IN THE MATTER OF: **CASE NO. A-2025-0254**

Innovative Health and Longevity **License No. 02-64000129**
3838 Massillon Road, Ste. 380a
Uniontown, OH 44685

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Innovative Health and Longevity for the purpose of resolving all issues between the parties relating to the Board investigation of the possession and dispensing of viscum (mistletoe) and compounding violations. Together, the Board and Innovative Health and Longevity 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. Innovative Health and Longevity is a licensed Terminal Distributor of Dangerous Drugs under license number 02-64000129.

FACTS

1. The Board initiated an investigation of Innovative Health and Longevity, Terminal Distributor of Dangerous Drugs license number 02-64000129, related to Innovative Health and Longevity's the possession and dispensing of viscum (mistletoe) and compounding violations.

2. On or about August 25, 2025, the Board sent a Summary Suspension/Notice of Opportunity for Hearing to Innovative Health and Longevity, 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. Innovative Health and Longevity is represented by Douglas Graff.

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. Innovative Health and Longevity neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated August 25, 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. Innovative Health and Longevity agrees to pay to the Board a monetary penalty in the amount of $50,000. This fine will be attached to your license record. The fine will be paid in eight (8) quarterly installments of $6,250. The first payment will be due 30 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 lifts the Summary Suspension on Innovative Health and Longevity's TDDD license issued on August 25, 2025. Innovative Health and Longevity's TDDD license is reinstated and placed on a term of probation for one (1) year.

5. Innovative Health and Longevity's Responsible Person must obtain six hours of approved continuing pharmacy education (0.6 CEUs) which may not also be used for license renewal. Three hours (0.3 CEUs) must be on the topic of Patient Safety, and three (0.3 CEUs) hours (0.3 CEUs) must be on the topic of Compounding. Further, Innovative Health and Longevity's Responsible Person must attend a Responsible Person Roundtable. These must all be completed within six (6) months 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 Innovative Health and Longevity's TDDD license, number 02-64000129.

7. Innovative Health and Longevity 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. Innovative Health and Longevity 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 Innovative Health and Longevity 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 Innovative Health and Longevity by the Board and will NOT discharge Innovative Health and Longevity from any obligation under the terms of this Agreement.

9. Innovative Health and Longevity agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

10. Innovative Health and Longevity 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 Innovative Health and Longevity will operate.

12. Innovative Health and Longevity 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:

Dr. Riffat Hanif Qadir, on behalf of,
Innovative Health and Longevity, Respondent

9-22-25
Date of Signature

0086025

Douglas E. Graff
Attorney for Respondent

9-23-25
Date of Signature

Jeff Huston, RPh, President,
Ohio Board of Pharmacy

9.24.2025
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: 8/25/2025
-MUST HAVE BOARD SEAL TO BE OFFICIAL-

SUMMARY SUSPENSION/NOTICE OF OPPORTUNITY FOR HEARING
TERMINAL DISTRIBUTOR OF DANGEROUS DRUGS LICENSE

IN THE MATTER OF: **CASE NO. A-2025-0254**

Innovative Health and Longevity
3838 Massillon Road, Ste. 380a
Uniontown, OH 44685

License No. 02-64000129

August 25, 2025

Dear Innovative Health and Longevity:

You are hereby notified, in accordance with Section 119.07 of the Ohio Revised Code (ORC), the Ohio Board of Pharmacy (Board) hereby SUMMARILY SUSPENDS Innovative Health and Longevity's license as a Terminal Distributor of Dangerous Drugs (TDDD) under authority of Sections 4729.57 and 4729.571 of the Ohio Revised Code.

Furthermore, the Board finds that based upon the facts set forth in the Allegations Section, there is clear and convincing evidence of a danger of immediate and serious harm to others due to Innovative Health and Longevity's method used to possess or distribute dangerous drugs. As such, the Board summarily suspends Innovative Health and Longevity's license as a Terminal Distributor of Dangerous Drugs.

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 Sections 4729.54 and 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. Pursuant to Section 4729.571(A)(1) of the ORC and the rules adopted thereunder, the Board has the authority to suspend a terminal distributor's license without a hearing if it determines that there is clear and convincing evidence of a danger of immediate and serious harm to others due to the method used by the terminal distributor to possess or distribute dangerous drugs.

