin	0143-1240-10	Rx Only	Aug-22
Clomipramine Hydrochloride	59746-710-90	Rx Only	Aug-22
Hydrochlorothiazide	16729-182-01	Rx Only	Aug-22
Ramipril	68180-590-02	Rx Only	Aug-22
Diclofenac Sodium and Misoprostol	65162-436-06	Rx Only	Sep-22
Flecainide Acetate	62559-380-01	Rx Only	Sep-22
Indomethacin	31722-542-01	Rx Only	Sep-22
Quetiapine	16729-132-12	Rx Only	Sep-22
Temazepam	67877-146-01	IV	Sep-22
Indomethacin	31722-565-01	Rx Only	Oct-22
Atomoxetine	60505-2836-3	Rx Only	Oct-22
Oxcarbazepine	68462-139-01	Rx Only	Oct-22
Midodrine Hydrochloride	0378-1902-01	Rx Only	Nov-22
Jantoven	0832-1213-00	Rx Only	Nov-22
Guanfacine	24979-538-01	Rx Only	Nov-22

ATTACHMENT B

Expired Drugs in Active Drug Stock, May 9, 2023

Phenytoin	59762-5210-1	Rx Only	Nov-22
Etodolac	69238-1343-1	Rx Only	Dec-22
Labetalol Hydrochloride	71930-037-12	Rx Only	Dec-22
Labetalol Hydrochloride	71930-037-12	Rx Only	Dec-22
Topiramate	69097-124-15	Rx Only	Dec-22
Temazepam	0406-9960-01	IV	Dec-22
Synthroid	0074-5182-90	Rx Only	Dec-22
Mirtazapine	60505-0248-8	Rx Only	Jan-23
Cilostazol	0093-2065-06	Rx Only	Jan-23
Cilostazol	0093-2065-06	Rx Only	Jan-23
Lovastatin	68180-469-03	Rx Only	Jan-23
Trifluoperazine HCl	0781-8032-01	Rx Only	Jan-23
Acetaminophen and Codeine	13107-060-99	III	Feb-23
Adipex-P	57844-140-01	IV	Feb-23
Hydrocortisone Acetate	69367-243-24	Rx Only	Feb-23
Misoprostol	59762-5008-1	Rx Only	Feb-23
Chloroquine Phosphate	64980-178-02	Rx Only	Feb-23
Hyoscyamine Sulfate	43199-014-01	Rx Only	Feb-23
Benazepril	43547-338-10	Rx Only	Feb-23
Atomoxetine	60505-2834-0	Rx Only	Feb-23
Synthroid	0074-9296-90	Rx Only	Feb-23
Olmesartan	16729-320-15	Rx Only	Feb-23
Amlodipine and Benazepril HCl	55111-586-01	Rx Only	Mar-23
Dutasteride	31722-131-30	Rx Only	Mar-23
Etodolac	62559-251-01	Rx Only	Mar-23
Temazepam	67877-146-01	IV	Mar-23
Temazepam	67877-146-01	IV	Mar-23
Clobazam	42571-315-01	IV	Apr-23
Levetiracetam	65862-245-07	Rx Only	Apr-23
Levetiracetam	65862-245-08	Rx Only	Apr-23
Buprenorphine and Naloxone	65162-416-03	III	Apr-23
Finasteride	67877-455-90	Rx Only	Apr-23
Buprenorphine and Naloxone	65162-416-03	III	Apr-23
Valsartan	59746-360-30	Rx Only	Apr-23
NP Thyroid	42192-327-01	Rx Only	Apr-23
Tamoxifen	0591-2472-18	Rx Only	Apr-23

ATTACHMENT B

Expired Drugs in Active Drug Stock, May 9, 2023

ATTACHMENT C

Expired Drugs Dispensed by Thornville Pharmacy, as of May 9, 2023

Rx#	Drug	Date Dispensed	Date of Expiration	Dispensing Pharmacist
C833824	Temazepam 15mg	11/9/2022	Sep-22	Appleton
C852835	Temazepam 7.5mg	2/23/2023	Dec-22	Whetstone
858221	Synthroid 112mcg	4/17/2023	Feb-23	Whetstone
831728	Ramipril 5mg	10/17/2022	Aug-22	Whetstone
831728	Ramipril 5mg	1/14/2024	Aug-22	Appleton
831728	Ramipril 5mg	4/13/2023	Aug-22	Whetstone
853446	Ramipril 5mg	3/1/2023	Aug-22	Appleton
C858107	Phenobarbital 30mg	4/15/2023	May-22	Whetstone
838865	Olanzapine 2.5mg	10/5/2022	Feb-22	Appleton
838815	Olanzapine 2.5mg	10/5/2022	Feb-22	Appleton
859653	Misoprostol 200mcg	5/1/2023	Feb-23	Whetstone
827274	Mirtazapine 30mg	5/2/2023	Jan-23	Appleton
842202	Lovastatin 40mg	2/6/2023	Jan-23	Whetstone
842202	Lovastatin 40mg	3/7/2023	Jan-23	Appleton
854846	Lovastatin 40mg	3/14/2023	Jan-23	Appleton
841249	Lovastatin 40mg	3/31/2023	Jan-23	Whetstone
847611	Lovastatin 40mg	4/3/2023	Jan-23	Whetstone
842202	Lovastatin 40mg	4/12/2023	Jan-23	Appleton
841249	Lovastatin 40mg	4/28/2023	Jan-23	Whetstone
835410	Levothyroxine 75mcg	1/9/2023	Dec-22	Whetstone
835410	Levothyroxine 75mcg	2/10/2023	Dec-22	Whetstone
835410	Levothyroxine 75mcg	3/16/2023	Dec-22	Whetstone
835410	Levothyroxine 75mcg	4/12/2023	Dec-22	Appleton
801075	Enalapril Maleate 20mg	7/29/2021	Jun-21	Whetstone
801075	Enalapril Maleate 20mg	10/25/2021	Jun-21	Whetstone
816346	Enalapril Maleate 20mg	1/21/2022	Jun-21	Whetstone
823910	Enalapril Maleate 20mg	4/14/2022	Jun-21	Whetstone
829232	Enalapril Maleate 20mg	7/7/2022	Jun-21	Whetstone
839171	Enalapril Maleate 20mg	10/8/2022	Jun-21	Whetstone
847563	Enalapril Maleate 20mg	1/4/2023	Jun-21	Appleton

ATTACHMENT C

Expired Drugs Dispensed by Thornville Pharmacy, as of May 9, 2023

847563	Enalapril Maleate 20mg	4/4/2023	Jun-21	Appleton
847153	Doxycycline 50mg	12/30/2022	May-22	Whetstone
798678	Cyclobenzaprine 10mg	6/29/2021	May-21	Whetstone
811425	Cyclobenzaprine 10mg	11/27/2021	May-21	Whetstone
843835	Chlorthalidone 50mg	11/25/2022	Jul-22	Whetstone
843835	Chlorthalidone 50mg	2/24/2023	Jul-22	Whetstone
851492	Benazapril 40mg	5/2/2023	Feb-23	Appleton
815108	Acetazolamide 250mg	1/8/2022	Dec-21	Whetstone
828092	Acetazolamide 500mg	6/1/2022	Oct-21	Appleton