



MINUTES OF THE OCTOBER 10-11, 2023
MEETING OF THE STATE OF OHIO BOARD OF PHARMACY

Tuesday, October 10, 2023

10:04 a.m. The State of Ohio Board of Pharmacy convened in the Hearing Room, 17th Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, for a public meeting, with the following members present:

Trina Buettner, RPh, *Presiding*; Mindy Ferris, RPh, *Vice President*; Anthony Buchta, Sr., RPh; Victor Goodman, *Public Member*; TJ Grimm, RPh; Jeff Huston, RPh; Rich Miller, RPh; and Christine Pfaff, RPh.

Absent: Jason George, RPh (military leave).

Also present were Steven Schierholt, *Executive Director*; Sharon Maerten-Moore, *Chief Legal Counsel*; Joe Koltak, *Senior Legal Counsel*; and Kathryn Lewis, *Legal Administrator*.

10:05 a.m. Ms. Buettner administered the Oath of New Member to Mr. Buchta.

I, Anthony J. Buchta Senior, as a member of the state of Ohio Board of Pharmacy, do solemnly swear to uphold the Constitution of the United States and the State of Ohio; to impartially enforce the laws governing the profession of pharmacy and the legal distribution of drugs in the state of Ohio; and carry out the responsibilities of the Board as mandated by the laws of the state of Ohio without bias or prejudice, so help me God.

10:07 a.m. The Board was joined by Assistant Attorney General Henry Appel to conduct an adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. In the Matter of **Christopher Fraley, Chillicothe, Ohio.**

R-2024-0155 Ms. Ferris moved that the Board recess in order to consider the quasi-judicial matters in accordance with Chapter 119. of the Revised Code and the case precedent of *Angerman v. State Medical Bd.* (1990) 70 Ohio App.3d 346 and *TBC Westlake Inc. v. Hamilton Cty Bd of Revision*, et al. (1998) 81 Ohio St.3d 58. The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0.

10:39 a.m.

The deliberation ended and the hearing opened to the public.

R-2024-0156

After votes were taken in public session, the Board adopted the following order in the Matter of **Christopher Fraley, Chillicothe, Ohio.**

ORDER OF THE STATE BOARD OF PHARMACY

Case Number **A-2022-0129**

In The Matter Of:

Christopher Fraley
84 Buckeye Trail
Chillicothe, OH 45601
License no. 03-335133

INTRODUCTION

The Matter of Christopher Fraley came for hearing on October 10, 2023, before the following members of the State of Ohio Board of Pharmacy (Board): Trina Buettner, RPh, Presiding; Mindy Ferris, RPh, Vice President; Anthony Buchta, Sr., RPh; Victor Goodman, Public Member; T.J. Grimm, RPh; Jeff Huston, RPh; Rich Miller, RPh; and Christine Pfaff, RPh.

Jason George, RPh; Absent.

Christopher Fraley was not represented by counsel. The State of Ohio was represented by Henry Appel, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witnesses:

1. None

Respondent's Witnesses:

1. Christopher Fraley
2. Andy Pierron

State's Exhibits:

1. Original Notice Letter
2. Board Order
3. E-mail dated 7/24/2023 (Treated as Request for Reinstatement)

Respondent's Exhibits:

- A. PRO Contract
- B. Vault patient summary
- C. Urine drug screen results
- D. Aftercare completion letter
- E. Continuing Education
- F. AA/NA meeting attendance
- G. Support Letters/Work recognition

FINDINGS OF FACT & DECISION OF THE BOARD

After hearing the testimony, observing the demeanor of the witnesses, considering the evidence, and weighing the credibility of each, the Board finds that Christopher Fraley has substantially complied with the terms set forth in the Board Order of the State of Ohio Board of Pharmacy, Case No. A-2022--0129 dated June 10, 2022.

On the basis of the Finding of Fact set forth above, and after consideration of the record as a whole, the State of Ohio Board of Pharmacy hereby approves the reinstatement of the pharmacist license no. 03-335133, held by Christopher Fraley to practice pharmacy in Ohio subject to a period of probation for five years beginning on the effective date of this Order, with the following conditions:

1. Christopher Fraley must enter into and adhere to the terms of a **new** contract, signed within thirty days after the effective date of this Order, with a Board approved treatment monitor for a period of not less than five years and, upon signing, submit a copy of the contract to the Board office. Christopher Fraley should also submit to the Board documentation demonstrating compliance with an Ohio Department of Mental Health and Addiction Services (ODMHAS) treatment provider, if applicable. Failure to adhere to the terms of the treatment contract and/or monitoring contract will be considered a violation of the Board's Order and subject Christopher Fraley to

potential sanctions up to and including revocation of license. The monitoring contract must provide that:

- a. Random, observed urine drug screens shall be conducted at least once each month.
 - b. The urine sample must be given within twelve hours of notification. The urine drug screen must include testing for creatinine or specific gravity of the sample as the dilutional standard.
 - c. Alcohol and Ethyl Glucoronide (ETG) must be added to the standard urine drug screen.
 - d. Results of all drug screens must be negative. Refusal of a drug screen or a diluted drug screen is equivalent to a positive result. Any positive results, including those which may have resulted from ingestion of food, but excluding false positives which resulted from medication legitimately prescribed, indicates a violation of the contract.
 - e. In the event of a negative diluted screen, a hair sample test must be completed at the cost of the Christopher Fraley in a timeframe consistent with the drug lab's recommended policy, but in any event no later than 12 days after the negative diluted screen.
 - f. Christopher Fraley must meet the daily check-in requirements of the testing center or check-in requirements as otherwise proscribed by the treatment monitor.
2. The intervener/sponsor shall submit reports to the Board, in a format acceptable to the Board, indicating drug screens and their results in a timely fashion. Actual copies of drug screens shall be made available to the Board upon request.
 - a. Attendance is required a minimum of three times per calendar week (Sunday through Saturday) on separate days, at an Alcoholics Anonymous, Narcotics Anonymous, and/or similar support group meeting.

- b. The program shall immediately report to the Board any violations of the contract and/or lack of cooperation.
3. Christopher Fraley shall not refuse an employer provided drug or alcohol screen. If the Board becomes aware of any positive drug or alcohol screen results that were obtained in the course of employment or any mechanism other than via the signed contract with ODMHAS, the Board shall treat these results as a violation of the Board's Order and request Christopher Fraley reappear before the Board for possible additional sanctions, including and up to revocation of license.
4. Christopher Fraley shall not refuse a breathalyzer or other drug testing requested by law enforcement during the duration of probation. The Board shall treat any such refusal as a violation of the Board's Order and request Christopher Fraley reappear before the Board for possible additional sanctions, including and up to revocation of license.
5. Christopher Fraley must submit quarterly progress reports to the Board (due January 10, April 10, July 10, and October 10 of each year of probation) that include:
 - a. The written report and documentation provided by the treatment program pursuant to the contract, and
 - b. A written description of Christopher Fraley's progress towards recovery and what Christopher Fraley has been doing during the previous three months, and
 - c. Proof of compliance with all terms of probation, the monitoring contract, including all terms in OAC Rule 4729:4-1-04, and proof of compliance with treatment, if applicable.
6. Christopher Fraley must provide copies of the board order or settlement agreement to all employers or prospective employers, all licensing authorities in which Christopher Fraley holds a professional license or applies for a professional license, and all persons who provide Christopher Fraley chemical dependency treatment or monitoring, during the effective period of this order or agreement.

7. Other terms of probation are as follows:
 - a. Christopher Fraley must meet at least annually with the Board's Probation Committee, the first meeting to be held October 7, 2024. Additional periodic appearances may be requested.
 - b. The State of Ohio Board of Pharmacy hereby declares that Christopher Fraley's pharmacist license is not in good standing and thereby denies the privilege of being a preceptor and training pharmacy interns pursuant to paragraphs (K) and (O) of Rule 4729:2-1-01 of the OAC.
 - c. Christopher Fraley must obtain prior approval of the board or the board's probation committee of departures or absences in excess of ten days from the country. Periods of departure or absence shall not change the probationary term, unless otherwise determined by motion of the board or the board's probation committee. For absences of three months or longer, the board or its probation committee may toll the length of probation, other than in instances where the board or its probation committee can be assured that probationary monitoring is otherwise being performed.
 - d. Christopher Fraley may not serve as a responsible pharmacist or a designated representative in a dispensary or for home medical equipment.
 - e. Christopher Fraley may not engage in a consult agreement, unless approved by the board.
 - f. Christopher Fraley may not destroy, assist in, or witness the destruction of controlled substances.
 - g. Christopher Fraley may not work in a pharmacy more than 40 hours per week or 80 hours over a two-week period.
 - h. Christopher Fraley must not violate the drug laws of Ohio, any other state, or the federal government.
 - i. Christopher Fraley must abide by the rules of the State of Ohio Board of Pharmacy.

- j. Christopher Fraley must comply with the terms of this Order.
 - k. Christopher Fraley's license is deemed not in good standing until successful completion of the probationary period.
 - l. Christopher Fraley must provide continuing authorization for disclosure by the monitor and treatment provider (when applicable) to the Board, to treating and monitoring physicians, and to others involved in the monitoring process, of information necessary for those individuals to fulfill their duties.
8. When deemed appropriate by the Board, Christopher Fraley must submit to a psychiatric evaluation, and, where appropriate, continued treatment acceptable to the Board.
 9. Christopher Fraley may not request modifications to probationary terms for at least three years, however, limited, isolated deviations may be granted with approval by the Board, in exceptional circumstances.
 10. Christopher Fraley must immediately report any violation of the terms of this probation to the Board by contacting legal@pharmacy.ohio.gov. Failure to self-report any violation shall be treated as a violation of this Board's Order and will subject Christopher Fraley to possible additional sanctions, including and up to revocation of license.
 11. Any violation of probation or this Board's Order may result in a Board hearing to consider alternative or additional sanctions under Section 4729.16 of the Ohio Revised Code, including and up to revocation of Christopher Fraley's license.
 12. Periods during which Christopher Fraley is not in compliance with all probationary terms shall toll the length of time of probation, or the Board may implement additional disciplinary action in addition to or instead of tolling probation.

