

MINUTES OF THE JULY 8 - 9, 2025
MEETING OF THE OHIO BOARD OF PHARMACY

Tuesday, July 8, 2025

9:01 a.m.

The 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:

Jeff Huston, RPh, President; Jason George, RPh Vice President; Anthony Buchta, Sr., RPh; Trina Buettner, RPh; Mindy Ferris, RPh; TJ Grimm, RPh; Leonard Hubert, Public Member; and Rich Miller, RPh.

Absent: Christine Pfaff, RPh.

Also present were Steven Schierholt, *Executive Director*; Sharon Maerten-Moore, *Chief Legal Counsel*; and Jennifer Nelson, *Legal Administrative Assistant*.

9:01 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 **Hayley Rose Jaeger, Loveland, OH (A-2024-0264)**.

R-2026-0001

Mr. Grimm 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. George and approved by the Board: Yes-7, No-0.

10:35 a.m.

The deliberation ended and the hearing opened to the public.

R-2026-0002

After votes were taken in public session, the Board adopted the following order in the Matter of Hayley Rose Jaeger, Loveland, OH (A-2024-0264).

ORDER OF THE OHIO BOARD OF PHARMACY

Case Number A-2024-0264

In The Matter Of:
Hayley Jaeger
621 Ibold Road

Loveland, OH 45140
License no. 03441096

INTRODUCTION

The Matter of Hayley Jaeger came for hearing on July 8, 2025, before the following members of the Ohio Board of Pharmacy (Board): Jeff Huston, RPh, *Presiding*; Jason George, RPh, Vice President; Anthony Buchta, Sr., RPh; Trina Buettner, RPH; Mindy Ferris, RPh; T.J. Grimm, RPh; Leonard Hubert, *Public Member*; and Rich Miller.

Christine Pfaff, RPh - Absent

Hayley Jaeger was represented by Levi Tkach. The State of Ohio was represented by Henry Appel, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witnesses:

1. None

Respondent's Witnesses:

1. Hayley Jaeger
2. Andy Pierron

State's Exhibits:

1. Notice Letter
2. Request for Hearing
3. Scheduling Order
4. Statement of Respondent
5. Theft and Loss Report #1
6. Theft and Loss Report #2
7. Theft and Loss Report #3
8. Theft and Loss Report #4
9. Theft and Loss Report #5
10. Theft and Loss Report #6
11. Theft and Loss Report #7
12. Theft and Loss Report #8
13. Indictment

14. Intervention in Lieu of Conviction

Respondent's Exhibits:

- A. Resume of Haley Jaeger, RPh
- B. PRO Contract (Sept. 11, 2024)
- C. PRO Participant Summary Report (Mar 22, 2025)
- D. Vault Testing Result Report and Summary
- E. PRO Letter of Compliance (Jun 14, 2025)
- F. Cornerstone Discharge Summary (Sept 05, 2024)
- G. Cornerstone Ltr. of Completion (Sept. 12, 2024)
- H. Letters of Support (June 2025)
- I. [REDACTED]

FINDINGS OF FACT

After hearing the testimony, observing the demeanor of the witnesses, considering the evidence, and weighing the credibility of each, the Board finds the following to be fact:

1. From on or about May 1, 2022, to on or about May 31, 2024, Hayley Jaeger stole Adderall, methylphenidate, and Vyvanse, all Schedule II controlled substances, from multiple CVS Pharmacy locations.
2. On or about May 31, 2024, Hayley Jaeger answered questions from her employer, CVS Pharmacy, in writing. She made the following written assertions:
 - a. Hayley Jaeger stated she had taken Schedule II controlled substances out of filled scripts for personal use 350 times. They included the following controlled substances:
 - i. Adderall, 10mg and 20mg.
 - ii. Methylphenidate, 10mg, 20mg, 36mg, and 54mg.
 - iii. Vyvanse, 30mg, 40mg, 50mg, 60mg, and 70mg.
 - b. Hayley Jaeger stated she took 27 tablets of Adderall, a Schedule II controlled substance, from stock bottles for personal use.
 - c. Hayley Jaeger stated she started taking controlled substances in May 2022.

- d. Hayley Jaeger stated she shared her pharmacist credentials with technicians to complete DUR (drug utilization review).

CONCLUSIONS OF LAW

1. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of Section 2913.02 of the ORC, theft of a dangerous drug (Schedule II controlled substance).
2. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of Section 2925.11(A) of the ORC, aggravated possession of a Schedule II controlled substance.
3. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of the following divisions of (A) of section 4729.16 of the ORC effective as of October 9, 2021, and April 6, 2023:
 - a. Engaged in dishonesty or unprofessional conduct in the practice of pharmacy, ORC 4729.16 Section (A)(2)(b); and
 - b. Is addicted to or abusing alcohol or drugs or is impaired physically or mentally to such a degree as to render the pharmacist unfit to practice pharmacy, ORC Section 4729.16(A)(2)(c); and
 - c. 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 4729.16(A)(2)(e); and
 - d. Permitted someone other than a pharmacist or pharmacy intern to practice pharmacy, ORC 4729.16(A)(2)(f); and
 - e. Engaged in any other conduct for which the board may impose discipline as set forth in rules adopted under section 4729.26 of the Revised Code, ORC Section 4729.16(A)(2)(l).
4. Such conduct as set forth in the Allegations Section, if proven, each constitutes a violation of each of the following divisions of Rule 4729:1-4-01(B)(2) of the OAC as effective April 25, 2022:
 - a. Engaged in dishonesty or unprofessional conduct in the practice of pharmacy, OAC Rule 4729:1-4-01(B)(2)(b); and

- b. Is addicted to or abusing alcohol or drugs or is impaired physically or mentally to such a degree as to render the pharmacist unfit to practice pharmacy, OAC Rule 4729:1-4-01(B)(2)(c); and
- c. Violated, conspired to violate, attempted to violate, or aided and abetted the violation of any of the provisions of Chapter 4729. of the Revised Code, sections 3715.52 to 3715.72 of the Revised Code, Chapter 2925., 3796., 3719. or 4752. of the Revised Code, or any rule adopted by the board under those provisions, OAC Rule 4729:1-4-01(B)(2)(d); and
- d. Permitted someone other than a pharmacist or pharmacy intern to practice pharmacy, OAC Rule 4729:1-4-01(B)(2)(e); and
- e. Violated any state or federal law, regulation or rule regardless of the jurisdiction in which the acts were committed, except for minor traffic violations such as parking violations, speeding tickets and violations such as failure to obey a red light, failure to use a turn signal or expired vehicle registration, OAC Rule 4729:1-4-01(B)(2)(k); and
- f. Failed to conform to prevailing standards of care of similar pharmacists under the same or similar circumstances, whether or not actual injury to a patient is established, OAC Rule 4729:1-4-01(B)(2)(n).