3. Innovative Health and Longevity, located at 3838 Massillon Road, Ste. 380a, Uniontown, Ohio, is a licensed TDDD under license number 02-64000129 and lists Riffat Hanif Qadir [Medical Board of Ohio license number 35.068588] as the Responsible Person.

ALLEGATIONS

1. On or about August 12, 2025, the Board conducted an inspection at Innovative Health and Longevity (Innovative Health), a practitioner clinic, licensed by the Board (TDDD 02-64000129), located at 3838 Massillon Road, Ste. 380a, Uniontown, Ohio. During the inspection, the following illegal drugs and large quantities of homeopathic extract products, some labeled "For Oral Use," were found.

    a. Foreign injectable drugs, which are not Food and Drug Administration (FDA) approved products:

        i. 32 Ampules – Abnoba Viscum (mistletoe extract) – German labeling indicated "injection solution for subcutaneous injection."

    b. Homeopathic extracts from Uriel Pharmacy Inc., labeled "For Oral Use," including 53 ampules of viscum (mistletoe extract), eight (8) ampules of Stibium 6X, and three (3) ampules of Helleborus comp. A. NOTE: These extracts are considered a dangerous drug and adulterated as the extract is not a Federal Drug Administration's (FDA) approved drug, does not appear on a USP/NF monograph, and is not included on the FDA's 503A list for bulk drugs approved for compounding when there is instruction or intention to inject the extract into the body.

    c. Innovative Health provides patients with viscum, syringes, and instruction on how to self-inject the drug.

2. The inspection conducted on August 12, 2025, resulted in warnings or warnings requiring written responses for the following violations:

    a. Unsecured prescription blanks found in an unlocked cabinet in an exam room.

    b. No annual query of the Board's online roster prior to purchase of dangerous drugs at wholesale and dangerous drugs are being purchased from unlicensed drug distributors.

    c. Drug storage area is unsanitary. An unlabeled syringe was stored on the top shelf of the refrigerator along with an opened single dose vial of sodium bicarbonate. The syringe appeared to have leaked.

    d. Clinic did not have a temperature monitoring system or temperature log for the refrigerator.

    e. There was an unopened can of soda found in the refrigerator where drugs were stored.

    f. Multi- dose vial(s) were observed without proper labeling. No date opened or 28-day Beyond Use Date (BUD) was on the label.

g. Records of drugs personally furnished to patients were not readily available and employees stated they did not keep those records.

h. Pentadecapeptide and thymosin beta-4 prescribed for one of the clinic's employees, Andrea Mellick, were ordered and shipped from a 503A compounding pharmacy. These patient specific dangerous drugs were then being utilized as office drug stock.

i. Foreign language products, including injectable abnoba viscum were present within the active drug stock.

j. There was no documentation of eLicense queries of wholesale drug distributors.

k. None of the opened multi-dose vials in the active drug stock were appropriately labeled.

3. The clinic was found to be improperly compounding dangerous drugs, including the following:

    a. Compounding nonsterile vitamin C, oral, dietary supplement powder into high dose vitamin C IV infusions. This is considered high-risk compounding which requires compliance with USP 797. The clinic does not have the appropriate clean environment to engage in high-risk compounding. There was no compounding record(s).

    b. The clinic was engaged in non-sterile compounding. There was no compounding record(s).

4. Multiple expired drugs were found in the active drug stock. They include the following:

    a. Lidocaine 2% 20ml, 15 multi-dose vials, expiration date 1/1/2022.

    b. Dextrose 50% single dose 50ml, two vials, expiration date 3/1/2024.

    c. Bacteriostatic water for injection, multidose 30ml, 25 vials, expiration date 4/1/2025.

    d. Lidocaine 2% abboject 5ml, one vial, expiration date 9/1/2022.

    e. Atropine 1mg/ml, 1ml single dose, six vials, expiration date 4/2025.

    f. Dexamethasone 4mg/ml, 1ml, eight vials, expiration date 7/2025.

    g. Heparin lock flush solution 300 units/3ml, two syringes, expiration date 8/31/2024.

    h. Empower- gluthathione 200mg/ml injection solution, 30 ml multi dose vial, expiration date 11/19/2024.

    i. Innovation Compounding dimercaptopropane sulphonate (DMPS) 50mg/ml multi dose injection, six 5ml vials, expiration date 7/14/2025.