At the conclusion of the probationary period, the Board will issue a letter indicating whether probation has been successfully completed. If the Board determines probation has not been successfully

completed, it will issue a notice of opportunity for hearing to Christopher Fraley.

Christine Pfaff moved for Findings of Fact; Jeff Huston seconded the motion. Motion passed (Aye-7/Nay-0).

Christine Pfaff moved for the Decision of the Board; Jeff Huston seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.

- 11:03 a.m.** Ms. Defiore-Hyrmer and Mr. Garner provided the OARRS Report.
- 11:09 a.m.** Mr. Griffin provided the Compliance and Enforcement Report.
- 11:10 a.m.** Ms. Maerten-Moore provided the Legal Report.
- 11:32 a.m.** Mr. Cathcart provided the Medical Marijuana Report.
- 11:34 a.m.** Ms. Southard provided the Licensing Report.
- 11:39 a.m.** Mr. Schierholt provided the Executive Director Report.
- 11:41 a.m.** Ms. Southard presented the Pharmacy Technician Trainee Extension Request from Santana Nelson – Euclid, Ohio (09103464) to the Board for consideration.
- R-2024-0157** Ms. Ferris moved that the Board grant Santana Nelson a one (1) year extension. The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0.
- 11:41 a.m.** Ms. Southard presented the Pharmacy Technician Trainee Extension Request from Mechelle Campbell – Dayton, Ohio (09116626) to the Board for consideration.
- R-2024-0158** Ms. Ferris moved that the Board grant Mechelle Campbell a one (1) year extension. The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0.

- 11:41 a.m.** Ms. Southard presented the Pharmacy Technician Trainee Extension Request from Amber Phillips – Richmond, Indiana (09116556) to the Board for consideration.
- R-2024-0159** Ms. Ferris moved that the Board grant Amber Phillips a one (1) year extension. The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0.
- 11:41 a.m.** Ms. Southard presented the Pharmacy Technician Trainee Extension Request from DeAsia Hampton – Toledo, Ohio (09102975) to the Board for consideration.
- R-2024-0160** Ms. Ferris moved that the Board grant DeAsia Hampton a one (1) year extension. The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0.
- 11:41 a.m.** Ms. Southard presented the Pharmacy Technician Trainee Extension Request from Nicole Manningham – Cleveland, Ohio (09118207) to the Board for consideration.
- R-2024-0161** Ms. Ferris moved that the Board grant Nicole Manningham a one (1) year extension. The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0.
- 11:41 a.m.** Ms. Southard presented the Pharmacy Technician Trainee Extension Request from Alexis Wilkerson – Cincinnati, Ohio (09107195) to the Board for consideration.
- R-2024-0162** Ms. Ferris moved that the Board grant Alexis Wilkerson a one (1) year extension. The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0.
- 11:43 a.m.** Ms. Southard presented the Pharmacy Intern Graduate or Foreign Graduate Renewal Request from Raymond Jenkins – South Euclid, Ohio (060000723) to the Board for consideration.
- R-2024-0163** Ms. Ferris moved that the Board grant Raymond Jenkins a one (1) year extension. The motion was seconded by Mr. Huston and approved by the Board: Yes-7, No-0.

- 11:43 a.m.** Ms. Southard presented the Pharmacy Intern Graduate or Foreign Graduate Renewal Request from Phuoc Ly – Norton, Ohio (06015521) to the Board for consideration.
- R-2024-0164** Ms. Ferris moved that the Board grant Phuoc Ly a one (1) year extension. The motion was seconded by Mr. Huston and approved by the Board: Yes-7, No-0.
- 11:43 a.m.** Ms. Southard presented the Pharmacy Intern Graduate or Foreign Graduate Renewal Request from Abeer Al-Dhaheer – Westlake, Ohio (061000046) to the Board for consideration.
- R-2024-0165** Ms. Ferris moved that the Board grant Abeer Al-Dhaheer a one (1) year extension. The motion was seconded by Mr. Huston and approved by the Board: Yes-7, No-0.
- 11:43 a.m.** Ms. Southard presented the Pharmacy Intern Graduate or Foreign Graduate Renewal Request from Haamid Bhatti – Brunswick, Ohio (061000037) to the Board for consideration.
- R-2024-0166** Ms. Ferris moved that the Board grant Haamid Bhatti a one (1) year extension. The motion was seconded by Mr. Huston and approved by the Board: Yes-7, No-0.
- 11:43 a.m.** Ms. Southard presented the Pharmacy Intern Graduate or Foreign Graduate Renewal Request from Saif Masari – Liberty Twp, Ohio (061000012) to the Board for consideration.
- R-2024-0167** Ms. Ferris moved that the Board grant Saif Masari a one (1) year extension. The motion was seconded by Mr. Huston and approved by the Board: Yes-7, No-0.
- 11:43 a.m.** Ms. Southard presented the Pharmacy Intern Graduate or Foreign Graduate Renewal Request from Kvebe Ziregbe – West Chester, Ohio (061000047) to the Board for consideration.
- R-2024-0168** Ms. Ferris moved that the Board grant Kvebe Ziregbe a one (1) year extension. The motion was seconded by Mr. Huston and approved by the Board: Yes-7, No-0.

11:43 a.m.

Ms. Southard presented the Pharmacy Intern Graduate or Foreign Graduate Renewal Request from Angi Hafez – Liberty Twp, Ohio (061000024) to the Board for consideration.

R-2024-0169

Ms. Ferris moved that the Board grant Angi Hafez a one (1) year extension. The motion was seconded by Mr. Huston and approved by the Board: Yes-7, No-0.

11:45 a.m.

Ms. Wai and Ms. Southard presented a resolution titled *Recission of COVID-19 Waiver - Expedited Onboard of Pharmacy Technician Trainees*.

R-2024-0170

Ms. Ferris moved that the Board approve the Resolution. The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0. The following resolution was adopted by the Board:

Recission of COVID-19 Waiver - Expedited Onboarding of Pharmacy Technician Trainees Recission*

The Board hereby approves an updated effective date of the Board's July 10, 2023 resolution rescinding COVID-19 Waiver – Expedited Onboard of Pharmacy Technician Trainees to thirty (30) days after notice is provided to licensees and stakeholders.

11:46 a.m.

Ms. Wai and Ms. Southard presented a resolution titled *Nationwide Children's Hospital Community Dental Clinic*.

R-2024-0171

Mr. Huston moved that the Board approve the Resolution. The motion was seconded by Mr. Miller and approved by the Board: Yes-7, No-0. The following resolution was adopted by the Board:

Nationwide Children's Hospital Community Dental Clinic

Pursuant to OAC 4729:5-3-13, the Board hereby permits Nationwide Children’s Hospital Community Dental Clinic (NCH Dental Clinic) to temporarily store medications listed in the provided drug list (see below) at affiliated clinic sites indefinitely or until this resolution is rescinded by the Board. NCH Dental Clinic and the affiliated clinic sites shall comply with all applicable drug storage, security, and recordkeeping requirements in accordance with OAC 4729.

Medication List:

Medication Box:

Albuterol (Ventolin) MDI 18gm	Lidocaine 2% w/epi 1:100K	Septocaine 4% Cart w/epi
Acetaminophen (Tylenol) susp. 160mg/5mL unit dose syringes	Ibuprofen (Motrin) susp. 100mg/5mL UDC 10mL	Amoxicillin 250 cap
Acetaminophen (Tylenol) Meltaways 80mg	Benacel 5cm sheet	Amoxicillin chewable tablet 250mg

Medical Emergency Kit:

EpiPen 0.3mg syringe	EpiPen Jr. 0.15mg syringe	Naloxone Nasal Spray 4mg
Oral airway size 0-5	Pediatric Resuscitation bag	
Adult Resuscitation bag	Neonatal Resuscitation bag	

Nationwide Children’s Hospital Community Dental Clinic

Main campus dental clinic address: Livingston Ambulatory Center, 380 Butterfly Gardens Dr, 2nd Floor, Columbus, OH 43215

Current list of school districts/groups served by portable community dental team:

- Reynoldsburg School District
- KIPP Columbus
- Columbus City School District
- Ohio State University Early Head Start Partnership Program

Description of Program: Nationwide Children’s Hospital employees use portable dental equipment to set up clinics in various schools and community sites (Monday through Friday 8-5PM). Equipment may be

set up in an existing school- based health clinic, an empty classroom, a music room, etc. The Community Dental Team provides oral exams, radiographs, cleanings, fluoride treatments, sealants, fillings, stainless steel crowns, pulpotomies, and extractions for pediatric patients. Patients who require more advanced treatment, including sedation or general anesthesia, are referred to Nationwide Children's Hospital main campus.

Current pharmacy setup: Currently the program's medication box and medical emergency kit (see below for contents) are stored overnight at one of NCH's fixed school-based health sites that holds a TDDL. This requires that a team member drives to the fixed school-based health site (5-20 minutes away from dental clinic sites), retrieves the two boxes, and drives to the current site, and then returns them at the end of the day. Medications are recorded by staff (in a daily log) and in our electronic health record.

The "Ask": The NCH Community Dental Team is requesting to store the medication box and emergency medical kit onsite and eliminate the need for a staff member to transport. Both would be locked each evening and stored in a larger cart that locks as well. If needed, we could register a new TDDL at our main address (above) under the name of Kim Hammersmith (DDS).