DECISION OF THE BOARD

Pursuant to Section 3719.121 of the Ohio Revised Code, the State Board of Pharmacy hereby removes the Summary Suspension Order issued to Hayley Jaeger on date.

Pursuant to Section 4729.16 of the Ohio Revised Code, and after consideration of the record as a whole, the State Board of Pharmacy hereby suspends indefinitely pharmacist license no. 03-441096, held by Hayley Jaeger and such suspension is effective as of the date of the issuance of this Order.

Hayley Jaeger, pursuant to Rule 4729:1-1-01(T) of the Ohio Administrative Code, may not be employed by or work in a facility licensed by the Ohio Board of Pharmacy to possess or distribute dangerous drugs and/or medical marijuana during such period of suspension.

Further, on or after January 20, 2026, the Board will consider any petition filed by Hayley Jaeger for a hearing for reinstatement, pursuant to Ohio Revised Code Chapter 119. The Board will only consider reinstatement of the license to practice pharmacy in Ohio if the following conditions have been met:

1. Hayley Jaeger must maintain a current address with the Board throughout the duration of the suspension.

2. Hayley Jaeger 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. Hayley Jaeger 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 Hayley Jaeger 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 or an alternative testing protocol (1 PETH, 1 hair/nail, and one urine drug screen per quarter or other testing as directed by the Board approved treatment monitor) shall be followed.
 - 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 Glucuronide (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 Hayley Jaeger 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. Hayley Jaeger must meet the daily check-in requirements of the testing center or check-in requirements as otherwise proscribed by the treatment monitor.
 - g. 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.
 - h. 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.

- i. The program shall immediately report to the Board any violations of the contract and/or lack of cooperation.
3. Hayley Jaeger 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 the treatment monitor, the Board shall treat these results as a violation of the Board's Order and request Hayley Jaeger reappear before the Board for possible additional sanctions, including and up to revocation of license.
4. Hayley Jaeger shall not refuse a breathalyzer or other drug testing requested by law enforcement during the duration of suspension. The Board shall treat any such refusal as a violation of the Board's Order and request Hayley Jaeger reappear before the Board for possible additional sanctions, including and up to revocation of license.
5. Hayley Jaeger must immediately report any violation of the terms of this suspension 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 Hayley Jaeger to possible additional sanctions, including and up to revocation of license.
6. Hayley Jaeger must demonstrate 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 practice pharmacy.
7. Hayley Jaeger must provide, in the reinstatement petition, documentation of the following:
 - a. Compliance with the contract required above (e.g. proof of compliance with all drug and alcohol screening requirements and copies of all drug and alcohol screen reports, meeting attendance records, treatment program reports, etc.);
 - b. Compliance with the continuing pharmacy education requirements set forth in 4729:1-5-02 of the Ohio Administrative Code as applicable and in effect on the date of petitioning the Board for reinstatement;
 - c. Compliance with the terms of this Order.
8. The Board will determine the appropriate terms of probation, as applicable, based on the evidence presented at the reinstatement hearing. If reinstatement is not accomplished within three years of the effective date of the Summary Suspension/Notice of Opportunity for Hearing, Hayley Jaeger must also show successful completion of the North American Pharmacist Licensure Examination

(NAPLEX) and the Multistate Pharmacy Jurisprudence Exam (MPJE), or an equivalent examination(s) approved by the Board.

9. Hayley Jaeger 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.
10. When deemed appropriate by the Board, Hayley Jaeger must submit to a psychiatric evaluation, and, where appropriate, continued treatment acceptable to the Board.
11. Hayley Jaeger 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 suspension, other than in instances where the board or its probation committee can be assured that monitoring is otherwise being performed.
12. Violation of any term of suspension, including but not limited to any violation of the contract signed with the treatment monitor and/or ODMHAS or other approved treatment provider may result in additional action before the Board up to and including revocation of your pharmacy license.
13. Any violation of Chapters 2925., 3715., 3719., 4729., of the Ohio Revised Code, any administrative code violation or a violation of any other state, federal, or local law will be considered a violation of this Order resulting in a hearing before the Board and may also result in criminal and/or administrative charges.
14. Periods during which Hayley Jaeger is not in compliance with all terms of suspension shall toll the length of time of suspension during which Hayley Jaeger was out of compliance. The minimum length of time each violation will toll the suspension term is available on the Board's website, www.pharmacy.ohio.gov. The Board may implement additional disciplinary action in addition to or instead of tolling suspension.
15. If Hayley Jaeger's employment is related to the practice of pharmacy, Hayley Jaeger must provide copies of the board order or settlement agreement to all employers or prospective employers, all licensing authorities in which Hayley Jaeger holds a professional license or applies for a professional license, all persons who provide Hayley Jaeger chemical dependency treatment monitoring, and law enforcement and court personnel if Hayley Jaeger has court involvement, such as ILC, drug court

or diversion, related the suspension, during the effective period of this order or agreement.

16. Failure to complete the terms set forth in this Board's Order, or to petition for reinstatement within five years of the date of this Order, may result in the Board issuing a notice of opportunity for hearing to consider additional disciplinary action, including and up to revocation of Hayley Jaeger's license.

Further, the Board hereby grants the State's and Respondent's Motions to Seal the Record in this matter including, but not limited to, all confidential patient health information contained in the record, specifically State's exhibits 13 and 14 and Respondent's exhibits F, G, and I.

Mindy Ferris moved for Findings of Fact; Anthony Buchta, Sr. seconded the motion. Motion passed (Yes-7/No-0).

Mindy Ferris moved for Conclusions of Law; Anthony Buchta, Sr. seconded the motion. Motion passed (Yes-7/No-0).

Mindy Ferris moved for Action of the Board; Anthony Buchta, Sr. seconded the motion. Motion passed (Yes-7/No-0).

SO ORDERED.

10:39 a.m.

The Board took a brief recess.

10:41 a.m.

The Board returned to public session and 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 **Khyle Wai-Yee Dutkiewicz-Wilson, Strongsville, OH (A-2023-0335)**.

R-2026-0003

Mr. Grimm 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. George and approved by the Board: Yes-7, No-0.