j. Vertisis Custom Pharmacy DMSO (dimethylsuyofoxide) 80%, 17 10ml vials, expiration date 3/29/20205 and five 10ml vials, expiration date 3/21/2025.

k. Innovation Compounding edetate (EDTA) Disodium 15%, 10ml multi-dose vial, expiration date 3/17/2025 and six 10ml multi-dose vials, expiration date 6/28/2025.

l. Wellness Pharmacy-procaine 2% single dose, six 10ml vials, expiration date 8/1/2025.

m. Innovation Compounding folic acid 2.5mg/ml, two 1ml multi dose vials, expiration date 6/18/2024.

n. 5% dextrose 100ml, 44 IV bags, expiration date 1/2025.

o. Vertisis Custom Pharmacy alpha lipoic acid 25mg/ml solution 10 ml, expiration date 5/2/2025, five 10ml, expiration date 5/6/2025, and two 10 ml, expiration date 5/29/2025.

p. Multiple vials of what appeared to be allergen extracts stored in the refrigerator in a bin labeled "to be disposed of." Innovative Health employee(s) stated these were for LDA (low dose allergen therapy), and the clinic did not use these. The vials were not appropriately labeled: some only listed the allergen name, a few only listed a patient name, there was no beyond use date. It was not known if the vials were compounded in compliance with USP or when they were compounded. A pamphlet indicating low-dose allergen immunotherapy (LDA) could be administered either intradermally or sublingually was observed in the waiting area.

POTENTIAL VIOLATIONS OF LAW

1. Such conduct as set forth in the Allegations Section, if proven, each constitutes a violation of section 3715.52(A) of the ORC, Prohibited acts, each, a misdemeanor of the fourth degree, each punishable by a maximum penalty of $2,000 if committed by an organization: The following acts and causing them are prohibited:

   a. The manufacture, sale, or delivery, holding or offering for sale of any food, drug, device, or cosmetic that is adulterated[1] or misbranded,[2] ORC Section 3715.52(A)(1); and/or

   b. The adulteration or misbranding of any food, drug, device, or cosmetic, ORC Section 3715.52(A)(2); and/or

   c. The receipt in commerce of any food, drug, device, or cosmetic that is adulterated or misbranded, and the delivery or proffered delivery thereof for pay or otherwise, ORC Section 3715.52(A)(3); and/or

[1] ORC Section 3715.63 – When drug or device is adulterated.
[2] ORC Section 3715.64 – Misbranded drug or device.

d. The sale, delivery for sale, holding for sale, or offering for sale of any article in violation of section 3715.61 or 3715.65 of the Revised Code, ORC Section 3715.52(A)(4).

2. Such conduct as set forth in the Allegations Section, if proven, each constitutes a violation of section 3715.65(A) of the ORC, Application for new drug required, each a misdemeanor of the fourth degree, each punishable by a maximum penalty of $2,000 if committed by an organization:

   a. No person shall sell, deliver, offer for sale, hold for sale, or give away any new drug unless an application with respect to the drug has become effective under section 505 of the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended.

3. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of section 2925.09(A) of the ORC, Unapproved drugs, No person shall administer, dispense, distribute, manufacture, possess, sell, or use any drug, other than a controlled substance, that is not approved by the United States food and drug administration, or the United States department of agriculture, a felony of the fifth degree, each violation punishable by a maximum penalty of $2,500 if committed by an organization.

4. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of the following divisions of Rule 4729:5-3-06 of the OAC, as effective July 1, 2024, Storage of adulterated drugs, 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 4729:5-3-06; and/or

      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 4729:5-3-06(A); and/or

      ii. Dangerous drugs, other than controlled substances, may be destroyed utilizing proper methods of disposal and following the record keeping requirements noted in agency 4729 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 or use of the drugs by unauthorized persons, OAC Rule 4729:5-3-06(B).

5. Such conduct as set forth in the Allegations Section, if proven, each constitutes a violation of Section 4729.51(F) of the ORC, effective October 3, 2023 and April 9, 2025, Selling, purchasing, distributing, or delivering dangerous or investigational drugs – No licensed terminal distributor of dangerous drugs or person that is exempt from licensure under section 4729.541 of the Revised Code shall purchase dangerous drugs or investigational drugs or products from any person other than a licensed manufacturer, outsourcing facility, third-party logistics provider, repackager, or wholesale distributor, punishable by a maximum penalty of $5,000 if committed by an organization.