Medication List:

Medication List:

Medication Box:

Albuterol (Ventolin) MDI 18gm	Lidocaine 2% w/epi 1:100K	Septocaine 4% Cart w/epi
Acetaminophen (Tylenol) susp. 160mg/5mL unit dose syringes	Ibuprofen (Motrin) susp. 100mg/5mL UDC 10mL	Amoxicillin 250 cap
Acetaminophen (Tylenol) Meltaways 80mg	Benacel 5cm sheet	Amoxicillin chewable tablet 250mg

Medical Emergency Kit:

EpiPen 0.3mg syringe	EpiPen Jr. 0.15mg syringe	Naloxone Nasal Spray 4mg
Oral airway size 0-5	Pediatric Resuscitation bag	
Adult Resuscitation bag	Neonatal Resuscitation bag	

R-2024-0172

Ms. Ferris moved that the Board go into Executive Session to consider the investigation of charges or complaints against a licensee, confer with

Board counsel regarding a pending or imminent court action and to discuss matters required to be confidential by law pursuant to Section 121.22(G)(1), (3) & (5) of the Ohio Revised. The motion was seconded by Mr. Huston and a roll-call vote was conducted *President* Buettner as follows: Buchta-yes; Ferris-yes, Goodman-yes; Grimm-yes; Huston-yes, Miller-yes, and Pfaff-yes.

3:55 p.m.

The Board adjourned for the day.

Wednesday, October 11, 2023

9:11 a.m. The State of Ohio Board of Pharmacy convened in the Hearing Room, 17th Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, for a public meeting, which was also broadcast via Microsoft Teams audio/visual conference call, with the following members present:

Trina Buettner, RPh, *Presiding*; Anthony Buchta, Sr., RPh; Victor Goodman, *Public Member*; TJ Grimm, RPh; Jeff Huston, RPh; Rich Miller, RPh; and Christine Pfaff, RPh.

Absent: Mindy Ferris, RPh, *Vice President* and Jason George, RPh (military leave).

Also present were Sharon Maerten-Moore, *Chief Legal Counsel*; Michelle Bohan, *Associate Legal Counsel*; Ashley Gilbert, *Senior Legal Counsel*; Joe Koltak, *Senior Legal Counsel*; Zoe Saadey, *Senior Legal Counsel*; Jenni Wai, *Chief Pharmacist*; and Kathryn Lewis, *Legal Administrator*.

R-2024-0173 Mr. Grimm moved that the Board go into Executive Session to consider the investigation of charges or complaints against a licensee, confer with Board counsel regarding a pending or imminent court action and to discuss matters required to be confidential by law pursuant to Section 121.22(G)(1), (3) & (5) of the Ohio Revised. The motion was seconded by Mr. Miller and a roll-call vote was conducted *President* Buettner as follows: Buchta-yes; Goodman-yes; Grimm-yes; Huston-yes, Miller-yes, and Pfaff-yes.

10:31 a.m. The Board returned to Public Session and Ms. Southard presented the Pharmacy Technician Trainee Extension Request from Amberlynn Williams - Ashtabula, OH (09117896) to the Board for consideration.

R-2024-0174 Mr. Huston moved that the Board grant Amberlynn Williams a one (1) year extension. The motion was seconded by Mr. Grimm and approved by the Board: Yes-6, No-0.

10:32 a.m. Mr. McNamee and Ms. Wai presented the following rules to the Board for soliciting stakeholder comments: 4729:5-5-02 - Minimum Standards for the Operation of an Outpatient Pharmacy, 4729:5-5-02.1 - Provision of Ancillary Services in an Outpatient Pharmacy, 4729:5-5-02.2 - Mandatory Rest Breaks for Pharmacy Personnel, 4729:5-5-02.3 - Staffing Requests or Concerns in an Outpatient Pharmacy, 4729:5-5-

02.4 - Significant Delays in the Provision of Pharmacy Services, 4729:5-5-02.5 - Outpatient Pharmacy Access Points, and 4729:5-2-05 - Notification of Accessible Services.

11:49 a.m.

The Board recessed for a short break.

R-2024-0175

After votes were taken in public session, the Board adopted the following order in the Matter of **Erika Holder, North Ridgeville, Ohio.**

ORDER OF THE STATE BOARD OF PHARMACY

(Case Number A-2020-0547)

In The Matter Of:

Erika Holder

5386 Mills Creek Lane

North Ridgeville, OH 44039

(*Revoked* Registration No. 09-307569)

Erika Holder ("Respondent") was issued a registration as a certified pharmacy technician by the State of Ohio Board of Pharmacy on April 7, 2018. On January 13, 2021, the State of Ohio Board of Pharmacy (Board) issued a Notice of Opportunity for Hearing (Notice) to Respondent via certified mail, return receipt requested to Respondent's address of record. The Board received proof of service showing that the Notice was served on January 15, 2021.

Pursuant to Ohio Revised Code Section 119.07, Respondent had a right to a hearing if requested within thirty days of the mailing. Respondent failed to request a hearing by the thirtieth and final day. Accordingly, as no hearing was requested, the matter came before the Board under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996) on September 20, 2021, and the Board issued a Final Order revoking Respondent's certified pharmacy technician registration but permitting her to reapply after twenty-four months. Respondent appealed this Final Order to the Cuyahoga County Court of

Common Pleas in Case No. 20-653075-A, alleging she had not received the Notice.

On July 27, 2022, the Court remanded the matter to the Board to hold a hearing under ORC Chapter 119. The hearing was ultimately scheduled for January 6, 2023; however, on January 5, 2023, Respondent withdrew her request for hearing.

Accordingly, this matter again came before the Board under the authority of *Goldman, supra*, on October 11, 2023, before the following members: Trina Buettner, RPh, *Presiding*; Anthony Buchta, Sr., RPh; Victor Goodman, *Public Member*; T.J. Grimm, RPh; Jeff Huston, RPh; Rich Miller, RPh; and Christine Pfaff, RPh.

Jason George, RPh; and Mindy Ferris, RPh; Absent.

After review of the administrative record, the Board finds that Respondent was served with the Notice and informed of the allegations contained therein and the rights afforded pursuant to ORC Chapter 119.

After review of the administrative record and pursuant to ORC 4729.96(A)(1) and Ohio Administrative Code (OAC) 4729:3-4-01(B), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.96(A)(2) and OAC 4729:3-4-01(C) and all violations as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. Respondent's registration as a certified pharmacy technician, No. 09-307569 is REVOKED.
2. Notwithstanding the definition of "Revoke" in OAC 4729:3-1-01, Respondent may not apply for any license or registration over which the Board has jurisdiction, including those set forth in ORC Chapters 3719., 3796., 4729. or 4752., for a period of at least fourteen months from the date of this Order.
 - a. Respondent may not reapply for any license or registration over which the State of Ohio Board of Pharmacy has jurisdiction, including those set forth in Chapters 3719., 3796., 4729. or 4752. of the Revised Code, unless Erika Holder provides a Certificate of Qualification Employment (COE) for Board consideration

and review.

3. Respondent is prohibited from working or otherwise serving in any capacity that requires a license or registration under ORC Chapter 4729.

Service of this Order shall be perfected in accordance with the requirements of ORC Chapter 119.

Christine Pfaff, RPh, moved for the findings and decision of the Board. Anthony Buchta, Sr., RPh, seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

R-2024-0176

After votes were taken in public session, the Board adopted the following order in the Matter of **Timothy Ray Underwood, Stow, Ohio.**

BEFORE THE STATE OF OHIO BOARD OF PHARMACY

IN THE MATTER OF APPLICANT:

Case No. A-2022-0663

Timothy Ray Underwood

Pending Registration No.: 0030-5020-8231-1242-6233

2213 Bryn Mawr Dr.

Stow, OH 44224

FINAL ORDER OF THE STATE OF OHIO BOARD OF PHARMACY

Timothy Ray Underwood ("Applicant") submitted a renewal application for registration as a medical marijuana caregiver ("Application") to the State of Ohio Board of Pharmacy on October 21, 2022. The Board issued a Notice of Opportunity for Hearing/Proposal to Deny Application for Medical Marijuana Caregiver Registration ("Notice") to Respondent March 16, 2023, via certified mail, return receipt requested. That mailing was returned to the Board "Unclaimed." On May 17, 2023, the

Board sent the Notice by United States Postal Service regular mail with a Certificate of Mailing. This mailing of the Notice on May 17, 2023 was not returned to the Board and service was deemed complete. Pursuant to ORC 119.07, Respondent had a right to a hearing if requested within 30 days of the Notice's mailing. Respondent failed to request a hearing by the thirtieth and final day. Accordingly, as no hearing was requested, the Board considered the matter on October 10, 2023 under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996).

The Board reviewed the following exhibits in this matter prior to making its decision:

- State's Exhibit 1: Notice of Opportunity for Hearing
- State's Exhibit 2: Affidavit by Assigned Compliance Agent

WHEREFORE, the Board hereby confirms, approves, and adopts the facts contained in the affidavit submitted by the Board's compliance agent, labeled as State's Exhibit 2, and finds the same.

WHEREFORE, the Board finds that Respondent was legally served with the Notice and informed of the allegations contained therein and the rights afforded pursuant to ORC Chapter 119. As Respondent failed to request a hearing, no additional facts were presented to the Board on behalf of Respondent.

WHEREFORE, pursuant to ORC 3796.14(B) and Ohio Administrative Code 3796:7-2-08, the State of Ohio Board of Pharmacy finds and concludes that Respondent engaged in conduct set forth in OAC 3796:7-2-08(A)(2) and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. Respondent's Application is DENIED.
2. With the exception of a medical marijuana patient registration issued pursuant to ORC Chapter 3796., Respondent may not reapply for any license or registration over which the State of Ohio Board of Pharmacy has jurisdiction, including those set forth in ORC Chapters 3719., 3796., 4729. or 4752., for a period of at least twelve months from the date of this Order, as set forth in OAC 3796:7-1-01(D).

Service of this Order shall be perfected in accordance with the requirements of ORC Chapter 119.

Board Member Christine Pfaff, RPh, moved for the findings and decision of the Board. Board Member Anthony Buchta, SR., RPh, seconded the motion. Motion passed (Yes-5/No-0).

SO ORDERED.