12:13 p.m.

The deliberation ended and the hearing opened to the public.

R-2026-0004

After votes were taken in public session, the Board adopted the following order in the Matter of Khyle Wai-Yee Dutkiewicz-Wilson, Strongsville, OH (A-2023-0335).

ORDER OF THE OHIO BOARD OF PHARMACY

Case Number A-2023-0335

In The Matter Of:
Khyle Wai-Yee Dutkiewicz-Wilson, RPh
20094 Wildwood Lane
Strongsville, OH 44149
License no. 03-129924

INTRODUCTION

The Matter of Khyle Wai-Yee Dutkiewicz-Wilson came for hearing on July 8, 2025, before the following members of the Ohio Board of Pharmacy (Board): Jeff Huston, *Presiding*; Jason George, RPh, *Vice President*; Anthony Buchta, Sr., RPh; Trina Buettner, RPh; Mindy Ferris, RPh; T.J. Grimm, RPh; Leonard Hubert, *Public Member*; and Rich Miller, RPh.

Christine Pfaff, RPh; Absent.

Khyle Wai-Yee Dutkiewicz-Wilson was represented by Levi Tkach. The State of Ohio was represented by Henry Appel, Assistant Attorney General.

SUMMARY OF EVIDENCE**State's Witnesses:**

1. None

Respondent's Witnesses:

1. Khyle Wai-Yee Dutkiewicz-Wilson
2. Dr. Richard Whitney

State's Exhibits:

1. Notice Letter
2. Board Order
3. Scheduling Order
4. Email (Partially Redacted)

Respondent's Exhibits:

- A. Resume of Khyle Wai-Yee Dutkiewicz-Wilson, R.Ph.
- B. Ohio PHP Monitoring Agreement (Oct 2, 2024)

- C. Ohio PHP Compliance Letter (May 28, 2025)
- D. CPE Transcript (May 19, 2025)
- E. Court Dismissal for ILC (Mar. 20, 2025) (Under Seal)

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 Khyle Wai-Yee Dutkiewicz-Wilson has substantially complied with the terms, except for the length of her contract with Ohio PHP, set forth in the Board Order of the Ohio Board of Pharmacy, Case No. A-2023-0335 dated June 6, 2024.

On the basis of the Finding of Fact set forth above, and after consideration of the record as a whole, the Ohio Board of Pharmacy hereby approves the reinstatement of the pharmacist license no. 03-129924, held by Khyle Wai-Yee Dutkiewicz- Wilson, to practice pharmacy in Ohio, effective November 1, 2025. The Board makes this decision based on the testimony of Dr. Richard Whitney of Ohio PHP, who testified that Khyle Wai-Yee Dutkiewicz-Wilson is fit to practice the profession of pharmacy in his medical opinion. The Board explicitly prohibits Khyle Wai-Yee Dutkiewicz-Wilson from ingesting any medications that have not been legally prescribed to her. Furthermore, the prescription shall be filled by a pharmacist who does not have a personal relationship with Khyle Wai-Yee Dutkiewicz-Wilson and must be approved by the treatment monitor. The license will be issued subject to the completion of proper licensing paperwork. License no. 03-129924 is subject to a period of probation for five years beginning on November 1, 2025, with the following conditions:

1. Khyle Wai-Yee Dutkiewicz-Wilson 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. Khyle Wai-Yee Dutkiewicz-Wilson 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 Khyle Wai-Yee Dutkiewicz-Wilson 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 or an alternative testing protocol (1 PETH, 1 hair/nail, and one urine drug screen per quarter or other testing as directed by the Board approved treatment monitor) shall be followed.

- 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 Glucuronide (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 Khyle Wai-Yee Dutkiewicz-Wilson 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. Khyle Wai-Yee Dutkiewicz-Wilson 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. Khyle Wai-Yee Dutkiewicz-Wilson 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 Khyle Wai-Yee Dutkiewicz-Wilson reappear before the Board for possible additional sanctions, including and up to revocation of license.
 4. Khyle Wai-Yee Dutkiewicz-Wilson 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 Khyle

Wai-Yee Dutkiewicz-Wilson reappear before the Board for possible additional sanctions, including and up to revocation of license.

5. Kyle Wai-Yee Dutkiewicz-Wilson 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 Kyle Wai-Yee Dutkiewicz-Wilson's progress towards recovery and what Kyle Wai-Yee Dutkiewicz-Wilson 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. Kyle Wai-Yee Dutkiewicz-Wilson must provide copies of the board order or settlement agreement to all employers or prospective employers, all licensing authorities in which Kyle Wai-Yee Dutkiewicz-Wilson holds a professional license or applies for a professional license, and all persons who provide Kyle Wai-Yee Dutkiewicz-Wilson chemical dependency treatment or monitoring, during the effective period of this order or agreement.
7. Other terms of probation are as follows:
 - a. Kyle Wai-Yee Dutkiewicz-Wilson must meet at least annually with the Board's Probation Committee, the first meeting to be held August 3, 2026. Additional periodic appearances may be requested.
 - b. The Ohio Board of Pharmacy hereby declares that Kyle Wai-Yee Dutkiewicz-Wilson's pharmacist license is not in good standing and thereby denies the privilege of being a preceptor and training pharmacy interns pursuant to paragraphs (I) and (M) of Rule 4729:2-1-01 of the OAC.
 - c. Kyle Wai-Yee Dutkiewicz-Wilson 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. Khyle Wai-Yee Dutkiewicz-Wilson may not serve as a responsible pharmacist or a designated representative in a dispensary or for home medical equipment.
 - e. Khyle Wai-Yee Dutkiewicz-Wilson may not engage in a consult agreement, unless approved by the board.
 - f. Khyle Wai-Yee Dutkiewicz-Wilson may not destroy, assist in, or witness the destruction of controlled substances.
 - g. Khyle Wai-Yee Dutkiewicz-Wilson may not work in a pharmacy more than 40 hours per week or 80 hours over a two-week period.
 - h. Khyle Wai-Yee Dutkiewicz-Wilson must not violate the drug laws of Ohio, any other state, or the federal government.
 - i. Khyle Wai-Yee Dutkiewicz-Wilson must abide by the rules of the Ohio Board of Pharmacy.
 - j. Khyle Wai-Yee Dutkiewicz-Wilson must comply with the terms of this Order.
 - k. Khyle Wai-Yee Dutkiewicz-Wilson's license is deemed not in good standing until successful completion of the probationary period.
 - l. Khyle Wai-Yee Dutkiewicz-Wilson 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, Khyle Wai-Yee Dutkiewicz-Wilson must submit to a psychiatric evaluation, and, where appropriate, continued treatment acceptable to the Board.
9. Khyle Wai-Yee Dutkiewicz-Wilson 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. Khyle Wai-Yee Dutkiewicz-Wilson 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 Khyle Wai-Yee Dutkiewicz-Wilson 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 Khyle Wai-Yee Dutkiewicz-Wilson's license.