6. Such conduct as set forth in the Allegations Section, if proven, each constitutes a violation of Section 4729.60(B) of the ORC, Verification of license prior to transactions – Before a licensed terminal distributor of dangerous drugs may purchase dangerous drugs at wholesale, the terminal distributor shall query the roster established pursuant to section 4729.59 of the Revised Code to confirm the seller is licensed to engage in the sale or distribution of dangerous drugs at wholesale, each violation punishable by a maximum penalty of $1,000 if committed by an organization.

7. Such conduct as set forth in the Allegations Section, if proven, each constitutes a violation of the following sections of Rule 4729:5-3-04 of the OAC, as effective March 1, 2019, Verification of licensure prior to sale or purchase, each violation punishable by a maximum penalty of $1,000:

    a. Before a terminal distributor of dangerous drugs may purchase dangerous drugs at wholesale, the terminal distributor shall query the board's online roster (available on the board's website: www.pharmacy.ohio.gov) to confirm any of the following:

        i. The seller is licensed to engage in the sale of dangerous drugs in accordance with section 4729.52 of the Revised Code, OAC Rule 4729:5-3-04(A)(1); and/or

        ii. The seller is licensed to engage in the occasional sale or distribution of dangerous drugs at wholesale in accordance with rule 4729:5-3-09 of the Administrative Code, OAC Rule 4729:5-3-04(A)(2); and/or

    b. If no documented query is conducted before a purchase is made, it shall be presumed that the purchase of dangerous drugs by the terminal distributor is in violation of section 4729.51 of the Revised Code, OAC Rule 4729:5-3-04(B).

8. Such conduct as set forth in the Allegations section, if proven, constitutes a violation of the following sections of Rule 4729:5-19-02 of the OAC, as effective March 1, 2020, Personally furnishing dangerous drugs, each violation punishable by a maximum penalty of $1,000:

    a. A prescriber who personally furnishes a dangerous drug, other than a sample drug pursuant to section 3719.81 of the Revised Code, shall affix to the container a label showing:

        i. The name and address of the prescriber, OAC Rule 4729:5-19-02(A)(1); and/or

        ii. The name of the patient for whom the drug is intended, OAC Rule 4729:5-19-02(A)(2); and/or

        iii. Name and strength of the drug, OAC Rule 4729:5-19-02(A)(3); and/or

        iv. Directions for use, OAC Rule 4729:5-19-02(A)(4); and/or

        v. Date furnished, OAC Rule 4729:5-19-02(A)(5); and/or

        vi. If a compounded drug, the statement "Compounded Drug" or other similar statement shall also be displayed prominently on the label, OAC Rule 4729:5-19-02(A)(6).

9. Such conduct as set forth in Allegations Section, if proven, each constitutes a violation of the following sections of Rule 4729:5-19-03 of the OAC, as effective February 4, 2021, Security, control and storage of dangerous drugs, each violation punishable by a maximum penalty of $1,000:

    a. The security and control of dangerous drugs is the responsibility of the responsible person on the terminal distributor of dangerous drugs license and the terminal distributor of dangerous drugs, OAC Rule 4729:5-19-03(A); and/or

    b. Only a prescriber shall have access to uncompleted prescription blanks used for writing a prescription. Uncompleted prescription blanks shall be secured when not in use, OAC Rule 4729:5-19-03(D); and/or

    c. All areas where dangerous drugs and devices are stored shall be dry, well-lit, well-ventilated, and maintained in a clean and orderly condition. Storage areas shall be maintained at temperatures and conditions which will ensure the integrity of the drugs prior to use as stipulated by the USP/NF and/or the manufacturer's or distributor's labeling. Refrigerators and freezers used for the storage of drugs and devices 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 4729:5-19-03(K)(1)(a); or

            2. A temperature monitoring system capable of detecting and alerting staff of a temperature excursion, OAC Rule 4729:5-19-03(K)(1)(b); and/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 4729:5-19- 03(K)(2); and/or

    d. Upon the initial puncture of a multiple-dose vial containing a drug, the vial shall be labeled with a beyond-use date or date opened. The beyond-use date for an opened or entered (e.g., needle punctured) multiple-dose container with antimicrobial preservatives is twenty-eight days, unless otherwise specified by the manufacturer. A multiple-dose vial that exceeds its beyond-use date shall be deemed adulterated, OAC Rule 4729:5-19-03(L); and/or

    e. Adulterated drugs, including expired drugs, shall be stored in accordance with rule 4729:5-3-06 of the Administrative Code, OAC Rule 4729:5-19-03(M); and/or

    f. Disposal of non-controlled dangerous drugs shall be conducted in accordance with rule 4729:5-3-06 of the Administrative Code, OAC Rule 4729:5-19-03(O).