R-2024-0177

After votes were taken in public session, the Board adopted the following order in the Matter of **Ohio Capitol LLC, Proctorville, Ohio.**

BEFORE THE STATE OF OHIO BOARD OF PHARMACY

**In the Matter of:
Case No. A-2022-0477
Ohio Capitol LLC
8055 County Rd. 107
Proctorville, OH 45669**

**Application Reference # WU943
Provisional License No. MMD.04130**

Respondent

**c/o Bridget Dunne Pauly, Registered Agent
1457 Woodward Ave.
Lakewood, OH 44107**

FINAL ORDER OF THE STATE OF OHIO BOARD OF PHARMACY

Between the dates of November 4, 2021 and November 18, 2021, Ohio Capitol LLC ("Respondent") submitted an application in response to *Ohio Medical Marijuana Control Program Request for Applications and Dispensary Application Instructions*. On September 28, 2022, the State of Ohio Board of Pharmacy ("Board") issued a Notice of Opportunity for Hearing/Proposal to Deny Application for Medical Marijuana Provisional Dispensary License ("Notice") to Respondent. The Notice was served on

Respondent on December 17, 2022. Pursuant to ORC 119.07, Respondent had a right to a hearing if requested within 30 days of the Notice's service. Respondent timely requested a hearing and subsequently withdrew said request. Accordingly, on October 10, 2023, under the authority of *Goldman v. State Med. Bd. of Ohio*, 110 Ohio App.3d 124, 129 (10th Dist.1996), the Board considered the matter before the following members of the Board: Trina Buettner, RPh, *Presiding*; Anthony Buchta, RPh; T.J. Grimm, RPh; Jeff Huston, RPh; Rich Miller, RPh; and Christina Pfaff, RPh. Victor Goodman, *Public Member*, abstained.

The Board reviewed the following exhibits in this matter prior to making its decision:

- State's Exhibit A: Ohio Medical Marijuana Control Program Request for Applications and Dispensary Application Instructions
- State's Exhibit B: Notice of Opportunity for Hearing
- State's Exhibit C: Proof of Service
- State's Exhibit D: Hearing Request Withdrawal
- Affidavit of Sharon Maerten-Moore
- Affidavit of Sharon Maerten-Moore

WHEREFORE, the Board hereby confirms, approves, and adopts the facts contained in the affidavits submitted by the Board's Chief Legal Counsel, Sharon Maerten-Moore.

WHEREFORE, the Board finds that Respondent was legally served with the Notice and informed of the allegations contained therein and the rights afforded pursuant to ORC Chapter 119. As Respondent withdrew its request for a hearing, no additional facts were presented to the Board on behalf of Respondent.

WHEREFORE, pursuant to ORC 3796.14(B) and Ohio Administrative Code 3796:6-4-03, the State of Ohio Board of Pharmacy finds and concludes that Respondent engaged in conduct set forth in OAC 3796:6-2-04(C)(1)(a) and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. Respondent's Application is DENIED.

Service of this Order shall be perfected in accordance with the requirements of ORC Chapter 119.

Board Member Christine Pfaff, RPh, moved for the findings and decision of the Board. Board Member Anthony Buchta, SR., RPh, seconded the motion. Board member Victor Goodman abstained. Motion passed (Yes-5/No-0/Abstained-1).

SO ORDERED.

R-2024-0178

After votes were taken in public session, the Board adopted the following order in the Matter of **Christina Jones, Berea, Ohio**.

ORDER OF THE STATE OF OHIO BOARD OF PHARMACY
CONFIRMING AND APPROVING IN PART AND MODIFYING IN
PART
REPORT AND RECOMMENDATION OF HEARING EXAMINER
(Case No. A-2022-0646)

In the Matter of Christina Jones:

Christina Jones
125 Sheldon Rd., Apt. 424
Berea, OH 44017
Certified Pharmacy Technician, no. 09-314252

INTRODUCTION

Christina Jones (Respondent) was issued a Certified Pharmacy Technician Registration (No. 09-314252) on February 5, 2020. The Board issued a Summary Suspension/Notice of Opportunity for Hearing on December 15, 2022. Respondent timely requested a hearing, and the Matter of Christina Jones came for hearing before Hearing Examiner Ronda Shamansky on June 28, 2023. Respondent was represented by Levi Tkach, and the State of Ohio was represented by Henry Appel, Assistant Attorney General. The Hearing Examiner's Report and Recommendation was issued to Respondent via certified mail, return receipt requested, on or about July 24, 2023. The matter subsequently came for consideration by the Board on October 10, 2023, before the following members: Trina Buettner, RPh, *Presiding*; Anthony Buchta,

Sr., RPh; Victor Goodman, *Public Member*; T.J. Grimm, RPh; Jeff Huston, RPh; and Rich Miller, RPh; and Christine Pfaff, RPh.

Mindy Ferris, RPh and Jason George, RPh were absent.

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items: the State's Exhibits, the hearing transcript, and Hearing Examiner Shamansky's Report and Recommendation.

DECISION OF THE BOARD

1. Based on a thorough review of the entire administrative record in this matter, the Board hereby confirms and adopts the Findings of Fact contained in Hearing Examiner Hasselback's Report and Recommendation.
2. Based on a thorough review of the entire administrative record in this matter, the Board hereby modifies Hearing Examiner Shamansky's Report and Recommendation to include the following violations of law as set forth in the Summary Suspension dated December 15, 2022, and adopts, as its Conclusion of Law, the following:
 - A. Such conduct as set forth in paragraphs (1), (2), (3)(a), (3)(b), (3)(c), (3)(d), and (3)(e) of the Allegations Section, if proven, constitutes a violation of Section 2913.02 of the ORC, theft of a dangerous drug.
 - B. Such conduct as set forth in paragraphs (1), (2), and (4) of the Allegations Section, if proven, constitutes a violation of Section 2925.11(A) of the ORC, possession of drugs (Schedule III and Schedule IV controlled substances).
 - C. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of the following divisions of (A) of section 4729.96 of the ORC, as effective October 9, 2021:
 1. Engaged in dishonesty or unprofessional conduct, as prescribed in rules adopted by the board under section 4729.94 of the Revised Code, ORC 4729.96 Section (A)(2)(b); and/or

2. Is addicted to or abusing alcohol or drugs or impaired physically or mentally to such a degree as to render the individual unable to perform the individual's duties, ORC 4729.96 Section (A)(2)(c); and/or
3. Violated, conspired to violate, attempted to violate, or aided and abetted the violation of any of the provisions of this chapter, sections 3715.52 to 3715.72 of the Revised Code, Chapter 2925. or 3719. of the Revised Code, or any rule adopted by the board under those provisions, ORC 4729.96 Section (A)(2)(d); and/or
4. Engaged in any other conduct for which the board may impose discipline as set forth in rules adopted by the board under section 4729.94 of the Revised Code, ORC Section 4729.96(A)(2)(g).

Based on a thorough review of the administrative record, and the findings of fact (Paragraph (1) above) and conclusions of law (Paragraph (2) above) made by the Board in this matter, the Board hereby modifies Hearing Examiner Hasselback's Report and Recommendation and removes the summary suspension and suspends indefinitely Christina Jones' Certified Pharmacy Technician registration number 09-314252 as of the mailing of this order. Any petition for reinstatement for licensure or registration will not be considered for 18 months from the date of this Order.

Christina Jones, pursuant to Rule 4729:3-1-01(BB) of the Administrative Code, may not be employed by or work in a facility licensed by the State Board of Pharmacy to possess or distribute dangerous drugs during such period of suspension.

Further, Ms. Jones may only apply for any license or registration over which the State of Ohio Board of Pharmacy has jurisdiction, including those set forth in Chapters 3719., 3796., 4729. or 4752. of the Revised Code, if she provides satisfactory proof to the Board that she is no longer addicted to or abusing liquor or drugs or impaired physically or mentally to such a degree as to render her unfit to perform the duties of a pharmacy technician, to include at minimum, unless otherwise approved by the Board:

- a. Successful completion of a Board-approved or court-ordered treatment program; and
- b. Continuous participation in a Board-approved monitoring program for no less than 24 months, or granted reinstatement, to include all components set forth in OAC 4729:4-1-04.

Ms. Pfaff moved to confirm and adopt the Hearing Examiner's Findings of Fact; Mr. Buchta, Sr. seconded the motion. Motion passed (Yes-6/No-0).

Ms. Pfaff moved to confirm and adopt the Hearing Examiner's Conclusions of Law; Mr. Buchta, Sr. seconded the motion. Motion passed (Yes-6/No-0).

Ms. Pfaff moved to modify the Hearing Examiner's recommendation, as described above; Mr. Buchta, Sr. seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

R-2024-0179

After votes were taken in public session, the Board adopted the following order in the Matter of **Julie Stapleton, Cincinnati, Ohio**.

**ORDER OF THE STATE OF OHIO BOARD OF PHARMACY
CONFIRMING AND APPROVING IN PART AND MODIFYING IN
PART
REPORT AND RECOMMENDATION OF HEARING EXAMINER**
(Case No. A-2023-0210)

In the Matter of Julie Stapleton:

Julie Stapleton
526 Davis Road
Cincinnati, OH 45255
Certified Pharmacy Technician, no. 09-303650

INTRODUCTION

Julie Stapleton (Respondent) was issued a Certified Pharmacy Technician Registration (No. 09-303650) on February 14, 2018. The Board issued a Summary Suspension/Notice of Opportunity for Hearing on May 10, 2023. Respondent timely requested a hearing, and the Matter of Julie Stapleton came for hearing before Hearing Examiner Robert C. Angell on August 3, 2023. Respondent was present at the hearing and was not represented by an attorney, and the State of Ohio was represented by Henry Appel, Assistant Attorney General. The Hearing Examiner's Report and Recommendation was issued to Respondent via certified mail, return receipt requested, on or about August 31, 2023. The matter subsequently came for consideration by the Board on October 10, 2023, before the following members: Trina Buettner, RPh, *Presiding*; Anthony Buchta, Sr., RPh; Victor Goodman, *Public Member*; T.J. Grimm, RPh; Jeff Huston, RPh; Rich Miller, RPh; and Christine Pfaff, RPh.

Mindy Ferris, RPh and Jason George, RPh were absent.