12. Periods during which Khyle Wai-Yee Dutkiewicz-Wilson 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 Khyle Wai-Yee Dutkiewicz-Wilson.

Further, the Board hereby grants the Respondent's Motion to Seal the Record in this matter including, but not limited to, all confidential patient health information contained in the record, specifically Respondent's exhibit: E.

Further, the Board hereby grants the State's Motion to Redact from the record the language in State's exhibit 4 that does not pertain to Khyle Wai-Yee Dutkiewicz-Wilson.

Trina Buettner moved for Findings of Fact; Jason George seconded the motion. Motion passed (Yes-7/No-0).

Trina Buettner moved for the Decision of the Board; Jason George seconded the motion. Motion passed (Yes-7/No-0).

SO ORDERED.

R-2026-0005

Mr. George 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. Grimm and a roll-call vote was conducted by *President* Huston as follows: Buchta-yes; Buettner-yes; Ferris-yes; George-yes; Grimm-yes; Hubert-yes, and Miller-yes

1:26 p.m.

The Board returned to public session and 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 **Candice Keener, Burbank, OH (A-2024-0160)**.

R-2026-0006

Mr. Grimm 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. Huston and approved by the Board: Yes-7, No-0.

2:52 p.m.

Mr. Miller left the Board Meeting for a short time.

R-2026-0007

After votes were taken in public session, the Board adopted the following order in the Matter of **Candice Keener, Burbank, OH (A-2024-0160)**.

ORDER OF THE OHIO BOARD OF PHARMACY

(Case Number A-2024-0160)

In The Matter Of:
Candice Keener, RPh
10845 Parmenter Road
Burbank, Ohio 44214
(License No. 03-129843)

INTRODUCTION

The Matter of Candice Keener came for hearing on July 8, 2025, before the following members of the Ohio Board of Pharmacy (Board): Jeff Huston, RPh, *Presiding*; Jason George, RPh, *Vice President*; Anthony Buchta, Sr., RPh; Trina Buettner, RPh; Mindy Ferris, RPh; T.J. Grimm, RPh; and Leonard Hubert, *Public Member*.

Christine Pfaff, RPh and Rich Miller, RPh; Absent.

Candice Keener was represented by Nicholas Froning. The State of Ohio was represented by Henry Appel, Assistant Attorney General.

SUMMARY OF EVIDENCE**State's Witnesses:**

1. None

Respondent's Witnesses:

1. Andy Pierron – Ohio PRO
2. Sam Kuntz – Glenbeigh
3. Melissa Sorochinsay
4. Candice Keener – Respondent

State's Exhibits:

- 1a. Notice Letter
- 1b. Confidential Addendum*
2. Request for Hearing
3. Scheduling Order
4. Statement of Respondent #1
5. Statement of Respondent #2
6. Urine Drug Test Results
7. Theft and Loss Report #1
8. Theft and Loss Report #2
9. Theft and Loss Report #3
10. Theft and Loss Report #4
11. Theft and Loss Report #5
12. Theft and Loss Report #6
13. Theft and Loss Report #7
14. Report from Drug Mart
15. Indictment
16. Guilty Plea and ILC Entry

Respondent's Exhibits:

- A. Ohio License Look Up Candice Mae Keener, RPh
- B. Medina County Docket Case No. 2024-CR-0825
- C. Glenbeigh Treatment Assessment*
- D. Glenbeigh Treatment*
- E. January 29, 2025 Bi-Weekly Progress Report*
- F. February 14, 2025 Bi-Weekly Progress Report*
- G. Glenbeigh Treatment – Discharge Summary*

- H. March 22, 2025 Glenbeigh Progress Report*
- I. May 28, 2025 Glenbeigh Progress Report*
- J. Pharmacist Rehabilitation Organization
- K. PRO June 14, 2025 Correspondence and Documents – Negative Drug Screens
- L. Exemplary Progress Update regarding Candice Keener from her PRO Peer Monitor
- M. 1st Quarter 2025 – Self Report Documents
- N. April 3, 2025 Medina County Court Journal Entry – Opportunity for ILC Screening
- O. Guilty Plea – Medina County Court
- P. Entry for ILC (Diversion)
- Q. 2nd Quarter 2025 – Self Report Documents*
- R. Testimonial Support Letter from Karl and Cynthia Koenig
- S. Testimonial Support Letter from Shawn Mills, RPh
- T. Correspondence from Denise DeLuca, LPCC, Unity Wellness
- U. Hearing Memorandum*

* Filed under seal

FINDINGS OF FACT

After hearing the testimony, observing the demeanor of the witnesses, considering the evidence, and weighing the credibility of each, the Board adopts the stipulations of the parties and finds the following to be fact:

1. On or about April 2, 2024, Candice Keener was working at Discount Drug Mart #86, located at 38 S. Medina Line Road, Copley, Ohio, as a “floater” pharmacist. Ms. Keener was observed on video pouring a customer’s vial she just filled with oxycodone 5/235mg tablets, a Schedule II controlled substance, into her hand, and then back into the vial. Ms. Keener was then observed to clench her hand and place it in her smock pocket. It was discovered the next day that the store was short one oxycodone 5/325 mg tablet.
2. On or about February 21, 2024, while working at Discount Drug Mart #17, located at 4170 Fulton Road, Cleveland, Ohio, Candice Keener was seen on video pouring hydrocodone 7.5/325 mg tablets, a Schedule II controlled substance, in the Kirby. Ms. Keener was seen catching the tablets before releasing them into the Kirby and clenching her hand. She placed her hand in her smock pocket. It was discovered after her shift that the store was short two hydrocodone 7.5/325 mg tablets.

3. Discount Drug Mart staff discovered eight separate losses of oxycodone and/or hydrocodone that occurred at various locations; each loss occurred after Candice Keener's shift as a pharmacist at that location.
4. Additional Findings of Fact in this matter are contained in Finding of Fact 4 of the attached confidential Addendum A.
5. Additional Findings of Fact in this matter are contained in Finding of Fact 5 of the attached confidential Addendum A.