10. 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 1, 2020, General security requirements, each violation punishable by a maximum penalty of $1,000:

a. All terminal distributors of dangerous drugs shall provide effective controls and procedures to:

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

   ii. 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).

11. Such conduct as set forth in Allegations Section, if proven, each constitutes a violation of the following sections of Rule 4729:5-19-04 of the OAC, Record Keeping, as effective March 1, 2020, each violation punishable by a maximum penalty of $1,000:

    a. A clinic or prescriber office shall keep a record of all dangerous drugs received, administered, personally furnished, disposed, sold or transferred, OAC Rule 4729:5-19- 04(A); and/or

    b. Records of receipt shall contain the name, strength, dosage form, and quantity of the dangerous drugs received, the name and address of the seller, the name and address of the recipient, and the date of receipt. An invoice from a drug distributor licensed in accordance with division 4729:6 of the Administrative Code containing the required information may be used to meet this requirement, OAC Rule 4729:5-19-04(B); and/or

    c. Records of temperature control monitoring described in paragraph (K)(1) of rule 4729:5-19-03 of the Administrative Code shall include any of the following:

       i. For temperature logs, either:

          1. The date and time of observation, the full name or the initials of the individual performing the check, and the temperature recorded, OAC Rule 4729:5-19-04(C)(1)(a); and/or

          2. For systems that provide automated temperature monitoring, maintain a report that provides, at a minimum, the date and time of observation and the temperature recorded, OAC Rule 4729:5-19-04(C)(1)(b); and/or

       ii. For temperature monitoring systems capable of detecting and alerting staff of a temperature excursion, maintain reports that provide information on any temperature excursion that includes the date, time, temperature recorded, and length of each excursion, OAC Rule 4729:5-19-04(C)(2); and/or

    d. Records of administration shall contain the name, strength, dosage form, and quantity of the dangerous drugs administered, the name and date of birth of the person to whom or for whose use the dangerous drugs were administered, the date of administration and either: (a) For non-controlled substance dangerous drugs: the identification of the health care professional administering the drug. * * *, OAC Rule 4729:5-19-04(E)(1); and/or

e. Records of dangerous drugs administered which become a permanent part of the patient's medical record shall be deemed to meet the requirements of this paragraph, OAC Rule 4729:5-19-04(E)(2); and/or

f. Records of disposal of dangerous drugs from inventory, other than controlled substances, shall contain the name, strength, dosage form, and quantity of the dangerous drug disposed, the date of disposal, the method of disposal, and the identification of the licensed health care professional that performed the disposal, OAC Rule 4729:5-19-04(F).

g. All records maintained in accordance with this rule and rule 4729:5-19-03 of the Administrative Code shall be readily retrievable and shall be kept on-site for a period of three years, OAC Rule 4729:5-19-04(J).

12. 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, Responsible person – terminal distributor, as effective April 25, 2022, each punishable by a maximum penalty of $1,000:

    a. 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

    b. 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).

13. 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 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. Falsely or fraudulently promoting to the public a dangerous drug, except that nothing in this division prohibits a terminal distributor of dangerous drugs from furnishing information concerning a dangerous drug to a health care provider or another licensed terminal distributor; ORC Section 4729.57(B)(6); and/or

e. 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

f. 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).

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 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. Falsely or fraudulently promoting to the public a dangerous drug, except that nothing in this rule prohibits a terminal distributor of dangerous drugs from furnishing information concerning a dangerous drug to a health care provider or another licensed terminal distributor, OAC Rule 4729:5-4-01(B)(6); and/or

e. 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

f. Commission of an act that constitutes a misdemeanor that is related to, or committed in, the person's professional practice, OAC Rule 4729:5-4-01(B)(18); and/or

g. 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).

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/jak/jrn

Cc: Melinda Snyder, State Medical Board of Ohio, at: Melinda.Snyder@med.ohio.gov