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items: the State's Exhibits, the hearing transcript, and Hearing Examiner Angell's Report and Recommendation.

DECISION OF THE BOARD

1. Based on a thorough review of the entire administrative record in this matter, the Board hereby confirms and adopts the Findings of Fact contained in Hearing Examiner Angell's Report and Recommendation.
2. Based on a thorough review of the entire administrative record in this matter, the Board hereby confirms and adopts the Conclusions of Law contained in Hearing Examiner Angell's Report and Recommendation.

Based on a thorough review of the administrative record, and the findings of fact (Paragraph (1) above) and conclusions of law (Paragraph (2) above) made by the Board in this matter, the Board hereby modifies Hearing Examiner Angell's Report and Recommendation and removes the summary suspension and suspends indefinitely Julie Stapleton's

Certified Pharmacy Technician registration number 09-303650 as of the mailing of this order. Any petition for reinstatement for licensure or registration will not be considered for 12 months from the date of this Order.

Julie Stapleton, pursuant to Rule 4729: 3-1-01 (BB) of the Administrative Code, may not be employed by or work in a facility licensed by the State Board of Pharmacy to possess or distribute dangerous drugs during such period of suspension.

Further, Ms. Stapleton may only apply for any license or registration over which the State of Ohio Board of Pharmacy has jurisdiction, including those set forth in Chapters 3719., 3796., 4729. or 4752. of the Revised Code, if she provides satisfactory proof to the Board that she is no longer addicted to or abusing liquor or drugs or impaired physically or mentally to such a degree as to render her unfit to perform the duties of a pharmacy technician, to include at minimum, unless otherwise approved by the Board:

- a. Successful completion of a Board-approved or court-ordered treatment program; and
- b. Continuous participation in a Board-approved monitoring program for no less than 24 months, or granted reinstatement, to include all components set forth in OAC 4729:4-1-04.

Ms. Pfaff moved to confirm and adopt the Hearing Examiner's Findings of Fact; Mr. Buchta, Sr. seconded the motion. Motion passed (Yes-6/No-0).

Ms. Pfaff moved to confirm and adopt the Hearing Examiner's Conclusions of Law; Mr. Buchta, Sr. seconded the motion. Motion passed (Yes-6/No-0).

Ms. Pfaff moved to modify the Hearing Examiner's recommendation, as described above; Mr. Buchta, Sr. seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

R-2024-0180

After votes were taken in public session, the Board adopted the following order in the Matter of **Brittany Wilke, Hamilton, Ohio**.

**ORDER OF THE STATE OF OHIO BOARD OF PHARMACY
CONFIRMING AND APPROVING IN PART AND MODIFYING IN
PART REPORT & RECOMMENDATION OF HEARING EXAMINER**

(Case Number A-2023-0061)

IN THE MATTER OF:
Brittany Wilke 1184 Allen Ave.
Hamilton, OH 45015
bratanikis06@aol.com

Pending Registration No. APP-000667467

INTRODUCTION

Brittany Wilke (Respondent) submitted an application for registration as a Pharmacy Technician Trainee in the State of Ohio (APP-000667467) on December 20, 2022. The State of Ohio Board of Pharmacy (Board) issued a Notice of Opportunity for Hearing/Proposal to Deny Application for Technician Registration on April 13, 2023. Respondent timely requested a hearing, and the Matter of Brittany Wilke came for hearing before Hearing Examiner David G. Hasselback on July 7, 2023. Respondent appeared pro se and the State of Ohio was represented by Henry Appel, Assistant Attorney General. The Hearing Examiner's Report and Recommendation was issued to Respondent via certified mail, return receipt requested, on or about August 15, 2023. A courtesy copy was also issued to Respondent via email that day. The matter subsequently came for consideration by the Board on October 11, 2023, before the following members: Trina Buettner, RPh, Presiding; Victor Goodman, Esq., Public Member; T.J. Grimm, RPh; Jeff Huston, RPh; Rich Miller, RPh; Christine Pfaff, RPh; and Anthony Buchta, Sr., RPh.

Absent: Mindy Ferris, RPh; Jason George, RPh.

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items: the State's Exhibits, the hearing transcript, and Hearing Examiner Hasselback's Report and Recommendation.

DECISION OF THE BOARD

1. Based on a thorough review of the administrative record in this matter, the Board hereby confirms and approves the Findings of Fact as set forth in Hearing Examiner Hasselback's Report and Recommendation.

2. Based on a thorough review of the administrative record in this matter, the Board hereby confirms and approves the Conclusions of Law contained in Hearing Examiner Hasselback's Report and Recommendation, with modification to include the Violations of Law, in their entirety, as forth in the Notice of Opportunity for Hearing issued in case number A-2023-0061.

3. Based on a thorough review of the administrative record, and the Findings of Fact (Paragraph 1 above) and Conclusions of Law (Paragraph 2 above) made by the Board in this matter, the Board hereby confirms and approves in part, and modifies in part, Hearing Examiner Hasselback's Report and Recommendation and grants Respondent's pharmacy technician trainee license with no written reprimand.

Ms. Pfaff moved to confirm and approve the Hearing Examiner's Findings of Fact, as described above; Mr. Buchta seconded the motion. Motion passed (Yes-6/No-0).

Ms. Pfaff moved to confirm and approve the Hearing Examiner's Conclusions of Law, with modification, as described above; Mr. Buchta seconded the motion. Motion passed (Yes-6/No-0).

Mr. Pfaff moved to adopt the Hearing Examiner's recommendation, with the modification as described above; Mr. Buchta seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

R-2024-0181

After votes were taken in public session, the Board adopted the following order in the Matter of **Valerie Quinonez, Madison, Ohio**.

**ORDER OF THE STATE OF OHIO BOARD OF PHARMACY
CONFIRMING AND APPROVING IN PART AND MODIFYING IN
PART
REPORT AND RECOMMENDATION OF HEARING EXAMINER**
(Case No. A-2023-0065)

In the Matter of Valerie Quinonez:

Valerie Quinonez
502 Jonquil Lane
Madison, OH 44057
Certified Pharmacy Technician, no. 09-301234

INTRODUCTION

Valerie Quinonez (Respondent) was issued a Certified Pharmacy Technician Registration (No. 09-301234) on January 12, 2018. The Board issued a Summary Suspension/Notice of Opportunity for Hearing on February 9, 2023. Respondent timely requested a hearing, and the Matter of Valerie Quinonez came for hearing before Hearing Examiner Anna L. Bates on June 21, 2023. Respondent was present at the hearing and was not represented by an attorney, and the State of Ohio was represented by Henry Appel, Assistant Attorney General. The Hearing Examiner's Report and Recommendation was issued to Respondent via certified mail, return receipt requested, on or about July 26, 2023. The matter subsequently came for consideration by the Board on October 10, 2023, before the following members: Trina Buettner, RPh, *Presiding*; Anthony Buchta, Sr., RPh; Victor Goodman, *Public Member*; T.J. Grimm, RPh; Jeff Huston, RPh; and Rich Miller, RPh; and Christine Pfaff, RPh.

Mindy Ferris, RPh and Jason George, RPh were absent.

BOARD REVIEW OF THE RECORD

The Board reviewed the entire administrative record in this matter prior to making its decision, which included the following items: the State's Exhibits, the hearing transcript, and Hearing Examiner Bates' Report and Recommendation.

DECISION OF THE BOARD

1. Based on a thorough review of the entire administrative record in this matter, the Board hereby modifies Hearing Examiner Bates' Report and Recommendation to include the following findings of fact as set forth in the Summary Suspension dated February 9, 2023, and adopts, as its Findings of Facts, the following:
 - A. Valerie Quinonez denied having an addiction to drugs or alcohol.
2. Based on a thorough review of the entire administrative record in this matter, the Board hereby modifies Hearing Examiner Bates' Report and Recommendation to include the following violations of law as set forth in the Summary Suspension dated February 9, 2023, and adopts, as its Conclusion of Law, the following:
 - D. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of the following divisions of (A) of section 4729.96 of the ORC, as effective October 9, 2021:
5. Engaged in any other conduct for which the board may impose discipline as set forth in rules adopted by the board under section 4729.94 of the Revised Code, ORC Section 4729.96(A)(2)(g).

Based on a thorough review of the administrative record, and the findings of fact (Paragraph (1) above) and conclusions of law (Paragraph (2) above) made by the Board in this matter, the Board hereby modifies Hearing Examiner Bates' Report and Recommendation and removes the summary suspension and revokes Valerie Quinonez's Certified Pharmacy Technician registration number 09-301234 as of the mailing of this Order.

Ms. Pfaff moved to confirm and adopt the Hearing Examiner's Findings of Fact; Mr. Buchta, Sr. seconded the motion. Motion passed (Yes-6/No-0).

Ms. Pfaff moved to confirm and adopt the Hearing Examiner's Conclusions of Law; Mr. Buchta, Sr. seconded the motion. Motion passed (Yes-6/No-0).

Ms. Pfaff moved to modify the Hearing Examiner's recommendation, as described above; Mr. Buchta, Sr. seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

R-2024-0182

Ms. Buettner announced the dismissal of the Notice of Opportunity for Hearing issued on March 16, 2023, in the matter of Harlie Kidd (A-2022-0014).

R-2024-0183

Ms. Buettner announced the dismissal of the Notice of Opportunity for Hearing issued on November 4, 2022, in the matter of Eric Zint (A-2021-0396).

R-2024-0184

Ms. Buettner announced the dismissal of the Notice of Opportunity for Hearing issued on March 8, 2023, in the matter of Eric Zint (A-2022-0351).

R-2024-0185

Ms. Buettner announced the dismissal of the Notice of Opportunity for Hearing issued on November 4, 2022, in the matter of Corner Pharmacy, LLC (A-2021-0399).

R-2024-0186

Ms. Buettner announced the dismissal of the Notice of Opportunity for Hearing issued on November 3, 2022, in the matter of Cheryl Allen (A-2021-0397).