CONCLUSIONS OF LAW

1. Such conduct as set forth in the Findings of Fact, constitutes a violation of Section 2913.02 of the ORC, theft of a dangerous drug (Schedule II controlled substance).
2. Such conduct as set forth in the Findings of Fact, constitutes a violation of Section 2925.11(A) of the ORC, aggravated possession of a Schedule II controlled substance.
3. Such conduct as set forth in the Findings of Fact, constitutes a violation of the following divisions of (A) of section 4729.16 of the ORC effective as of April 6, 2023:
 - a. Engaged in dishonesty or unprofessional conduct in the practice of pharmacy, ORC 4729.16 Section (A)(2)(b); and
 - b. Is addicted to or abusing alcohol or drugs or is impaired physically or mentally to such a degree as to render the pharmacist unfit to practice pharmacy, ORC Section 4729.16(A)(2)(c); and
 - c. 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 4729.16(A)(2)(e); and
 - d. Engaged in any other conduct for which the board may impose discipline as set forth in rules adopted under section 4729.26 of the Revised Code, ORC Section 4729.16(A)(2)(l).
4. Such conduct as set forth in the Findings of Fact, constitutes a violation of each of the following divisions of Rule 4729:1-4-01(B)(2) of the OAC as effective April 25, 2022:
 - a. Engaged in dishonesty or unprofessional conduct in the practice of pharmacy, OAC Rule 4729:1-4-01(B)(2)(b); and

- b. Is addicted to or abusing alcohol or drugs or is impaired physically or mentally to such a degree as to render the pharmacist unfit to practice pharmacy, OAC Rule 4729:1-4-01(B)(2)(c); and
- c. Violated, conspired to violate, attempted to violate, or aided and abetted the violation of any of the provisions of Chapter 4729. of the Revised Code, sections 3715.52 to 3715.72 of the Revised Code, Chapter 2925., 3796., 3719. or 4752. of the Revised Code, or any rule adopted by the board under those provisions, OAC Rule 4729:1-4-01(B)(2)(d); and
- d. Failed to conform to prevailing standards of care of similar pharmacists under the same or similar circumstances, whether or not actual injury to a patient is established, OAC Rule 4729:1-4-01(B)(2)(n).

DECISION OF THE BOARD

Pursuant to Section 3719.121 of the Ohio Revised Code, the State Board of Pharmacy hereby removes the Summary Suspension Order issued to Candice Keener on May 8, 2024.

Pursuant to Section 4729.16 of the Ohio Revised Code, and after consideration of the record as a whole, the State Board of Pharmacy hereby suspends indefinitely pharmacist license no. 03-129843 held by Candice Keener and such suspension is effective as of the date of the issuance of this Order.

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

The Board will consider any petition for reinstatement, pursuant to Ohio Revised Code Chapter 119, no earlier than eighteen months from the Summary Suspension/Notice of Opportunity for Hearing, issued on May 8, 2024. The Board will only consider reinstatement of Candice Keener's license to practice pharmacy in Ohio if the following conditions have been met:

1. Candice Keener must maintain a current address with the Board throughout the duration of the suspension.
2. Candice Keener 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. Candice Keener 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 Candice Keener 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 or an alternative testing protocol (1 PETH, 1 hair/nail, and one urine drug screen per quarter or other testing as directed by the Board approved treatment monitor) shall be followed.
 - 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 Candice Keener 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. Candice Keener must meet the daily check-in requirements of the testing center or check-in requirements as otherwise proscribed by the treatment monitor.
 - g. 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.
 - h. 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.
 - i. The program shall immediately report to the Board any violations of the contract and/or lack of cooperation.
3. Candice Keener 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 the treatment monitor, the Board shall treat these results as a violation of the Board's Order and request Candice Keener reappear before the Board for possible additional sanctions, including and up to revocation of license.

4. Candice Keener shall not refuse a breathalyzer or other drug testing requested by law enforcement during the duration of suspension. The Board shall treat any such refusal as a violation of the Board's Order and request Candice Keener reappear before the Board for possible additional sanctions, including and up to revocation of license.
5. Candice Keener must immediately report any violation of the terms of this suspension 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 Candice Keener to possible additional sanctions, including and up to revocation of license.
6. Candice Keener must demonstrate 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 practice pharmacy.
7. Candice Keener must provide, in the reinstatement petition, documentation of the following:
 - a. Compliance with the contract required above (e.g. proof of compliance with all drug and alcohol screening requirements and copies of all drug and alcohol screen reports, meeting attendance records, treatment program reports, etc.);
 - b. Compliance with the continuing pharmacy education requirements set forth in 4729:1-5-02 of the Ohio Administrative Code as applicable and in effect on the date of petitioning the Board for reinstatement;
 - c. Compliance with the terms of this Order.
8. The Board will determine the appropriate terms of probation, as applicable, based on the evidence presented at the reinstatement hearing. If reinstatement is not accomplished within **three years** of the Summary Suspension, Candice Keener must also show successful completion of the North American Pharmacist Licensure Examination (NAPLEX) and the Multistate Pharmacy Jurisprudence Exam (MPJE), or an equivalent examination(s) approved by the Board.
9. Candice Keener 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.

10. When deemed appropriate by the Board, Candice Keener must submit to a psychiatric evaluation, and, where appropriate, continued treatment acceptable to the Board.
11. Candice Keener 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 suspension, other than in instances where the board or its probation committee can be assured that monitoring is otherwise being performed.
12. Violation of any term of suspension, including but not limited to any violation of the contract signed with the treatment monitor and/or ODMHAS or other approved treatment provider may result in additional action before the Board up to and including revocation of your pharmacy license.
13. Any violation of Chapters 2925., 3715., 3719., 4729., of the Ohio Revised Code, any administrative code violation or a violation of any other state, federal, or local law will be considered a violation of this Order resulting in a hearing before the Board and may also result in criminal and/or administrative charges.
14. Periods during which Candice Keener is not in compliance with all terms of suspension shall toll the length of time of suspension during which Candice Keener was out of compliance. The minimum length of time each violation will toll the suspension term is available on the Board's website, www.pharmacy.ohio.gov. The Board may implement additional disciplinary action in addition to or instead of tolling suspension.
15. If Candice Keener's employment is related to the practice of pharmacy, Candice Keener must provide copies of the board order or settlement agreement to all employers or prospective employers, all licensing authorities in which Candice Keener holds a professional license or applies for a professional license, all persons who provide Candice Keener chemical dependency treatment monitoring, and law enforcement and court personnel if Candice Keener has court involvement, such as ILC, drug court or diversion, related the suspension, during the effective period of this order or agreement.
16. Failure to complete the terms set forth in this Board's Order, or to petition for reinstatement within five years of the date of this Order, may result in the Board issuing a notice of opportunity for hearing to consider additional disciplinary action, including and up to revocation of Candice Keener's license.