R-2024-0187

Ms. Buettner announced the dismissal of the Notice of Opportunity for Hearing issued on September 6, 2022, in the matter of Erika Muhlenkamp (A-2021-0379, A-2022-0382 & A-2022-0494).

R-2024-0188

Ms. Buettner announced the dismissal of the Notice of Opportunity for Hearing issued on April 26, 2023, in the matter of Mountainside Medical Equipment, Inc. (A-2023-0049).

R-2024-0189

Ms. Buettner announced the dismissal of the Notice of Opportunity for Hearing issued on May 15, 2023, in the matter of Addiction Outreach Clinic (A-2022-0673).

R-2024-0190

Ms. Buettner announced the dismissal of the Notice of Opportunity for Hearing issued on May 15, 2023, in the matter of Addiction Outreach Clinic (A-2022-0674).

R-2024-0191

Ms. Buettner announced the dismissal of the Notice of Opportunity for Hearing issued on May 15, 2023, in the matter of Addiction Outreach Clinic (A-2022-0675).

R-2024-0192

Ms. Buettner announced the dismissal of the Notice of Opportunity for Hearing issued on May 15, 2023, in the matter of Addiction Outreach Clinic (A-2022-0676).

R-2024-0193

Ms. Buettner announced the dismissal of the Notice of Opportunity for Hearing issued on May 15, 2023, in the matter of Addiction Outreach Clinic (A-2022-0677).

R-2024-0194

Ms. Buettner announced the dismissal of the Notice of Opportunity for Hearing issued on May 15, 2023, in the matter of Addiction Outreach Clinic (A-2022-0678).

R-2024-0195

Ms. Buettner announced the dismissal of the Notice of Opportunity for Hearing issued on July 30, 2021, in the matter of Columbus Addiction Center (A-2019-0251).

R-2024-0196

Ms. Buettner announced the dismissal of the Notice of Opportunity for Hearing issued on May 18, 2023, in the matter of Reynolds Medical Walk-In Clinic (A-2022-0032).

R-2024-0197

Ms. Buettner announced the dismissal of the Notice of Opportunity for Hearing issued on March 3, 2022, in the matter of Zunaid Rajab Ali (A-2021-0538).

R-2024-0198

Ms. Buettner announced the dismissal of the Notice of Opportunity for Hearing issued on March 31, 2023, in the matter of Jared Bollman (A-2022-0085).

R-2024-0199

Ms. Buettner announced the dismissal of the Notice of Opportunity for Hearing issued on April 5, 2023, in the matter of Mary Beimesch (A-2021-0093).

R-2024-0200

Ms. Buettner announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE NO. A-2021-0401**

Optimal Health and Wellness
License No. 02-64000147
c/o Suzanne Cavalier, APRN
10416 Main Street
New Middletown, OH 44442

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Optimal Health and Wellness for the purpose of resolving all issues between the parties relating to the Board investigation of improper dispensing and improper storage of

dangerous drugs. Together, the Board and Optimal Health and Wellness 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. Optimal Health and Wellness is a licensed Terminal Distributor of Dangerous Drugs under license number 02-64000147.

FACTS

1. The Board initiated an investigation of Optimal Health and Wellness, Terminal Distributor of Dangerous Drugs license number 02-64000147, related to Optimal Health and Wellness's improper dispensing and improper storage of dangerous drugs.
2. On or about March 24, 2023, the Board sent a Notice of Opportunity for Hearing to Optimal Health and Wellness, 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 June 30, 2023, Optimal Health and Wellness timely requested an administrative 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. Optimal Health and Wellness neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated March 24, 2023; 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. Optimal Health and Wellness agrees to pay to the Board a monetary penalty the amount of \$250.00 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 Optimal Health and Wellness's TDDD license, number 02-64000147.
5. Optimal Health and Wellness 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. Optimal Health and Wellness 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 Optimal Health and Wellness 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 Optimal Health and Wellness by the Board and will NOT discharge Optimal Health and Wellness from any obligation under the terms of this Agreement.
7. Optimal Health and Wellness agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
8. Optimal Health and Wellness 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 Optimal Health and Wellness will operate.

10. Optimal Health and Wellness 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.

R-2024-0201

Ms. Buettner announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
Case No. A-2023-0183**

HealthyRX Pharmacy
License No. 02-32000030
c/o Hasan Abbas Doueik RPh
3188 S. Byrne Road
Toledo, OH 43614

SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and HealthyRX Pharmacy for the purpose of resolving all issues between the parties relating to the Board investigation of an employee performing duties of a pharmacy technician without obtaining and/or maintaining appropriate registration with the Board. Together, the Board and HealthyRX Pharmacy 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. HealthyRX Pharmacy has an active TDDD license with the Board under license number 02-32000030, which lists Hasan Abbas Doueik, RPh, as the Responsible Person.

FACTS

1. The Board initiated an investigation of HealthyRX Pharmacy, TDDD license number 02-32000030, related to an employee performing duties of a pharmacy technician without obtaining and/or maintaining appropriate registration with the Board.
2. On or about July 6, 2023, the Board sent a Notice of Opportunity for Hearing to HealthyRX 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.

WHEREFORE, the parties desire to resolve the issues relating to the above-referenced findings without resorting to further administrative or judicial 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. HealthyRX Pharmacy neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated July 6, 2023; 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. HealthyRX Pharmacy agrees to pay to the Board a monetary penalty the amount of \$250. This fine will be attached to HealthyRX Pharmacy's license record and must be paid no later than 180 days from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. The Board hereby imposes a written reprimand on HealthyRX Pharmacy's TDDD license, number 02-32000030.
5. HealthyRX 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. HealthyRX 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 HealthyRX 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 HealthyRX Pharmacy by the Board and will NOT discharge HealthyRX Pharmacy from any obligation under the terms of this Agreement.
7. HealthyRX 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. HealthyRX 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 HealthyRX Pharmacy will operate.
10. HealthyRX Pharmacy waives its opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to 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.

R-2024-0202

Ms. Buettner announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE NO. A-2023-0085**

**Ronald Lidderdale, RPh
License No. 03-211472
9926 Cleveland Ave SE**

Magnolia, Ohio 44643

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Ronald Lidderdale, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of providing a non-controlled dangerous drug to a patient without a prescription. Together, the Board and Ronald Lidderdale are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.16 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 4729.07 and 4729.08 of the Ohio Revised Code to practice pharmacy in the state of Ohio.
2. Ronald Lidderdale is a licensed pharmacist in the state of Ohio under license number 03-211472.
3. Ronald Lidderdale is the Responsible Person and owner of Valley View Pharmacy, located at 11141 SR 800 NE, Magnolia, Ohio.

FACTS

1. The Board initiated an investigation of Ronald Lidderdale, pharmacist license number 03-211472, related to providing a non-controlled dangerous drug to a patient without a prescription.
2. On or about June 7, 2023, the Board sent a Notice of Opportunity for Hearing to Ronald Lidderdale, which outlined the allegations and provided notice of his right to a hearing, his rights in such hearing, and his right to submit contentions in writing.
3. On or about June 28, 2023, Ronald Lidderdale timely requested an administrative hearing, which was subsequently scheduled for October 10, 2023. This matter reached settlement prior to 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. Ronald Lidderdale neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated June 7, 2023; 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. Ronald Lidderdale agrees to pay to the Board a monetary penalty in the amount of \$1,000.00. This fine will be attached to Ronald Lidderdale's license record and must be paid no later than 180 days from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. The Board hereby imposes a written reprimand on Ronald Lidderdale's pharmacist license, number 03-211472.
5. Ronald Lidderdale agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
6. Ronald Lidderdale understands that he has the right to be represented by counsel for review and execution of this agreement.
7. Ronald Lidderdale agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which she currently holds a professional license, including to the Board on renewal applications or applications for a new license.
8. Ronald Lidderdale explicitly withdraws his request for a hearing, waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.

9. 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.
10. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
11. 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.
12. 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.
13. This Agreement shall become effective upon the date of the Board President's signature below.

R-2024-0203

Ms. Buettner announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE NO. A-2021-0518**

Rite Aid #4814
License No. 02-1051450
c/o Amanda Converse, RPh
222 South Main Street
Orrville, Ohio 44667

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Rite Aid #4814 for the purpose of resolving all issues between the parties relating to the Board

investigation of drug security. Together, the Board and Rite Aid #4814 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. Rite Aid #4814 is a licensed Terminal Distributor of Dangerous Drugs under license number 02-1051450.

FACTS

1. The Board initiated an investigation of Rite Aid #4814, Terminal Distributor of Dangerous Drugs license number 02-1051450, related to Rite Aid #4814's drug security.
2. On or about May 18, 2023, the Board sent a Notice of Opportunity for Hearing to Rite Aid #4814, 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.

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. Rite Aid #4814 neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated May 18, 2023; 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. Rite Aid #4814 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 Rite Aid #4814's TDDD license, number 02-1051450.
5. Rite Aid #4814 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. Rite Aid #4814 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 Rite Aid #4814 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 Rite Aid #4814 by the Board and will NOT discharge Rite Aid #4814 from any obligation under the terms of this Agreement.
7. Rite Aid #4814 agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
8. Rite Aid #4814 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 Rite Aid #4814 will operate.
10. Rite Aid #4814 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.

R-2024-0204

Ms. Buettner announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE NO. A-2022-0645**

**Rite Aid #794
License No. 02-0124950**
c/o Jermaine Smith, VP of Government & Regulatory Affairs
900 Union Blvd.
Englewood, OH 45322

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Rite Aid #794 for the purpose of resolving all issues between the parties relating to the Board

investigation of drug security. Together, the Board and Rite Aid #794 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. Rite Aid #794 is a licensed Terminal Distributor of Dangerous Drugs under license number 02-0124950.

FACTS

1. The Board initiated an investigation of Rite Aid #794, Terminal Distributor of Dangerous Drugs license number 02-0124950, related to Rite Aid #794's drug security.
2. On or about July 6, 2023, the Board sent a Notice of Opportunity for Hearing to Rite Aid #794, 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 26, 2023, Rite Aid #794, timely requested an administrative hearing. Settlement was reached prior to 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. Rite Aid #794 neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated July 6, 2023; 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. Rite Aid #794 agrees to pay to the Board a monetary penalty the amount of \$2,000. 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 Rite Aid #794's TDDD license, number 02-0124950.
5. Rite Aid #794 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. Rite Aid #794 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 Rite Aid #794 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 Rite Aid #794 by the Board and will NOT discharge Rite Aid #794 from any obligation under the terms of this Agreement.
7. Rite Aid #794 agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
8. Rite Aid #794 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 Rite Aid #794 will operate.
10. Rite Aid #794 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.

R-2024-0205

Ms. Buettner announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE NO. A-2022-0612
A-2023-0156**

**Rite Aid #1659
License No. 02-0438400**

c/o Jermaine Smith, VP of Government & Regulatory Affairs
437 N. Wolf Creek St.
Brookville, OH 45309

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Rite Aid #1659 for the purpose of resolving all issues between the parties relating to the Board investigation of Rite Aid #1659's failure to comply with pharmacy closure notice requirements and responsible person requirements. Together, the Board and Rite Aid #1659 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. Rite Aid #1659 is a licensed Terminal Distributor of Dangerous Drugs under license number 02-0438400.

FACTS

1. The Board initiated an investigation of Rite Aid #1659, Terminal Distributor of Dangerous Drugs license number 02-0438400, related to Rite Aid #1659's failure to comply with pharmacy closure notice requirements and responsible person requirements.
2. On or about June 7, 2023, the Board sent an Amended Notice of Opportunity for Hearing to Rite Aid #1659, 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 June 21, 2023, Rite Aid #1659, timely requested an administrative hearing. Settlement was reached prior to 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. Rite Aid #1659 neither admits nor denies the allegations stated in the Amended Notice of Opportunity for Hearing letter dated June 7, 2023; 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. Rite Aid #1659 agrees to pay to the Board a monetary penalty the amount of \$2,000. 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 Rite Aid #1659's TDDD license, number 02-00438400.
5. Rite Aid #1659 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. Rite Aid #1659 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 Rite Aid #1659 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 Rite Aid #1659 by the Board and will NOT discharge Rite Aid #1659 from any obligation under the terms of this Agreement.
7. Rite Aid #1659 agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

8. Rite Aid #1659 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 Rite Aid #1659 will operate.
10. Rite Aid #1659 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.

R-2024-0206

Ms. Buettner announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE NO. A-2021-0297**

**John Standish, RPh
License No. 03-338075**

6030 Ravine Woods Dr.
Medina, OH 44256

SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and John Standish, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of John Standish's criminal convictions. Together, the Board and John Standish are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.16 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 4729.07 and 4729.08 of the Ohio Revised Code to practice pharmacy in the state of Ohio.
2. John Standish is a licensed pharmacist in the state of Ohio under license number 03-338075.

FACTS

1. The Board initiated an investigation of John Standish, pharmacist license number 03-338075 related to his criminal convictions.
2. On or about March 8, 2023, the Board sent a Notice of Opportunity for Hearing to John Standish, which outlined the allegations and provided notice of his right to a hearing, his rights in such hearing, and his right to submit contentions in writing.
3. On or about March 28, 2023, John Standish, timely requested an administrative hearing, which was subsequently scheduled for October 11, 2023.

WHEREFORE, the parties desire to resolve the issues relating to the above-referenced findings without resorting to further administrative or judicial 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. John Standish neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated March 8, 2023; 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. John Standish agrees to pay to the Board a monetary penalty in the amount of \$250.00. This fine will be attached to John Standish's license record and must be paid no later than 180 days from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. John Standish must obtain five hours of approved continuing pharmacy education (0.5 CEUs) which may not also be used for license renewal. The 0.5 CEUs must be completed within six months from the effective date of this agreement. Copies of completed CEUs must be e-mailed to legal@pharmacy.ohio.gov.
5. The Board hereby imposes a written reprimand on John Standish's pharmacist license, number 03-338075.
6. John Standish agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
7. John Standish understands that he has the right to be represented by counsel for review and execution of this agreement.
8. John Standish agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which he currently holds a professional license, including to the Board on renewal applications or applications for a new license.

9. John Standish explicitly withdraws his request for a hearing, waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.
10. 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.
11. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
12. 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.
13. 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.
14. This Agreement shall become effective upon the date of the Board President's signature below.

R-2024-0207

Ms. Buettner announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE NO. A-2022-0350**

Corner Pharmacy
License No. 02-1420650
c/o Eric Zint, RPh
259 Jefferson Street
Greenfield, OH 45123

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Corner Pharmacy for the purpose of resolving all issues between the parties relating to the Board investigation of a technician working while not being properly registered with the Board. Together, the Board and Corner Pharmacy 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. Corner Pharmacy is a licensed Terminal Distributor of Dangerous Drugs under license number 02-1420650.

FACTS

1. The Board initiated an investigation of Corner Pharmacy, Terminal Distributor of Dangerous Drugs license number 02-1420650, related to Corner Pharmacy's allowing a pharmacy technician to work in the pharmacy without a Board-issued registration.
2. On or about March 8, 2023, the Board sent a Notice of Opportunity for Hearing to Corner 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 March 23, 2023, Corner Pharmacy, through counsel Kerin Lyn Kaminski, timely requested an administrative hearing, which was subsequently scheduled for October 10, 2023.

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. Corner Pharmacy neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated March 8, 2023; 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. Corner Pharmacy agrees to pay to the Board a monetary penalty the amount of \$500.00. 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 Corner Pharmacy's TDDD license, number 02-1420650.
5. Corner 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. Corner 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 Corner 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 Corner Pharmacy by the Board and will NOT discharge Corner Pharmacy from any obligation under the terms of this Agreement.
7. Corner 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. Corner 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 Corner Pharmacy will operate.
10. Corner 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.

R-2024-0208

Ms. Buettner announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE NO. A-2022-0349**

**Cheryl Allen
License No. 09-304876**

9784 Paint Creek Road
Greenfield, OH 45123

SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Cheryl Allen for the purpose of resolving all issues between the parties relating to the Board investigation of you working at Corner Pharmacy, located at 259 Jefferson Street, Greenfield, OH, without a valid registration as a certified pharmacy technician. Together, the Board and Cheryl Allen are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.96 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 4729.90 and 4729.92 of the Ohio Revised Code to perform the duties of a certified pharmacy technician the state of Ohio.
2. Cheryl Allen is a certified pharmacy technician in the state of Ohio under registration number 09-304876.

FACTS

1. The Board initiated an investigation of Cheryl Allen, certified pharmacy technician registration number 09-304876, related to Cheryl Allen's working as a pharmacy technician at Corner Pharmacy without maintaining a valid registration as a pharmacy technician.
2. On or about March 6, 2023, the Board sent a Notice of Opportunity for Hearing to Cheryl Allen which outlined the allegations and provided notice of her right to a hearing, her rights in such hearing, and her right to submit contentions in writing.
3. On or about March 23, 2023, Cheryl Allen, through counsel Kerin Lyn Kaminski, timely requested an administrative hearing, which was subsequently scheduled for October 10, 2023.

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. Cheryl Allen neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated March 6, 2023; 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. Cheryl Allen agrees to pay to the Board the amount of amount of \$200.00. This fine will be attached to the registration record and must be paid no later than 180 days from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. The Board hereby imposes a written reprimand on Cheryl Allen's technician registration, number 09-304876.
5. Cheryl Allen agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
6. Cheryl Allen understands that she has the right to be represented by counsel for review and execution of this agreement.
7. Cheryl Allen agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which she currently holds a professional license, including to the Board on renewal applications or applications for a new license.
8. Cheryl Allen explicitly withdraws her request for a hearing, waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.

9. 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.
10. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
11. 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.
12. 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.
13. This Agreement shall become effective upon the date of the Board President's signature below.

R-2024-0209

Ms. Buettner announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE NO. A-2021-0593**

Stefanie Fox
615 Sibley Road
Toledo, Ohio 43615

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Stefanie Fox, APRN, for the purpose of resolving all issues between the parties relating to the Board investigation of unlawful access to the OARRS database. Together, the Board and Stefanie Fox are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.86 of the Ohio Revised Code and the rules adopted thereunder, the Board has the authority to restrict a person from obtaining further information from the drug database known as the Ohio Automated Rx Reporting System (OARRS).
2. Stefanie Fox is licensed as a Registered Nurse and an Advanced Practice Certified Nurse Practitioner by the Ohio Board of Nursing under license numbers APRN.CNP.024565 and RN.392657.
3. Stefanie Fox signed the OARRS user agreement on July 23, 2019 and is an authorized user of the OARRS database.

FACTS

1. The Board initiated an investigation of Stefanie Fox, related to Stefanie Fox's unlawful access to the OARRS database.
2. On or about May 17, 2023, the Board sent a Notice of Opportunity for Hearing to Stefanie Fox which outlined the allegations and provided notice of her right to a hearing, her rights in such hearing, and her right to submit contentions in writing.
3. On or about June 23, 2023, Stefanie Fox, through counsel, Daniel Zinsmaster, timely requested a hearing. This matter was settled via this Agreement prior to 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. Stefanie Fox neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated May 17, 2023;

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. Stefanie Fox agrees to pay to the Board the amount of amount of \$500.00. This fine must be paid no later than 180 days from the effective date of this Agreement. Payment must be made by means of a personal check made payable to "Ohio Treasurer of State" and mailed with a copy of this Agreement to: State of Ohio Board of Pharmacy, Attn: Finance Department, 77 South High Street, 17th Floor, Columbus, Ohio 43215.
4. Stefanie Fox must obtain fifteen hours of approved continuing education which may not also be used for registration, renewal, or for purposes of obtaining/maintaining licensure with the Ohio Board of Nursing. The ten hours must be in the topics of appropriate Patient-Provider Relationships, Law, Compliance and/or Ethics, and must be completed within six months from the effective date of this agreement. Copies of completed continuing education credits must be e-mailed to legal@pharmacy.ohio.gov.
5. Stefanie Fox agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
6. Stefanie Fox understands that she has the right to be represented by counsel for review and execution of this agreement.
7. Stefanie Fox agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which she currently holds a professional license, including to the Board on renewal applications or applications for a new license.
8. Stefanie Fox explicitly withdraws her request for a hearing, waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.
9. 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.

10. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
11. 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.
12. 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.
13. This Agreement shall become effective upon the date of the Board President's signature below.

R-2024-0210

Ms. Buettner announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
Case No. A-2023-0206
I-2023-0381**

**Nadene Blackwell, RPhT
Registration No. 09-219172
3259 Rabbit Hill Ln.
Columbus, OH 43232-5932**

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Nadene Blackwell for the purpose of resolving all issues between the parties relating to the Board investigation of Nadene Blackwell working at Doctors Pharmacy, located at 4878 W. Broad Street, without a valid registration as a pharmacy technician. Together, the Board and Nadene Blackwell are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.96 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 4729.90 and 4729.92 of the Ohio Revised Code to perform the duties of a registered pharmacy technician in the state of Ohio.
2. Nadene Blackwell is a registered pharmacy technician in the state of Ohio under registration number 09-219172.

FACTS

1. The Board initiated an investigation of Nadene Blackwell, registered pharmacy technician registration number 09-219172 (issued May 1, 2023), related to Nadene Blackwell's working as a pharmacy technician trainee at Doctors Pharmacy without obtaining a valid registration as a pharmacy technician.
2. On or about August 17, 2023 the Board sent a Notice of Opportunity for Hearing to Nadene Blackwell which outlined the allegations and provided notice of her right to a hearing, her rights in such hearing, and her right to submit contentions in writing.

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. Nadene Blackwell neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated August 17, 2023; 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. Nadene Blackwell agrees to pay to the Board the amount of amount of \$25. This fine will be attached to the registration record and must be paid no later than 180 days from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. The Board hereby imposes a written reprimand on Nadene Blackwell's technician registration, number 09-219172.
5. Nadene Blackwell agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
6. Nadene Blackwell understands that she has the right to be represented by counsel for review and execution of this agreement.
7. Nadene Blackwell agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which she currently holds a professional license, including to the Board on renewal applications or applications for a new license.
8. Nadene Blackwell explicitly withdraws her request for a hearing, waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and waives any right to an appeal.
9. 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.
10. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
11. 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.
12. 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.

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

R-2024-0211

Ms. Buettner announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE NO. A-2019-0492**

**Walgreens #07331
License No. 02-1382900**
c/o Ronald Craycraft, R.Ph.
20 W. Market Street
Troy, OH 45373

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Walgreens #07331 for the purpose of resolving all issues between the parties relating to the Board investigation of a certified pharmacy technician's theft of controlled substances and drug security. Together, the Board and Walgreens #07331 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. Walgreens #07331 is a licensed Terminal Distributor of Dangerous Drugs under license number 02-1382900.

FACTS

1. The Board initiated an investigation of Walgreens #07331, Terminal Distributor of Dangerous Drugs license number 02-1382900, related to Walgreens #07331's drug security.
2. On or about September 1, 2021, the Board sent a Notice of Opportunity for Hearing to Walgreens #07331, 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 22, 2021, Walgreens #07331, through counsel, timely requested an administrative hearing, which was set for March 7, 2022. A continuance was granted for settlement negotiations and the hearing was subsequently scheduled for June 8, 2022.

WHEREFORE, the parties desire to resolve the issues relating to the above-referenced findings without resorting to further administrative or judicial 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. Walgreens #07331 neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated September 1, 2021; 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. Walgreens #07331 agrees to pay to the Board a monetary penalty the amount of \$1,000.00. 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 Walgreens #07331's TDDD license, number 02-1382900.

5. Walgreens #07331 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. Walgreens #07331 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 Walgreens #07331 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 Walgreens #07331 by the Board and will NOT discharge Walgreens #07331 from any obligation under the terms of this Agreement.
7. Walgreens #07331 agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
8. Walgreens #07331 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 Walgreens #07331 will operate.
10. Walgreens #07331 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.

R-2024-0212

Ms. Buettner announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE NO. A-2023-0178
I-2023-0381**

**Emmanuel Quainoo, RPh
License No. 03-334937
5375 Cypress Chase
Columbus, OH 43228**

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Emmanuel Quainoo, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of an employee performing duties of a pharmacy technician without obtaining appropriate registration with the Board. Together, the Board and Emmanuel Quainoo are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.16 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 4729.07 and 4729.08 of the Ohio Revised Code to practice pharmacy in the state of Ohio.
2. Emmanuel Quainoo is a licensed pharmacist in the state of Ohio under license number 03-334937.
3. Emmanuel Quainoo is listed as the the Responsible Person of Doctors Pharmacy, located at 4878 W. Broad St., Columbus, Ohio.

FACTS

1. The Board initiated an investigation of Emmanuel Quainoo, pharmacist license number 03-334937, and Doctors Pharmacy, related to an employee of Doctors Pharmacy performing duties of a pharmacy technician without obtaining appropriate registration with the Board.
2. On or about August 16, 2023, the Board sent a Notice of Opportunity for Hearing to Emmanuel Quainoo, which outlined the allegations and provided notice of his right to a hearing, his rights in such hearing, and his right to submit contentions in writing.

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

TERMS

NOW THISEFORE, 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. Emmanuel Quainoo neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated August 16, 2023; 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. Emmanuel Quainoo agrees to pay to the Board a monetary penalty in the amount of \$250. This fine will be attached to Emmanuel Quainoo's license record and must be paid no later than 180 days from the effective date of this Order. To pay this fine, login to www.elicense.ohio.gov and process the items in the cart.
4. The Board hereby imposes a written reprimand on Emmanuel Quainoo's pharmacist license, number 03-334937.
5. Emmanuel Quainoo agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
6. Emmanuel Quainoo understands that he has the right to be represented by counsel for review and execution of this agreement.
7. Emmanuel Quainoo agrees and acknowledges that this Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which he currently holds a professional license, including to the Board on renewal applications or applications for a new license.
8. Emmanuel Quainoo explicitly withdraws his request for a hearing, waives an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.
9. 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.
10. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
11. 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.
12. 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.

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

R-2024-0213

Ms. Buettner announced the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE NO. A-2023-0177
I-2023-0381**

**Doctors Pharmacy
License No. 02-2772500**
c/o Emmanuel Quainoo, RPh
4878 W. Broad St.
Columbus, OH 43228

**SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF
PHARMACY**

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Doctors Pharmacy for the purpose of resolving all issues between the parties relating to the Board investigation of an employee performing duties of a pharmacy technician without obtaining appropriate registration with the Board. Together, the Board and Doctors Pharmacy 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. Doctors Pharmacy is a licensed Terminal Distributor of Dangerous Drugs under license number 02-2772500.

FACTS

1. The Board initiated an investigation of Doctors Pharmacy, Terminal Distributor of Dangerous Drugs license number 02-2772500, related to an employee performing duties of a pharmacy technician without obtaining appropriate registration with the Board.
2. On or about August 16, 2023, the Board sent a Notice of Opportunity for Hearing to Doctors 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.

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. Doctors Pharmacy neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated August 16, 2023; 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. Doctors Pharmacy agrees to pay to the Board a monetary penalty the amount of \$250. 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 Doctors Pharmacy's TDDD license, number 02-2772500.
5. Doctors 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. Doctors 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 Doctors 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 Doctors Pharmacy by the Board and will NOT discharge Doctors Pharmacy from any obligation under the terms of this Agreement.
7. Doctors 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. Doctors 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 Doctors Pharmacy will operate.
10. Doctors 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.

R-2024-0214

President Buettner announced an addition to OAC Rule 4729-2-02 appointments to matters and other duties for Fiscal Year 2024.

R-2024-0215

Mr. Miller moved that the July 10-11, 2023, Board Meeting Minutes be approved as written. The motion was seconded by Mr. Huston and approved by the Board: Yes-5, No-0, Abstain-1 (Mr. Buchta).

R-2024-0216

Mr. Miller moved that the August 7, 2023, Probation Committee Meeting Minutes be approved as written. The motion was seconded by Mr. Huston and approved by the Board: Yes-5, No-0, Abstain-1 (Mr. Buchta).

R-2024-0217

Mr. Miller moved that the August 7, 2023, Board Meeting Minutes be approved as written. The motion was seconded by Mr. Huston and approved by the Board: Yes-5, No-0, Abstain-1 (Mr. Buchta).

R-2024-0218

Mr. Miller moved that the August 16, 2023, Conference Call Meeting Minutes be approved as written. The motion was seconded by Mr. Huston and approved by the Board: Yes-4, No-0, Abstain-2 (Mr. Buchta and Mr. Goodman).

R-2024-0219

Mr. Miller moved that the September 6, 2023, Conference Call Meeting Minutes be approved as written. The motion was seconded by Mr. Huston and approved by the Board: Yes-4, No-0, Abstain-2 (Mr. Buchta and Mr. Goodman).

R-2024-0220

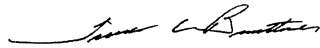
Mr. Miller moved that the September 27, 2023, Conference Call Meeting Minutes be approved as written. The motion was seconded by Mr. Huston and approved by the Board: Yes-4, No-0, Abstain-2 (Mr. Buchta and Mr. Goodman).

R-2024-0221

Mr. Grimm moved to adjourn the October 2023 State of Ohio Board of Pharmacy Meeting. The motion was seconded by Mr. Huston and approved by the Board: Yes-6, No-0.

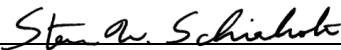
12:11 p.m.

The Board Meeting Adjourned.



Trina Buettner, RPh, President

Date: 11.06.2023



Steven W. Schierholt, Executive Director

Date: 11.06.2023