Further, the Board hereby grants the State's Motion to Seal portions of the Record in this matter including, but not limited to, all confidential patient health information contained in the record, specifically State's Exhibit 1b and Respondent's Exhibits C, D, E, F, G, H, I, Q and U.

Ms. Ferris moved for Findings of Fact; Ms. Buettner seconded the motion. Motion passed (Yes-6/No-0).

Ms. Ferris moved for Conclusions of Law; Ms. Buettner seconded the motion. Motion passed (Yes-6/No-0).

Ms. Ferris moved for Action of the Board; Ms. Buettner seconded the motion. Motion passed (Yes-6/No-0).

SO ORDERED.

3:02 p.m.

The Board took a brief recess.

3:08 p.m.

The Board returned to public session and watched the 2025 Ethics Training presentation.

3:22 p.m.

Mr. Miller rejoined the meeting.

R-2026-0008

Mr. George moved to approve a 4.5% increase in compensation to the Executive Director Steven Schierholt for the pay period that includes July 1, 2025, subject to approval of the Governor's Office. The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0.

R-2026-0009

Mr. George 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. Grimm and a roll-call vote was conducted by *President* Huston as follows: Buchta-yes; Buettner-yes; Ferris-yes; George-yes; Grimm-yes; Hubert-yes, and Miller-yes

4:19 p.m.

The Board Meeting concluded for the day.

Wednesday, July 9, 2025**9:00 a.m.**

The 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:

Jeff Huston, RPh, *President*; Jason George, RPh, *Vice President*; Anthony Buchta, Sr., RPh; Trina Buettner, RPh; Mindy Ferris, RPh; TJ Grimm, RPh; Leonard Hubert, Public Member; and Rich Miller, RPh.

Absent: Christine Pfaff, RPh.

Also present were Steven Schierholt, *Executive Director*; Sharon Maerten-Moore, *Chief Legal Counsel*; Ashley Gilber, *Senior Legal Counsel*; and Jennifer Nelson, *Legal Administrative Assistant*.

9:01 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 **Mark Surowiec, Carey, OH (A-2024-0020)**.

R-2026-0010

Mr. Grimm 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. George and approved by the Board: Yes-7, No-0.

9:21 a.m.

The deliberation ended and the hearing opened to the public.

R-2026-0011

After votes were taken in public session, the Board adopted the following order in the Matter of **Mark Surowiec, Carey, OH (A-2024-0020)**.

ORDER OF THE OHIO BOARD OF PHARMACY

(Case Number A-2024-0020)

In The Matter Of:

Mark Surowiec, RPh
232 S Lake St
Carey, OH 43316
(License no. 03-131797)

INTRODUCTION

The Matter of Mark Surowiec came for hearing on July 9, 2025, before the following members of the Ohio Board of Pharmacy (Board): Jeff Huston, RPh, *Presiding*; Jason George, RPh, *Vice President*; Anthony Buchta, Sr., RPh; Trina Buettner, RPh; Mindy Ferris, RPh; T.J. Grimm, RPh; Leonard Hubert, *Public Member*; and Rich Miller, RPh.

Christine Pfaff, RPh; Absent.

Mark Surowiec appeared pro se and was not represented by an attorney. The State of Ohio was represented by Henry Appel, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witnesses:

1. None

Respondent's Witnesses:

1. Mark Surowiec – Respondent

State's Exhibits:

1. Notice Letter
2. Board Order
3. Scheduling Order

Respondent's Exhibits:

- A. Glenbeigh Documents (filed under seal)
- B. Ohio Pharmacists Rehabilitation Organization (Ohio PRO) Contract
- C. Ohio PRO Patient Summary
- D. AA Meeting Attendance Records
- E. RPh Continuing Education Requirements
- F. Letters of Reference and Support

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 Mark Surowiec has substantially complied with the terms set forth in the Board Order of the Ohio Board of Pharmacy, Case No. A-2024-0020, dated March 7, 2024.

On the basis of the Finding of Fact set forth above, and after consideration of the record as a whole, the Ohio Board of Pharmacy hereby approves the reinstatement of the pharmacist license no. 03-131797, held by Mark Surowiec 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. Mark Surowiec 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. Mark Surowiec 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 Mark Surowiec 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 or an alternative testing protocol (1 PETH, 1 hair/nail, and one urine drug screen per quarter or other testing as directed by the Board approved treatment monitor) shall be followed.
 - 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 Glucuronide (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 Mark Surowiec 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. Mark Surowiec 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. Mark Surowiec 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 Mark Surowiec reappear before the Board for possible additional sanctions, including and up to revocation of license.
4. Mark Surowiec 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 Mark Surowiec reappear before the Board for possible additional sanctions, including and up to revocation of license.
5. Mark Surowiec 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 Mark Surowiec's progress towards recovery and what Mark Surowiec 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. Mark Surowiec must provide copies of the board order or settlement agreement to all employers or prospective employers, all licensing authorities in which Mark Surowiec holds a professional license or applies for a professional license, and all persons who provide Mark Surowiec chemical dependency treatment or monitoring, during the effective period of this order or agreement.

7. Other terms of probation are as follows:
 - a. Mark Surowiec must meet at least annually with the Board's Probation Committee, the first meeting to be held August 3, 2026. Additional periodic appearances may be requested.
 - b. The Ohio Board of Pharmacy hereby declares that Mark Surowiec's pharmacist license is not in good standing and thereby denies the privilege of being a preceptor and training pharmacy interns pursuant to paragraphs (I) and (M) of Rule 4729:2-1-01 of the OAC.
 - c. Mark Surowiec 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. Mark Surowiec may not serve as a responsible pharmacist or a designated representative in a dispensary or for home medical equipment.
 - e. Mark Surowiec may not engage in a consult agreement, unless approved by the board.
 - f. Mark Surowiec may not destroy, assist in, or witness the destruction of controlled substances.
 - g. Mark Surowiec may not work in a pharmacy more than 40 hours per week or 80 hours over a two-week period.
 - h. Mark Surowiec must not violate the drug laws of Ohio, any other state, or the federal government.
 - i. Mark Surowiec must abide by the rules of the Ohio Board of Pharmacy.
 - j. Mark Surowiec must comply with the terms of this Order.
 - k. Mark Surowiec's license is deemed not in good standing until successful completion of the probationary period.
 - l. Mark Surowiec 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, Mark Surowiec must submit to a psychiatric evaluation, and, where appropriate, continued treatment acceptable to the Board.
9. Mark Surowiec 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. Mark Surowiec 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 Mark Surowiec 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 Mark Surowiec's license.
12. Periods during which Mark Surowiec 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 Mark Surowiec.

Further, the Board hereby grants the State's Motion to Seal the Record in this matter including, but not limited to, all confidential patient health information contained in the record, specifically Respondent's Exhibit A.

Mr. Grimm moved for Findings of Fact and Decision of the Board; Mr. Hubert seconded the motion. Motion passed (Yes-7/No-0).

SO ORDERED

9:22 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 **Renae McDonald, Toledo, OH (A-2025-0121)**.

R-2026-0012

Mr. Grimm 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. George and approved by the Board: Yes-7, No-0.

10:17 a.m.

The deliberation ended and the hearing opened to the public.

R-2026-0013

After votes were taken in public session, the Board adopted the following order in the Matter of Renae McDonald, Toledo, OH (A-2025-0121).

ORDER OF THE OHIO BOARD OF PHARMACY

Case Number A-2025-0121

In The Matter Of:

Renae McDonald

606 Wyandot St.

Findlay, OH 45840

License no. 06-0004674

INTRODUCTION

The Matter of Renae McDonald (Respondent) came for hearing on July 9, 2025, before the following members of the Ohio Board of Pharmacy (Board): Jeff Huston, RPh, *Presiding*; Jason George, RPh, Vice President; Anthony Buchta, Sr., RPh; Trina Buettner, RPh; Mindy Ferris, RPh; T.J. Grimm, RPh; Leonard Hubert, *Public Member*; Rich Miller, RPh.

Absent: Christine Pfaff, RPh.

Renae McDonald was represented by counsel Drew Mihalik. The State of Ohio was represented by Henry Appel, Assistant Attorney General.

SUMMARY OF EVIDENCE**State's Witnesses:**

1. None.

Respondent's Witnesses:

1. Renae McDonald.

State's Exhibits:

- 1a. Notice Letter
- 1b. Confidential Patient Key (filed under seal)
2. Request for Hearing
3. Scheduling Order
4. Dispensing Record (filed under seal)
5. Hardcopy Dispensing (filed under seal)
6. Patient Profile for Respondent (filed under seal)
7. Police Report

Respondent's Exhibits:

- A. Sylvania Municipal Court Records (filed under seal)
- B. Character Reference Letter (filed under seal)

FINDINGS OF FACT

After hearing the testimony, observing the demeanor of the witnesses, considering the evidence, and weighing the credibility of each, the Board adopts the stipulations of the parties and finds the following to be fact:

1. On or about April 5, 2025, Respondent stole Patient 1's filled prescription of Zepbound (tirzepatide) weight loss medication from Kroger Pharmacy #907, located at 7059 Orchard Centre Dr., Holland, Ohio, where Respondent was employed as a Pharmacy Intern. The loss was discovered after Patient 1 contacted the pharmacy regarding the medication and pharmacy records showed the prescription was previously filled and paid for. Upon reviewing pharmacy surveillance video, Respondent was seen purchasing Patient 1's medication.
2. Further investigation revealed that Respondent possessed an active prescription for Zepbound and on two occasions, on or about March 11, 2025, and on or about April 19, 2025, Respondent dispensed the medications for herself at the pharmacy without paying. Specifically, on March 11, 2025, Respondent released a personally prescribed prescription of #2 Zepbound 5mg and Respondent converted the "online pay" to paying at the register, but she did not pay the \$650 copay. Respondent completed the same process on April 19, 2025, this time while logged in under another associate's credentials, for a personally prescribed prescription of #2 Zepbound 7.5mg and again did not pay the \$650 copay.
3. On or about April 25, 2024, Respondent was questioned by Kroger officials. Respondent admitted to taking a patient's 7.5mg Zepbound prescription on April 5, 2025, and paying the patient's \$150 copay herself. Respondent claimed that she

thought she used the “online pay” for the \$650 copays for her personally prescribed prescriptions on March 11, 2025, and April 19, 2025.

4. On or about May 8, 2025, Respondent spoke with a Board Agent. Respondent admitted to taking Patient 1’s prescription for herself. Respondent stated she thought she used her credit/debit card on file to pay her \$650 copays for her medications that she processed and took from the pharmacy.

CONCLUSIONS OF LAW

1. Such conduct as set forth in the Findings of Fact Section, constitutes a violation of Section 2913.02 of the ORC, theft of a dangerous drug.
2. Such conduct as set forth in the Findings of Fact Section, if proven, constitutes a violation of Section 2925.22 of the ORC, deception to obtain a dangerous drug.
3. Such conduct as set forth in the Findings of Fact Section, constitutes a violation of Section 2925.23 of the ORC, illegal processing of drug documents.
4. Such conduct as set forth in the Findings of Fact Section, constitutes a violation of the following divisions of (A) of section 4729.16 of the ORC, effective as of April 6, 2023:
 - a. Engaged in dishonesty or unprofessional conduct in the practice of pharmacy, ORC 4729.16 Section (A)(2)(b); and
 - b. 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 4729.16(A)(2)(e); and
 - c. Engaged in any other conduct for which the board may impose discipline as set forth in rules adopted under section 4729.26 of the Revised Code, ORC Section 4729.16(A)(2)(l).
5. Such conduct as set forth in the Findings of Fact Section, each constitutes a violation of each of the following divisions of Rule 4729:1-4-01(B)(2) of the OAC as effective April 25, 2022:
 - a. Engaged in dishonesty or unprofessional conduct in the practice of pharmacy, OAC Rule 4729:1-4-01(B)(2)(b); and
 - b. Violated, conspired to violate, attempted to violate, or aided and abetted the violation of any of the provisions of Chapter 4729. of the Revised Code, sections 3715.52 to 3715.72 of the Revised Code, Chapter 2925., 3796., 3719. or 4752. of

the Revised Code, or any rule adopted by the board under those provisions, OAC Rule 4729:1-4-01(B)(2)(d); and

- c. Violated any state or federal law, regulation or rule regardless of the jurisdiction in which the acts were committed, except for minor traffic violations such as parking violations, speeding tickets and violations such as failure to obey a red light, failure to use a turn signal or expired vehicle registration, OAC Rule 4729:1-4-01(B)(2)(k).

DECISION OF THE BOARD

Pursuant to Section 3719.121 of the Ohio Revised Code, the State Board of Pharmacy hereby removes the Summary Suspension Order issued to Renae McDonald on May 12, 2025.

Pursuant to Section 4729.16 of the Ohio Revised Code, and after consideration of the record as a whole, the State Board of Pharmacy hereby suspends indefinitely pharmacy intern license no. 06-0004674 held by Renae McDonald and such suspension is effective as of the date of the issuance of this Order.

Renae McDonald, pursuant to Rule 4729:2-1-01(W) of the Ohio Administrative Code, may not be employed by or work in a facility licensed by the Ohio Board of Pharmacy to possess or distribute dangerous drugs during such period of suspension.

Further, beginning nine (9) months from the effective date of the Summary Suspension/Notice of Opportunity for Hearing (May 12, 2025), the Board will consider any petition filed by Renae McDonald for a hearing, pursuant to Ohio Revised Code Chapter 119., for reinstatement. The Board will only consider reinstatement of the license to practice pharmacy in Ohio if the following conditions have been met:

1. Renae McDonald must maintain a current address with the Board throughout the duration of the suspension.
2. During Renae McDonald's suspension, terms and conditions apply including:
 - a. Renae McDonald must engage in mental health treatment and medication management with Board-approved treatment provider(s), and comply with all recommendations of the treatment provider(s).
 - b. Proof of compliance with treatment, medication management, and recommendations of the provider(s) must be submitted to the Board quarterly on January 10, April 10, July 10, and October 10.

3. The Board will only consider reinstatement of Renae McDonald's license to practice pharmacy as an intern if she provides documentation of the following in her reinstatement petition:
 - a. Compliance with the mental health treatment, medication management, and all recommendations of the Board-approved treatment provider(s), as required above;
 - b. Proof of her ability to practice pharmacy as an intern with the requisite skill, safety, and competence to the public, and to herself.
 - c. Compliance with the terms of this Order.
4. Renae McDonald must provide continuing authorization for disclosure by the treatment provider(s) 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.
5. Renae McDonald must immediately report any violation of the terms of this suspension 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 Renae McDonald to possible additional sanctions, including and up to revocation of license.
6. Violation of any term of suspension, including but not limited to any violation of recommendations from an approved treatment provider may result in additional action before the Board up to and including revocation of your pharmacy intern license.
7. Any violation of Chapters 2925., 3715., 3719., 4729., of the Ohio Revised Code, any administrative code violation or a violation of any other state, federal, or local law will be considered a violation of this Order resulting in a hearing before the Board and may also result in criminal and/or administrative charges.
8. Periods during which Renae McDonald is not in compliance with all terms of suspension shall toll the length of time of suspension during which Renae McDonald was out of compliance. The minimum length of time each violation will toll the suspension term is available on the Board's website, www.pharmacy.ohio.gov. The Board may implement additional disciplinary action in addition to or instead of tolling suspension.
9. If Renae McDonald's employment is related to the practice of pharmacy, Renae McDonald must provide copies of the board order or settlement agreement to all employers or prospective employers, all licensing authorities in which Renae McDonald holds a professional license or applies for a professional license, all

persons who provide Renae McDonald chemical dependency treatment monitoring, and law enforcement and court personnel if Renae McDonald has court involvement, such as ILC, drug court or diversion, related the suspension, during the effective period of this Order.

10. Failure to complete the terms set forth in this Board's Order, or to petition for reinstatement within five years of the date of this Order, may result in the Board issuing a notice of opportunity for hearing to consider additional disciplinary action, including and up to revocation of Renae McDonald's license.

Further, the Board hereby grants the State's Motion to Seal portions of the Record in this matter including, but not limited to, all confidential patient health information contained in the record, specifically State's exhibits 1b, 4, 5 and 6 and Respondent's exhibits A and B.

Mr. George moved for Findings of Fact; Ms. Buettner seconded the motion. Motion passed (Yes-7/No-0).

Mr. George moved for Conclusions of Law; Ms. Buettner seconded the motion. Motion passed (Yes-7/No-0).

Mr. George moved for Action of the Board; Ms. Buettner seconded the motion. Motion passed (Yes-7/No-0).

SO ORDERED.

| | |
|-------------------|---|
| 10:20 a.m. | The Board took a brief recess. |
| 10:24 a.m. | The Board returned to public session |
| 10:24 a.m. | Ms. Defiore-Hyrmer provided the OARRS Report. |
| 10:28 a.m. | Mr. Griffin provided the Compliance and Enforcement Report. |
| 10:30 a.m. | Ms. Maerten-Moore provided the Legal Report. |
| 10:32 a.m. | Ms. Southard provided the Licensing Report. |
| 10:34 a.m. | Mr. McNamee provided the Legislative Report. |
| 10:36 a.m. | Mr. McNamee presented a resolution titled Appointment to the 2025 Rules Review Committee. |

R-2026-0014

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

Resolution: Appointment to the 2025 Rules Review Committee

In accordance with OAC 4729-2-02, the Ohio Board of Pharmacy hereby appoints the following individuals to the 2025 Rules Review Committee:

| Name | Job Title | Employer |
|------------------------|---|---------------------------------|
| Krystina Hepler | Outpatient Pharmacy Supervisor | Akron Children's Hospital |
| Joshua Pearson | Director of Pharmacy Services | Health Partners Free Clinic |
| Marla Samide | Pharmacy Team Leader/Clinical | Giant Eagle |
| Kayla McCord | Pharmacist In Charge | Kroger |
| Hannah Cross | Pharmacist in Charge | Summa Health Rootstown Pharmacy |
| Louisa Chin | Cleveland Clinic Union Hospital Outpatient Pharmacy Manager | Cleveland Clinic Union Hospital |
| Ginger Berrie | Director of Retail Pharmacy | Bon Secours Mercy Health |
| JoMarie Richardson | Ohio Pharmacy Director | Equitas Health |
| Kelley Sullivan Dragar | Chief Pharmacy Officer | Signature Health |
| Taylor Hardwick | Lead Certified Pharmacy Technician | Walmart |
| Erica Harrison | Lead Tech (Certified) | Community First Pharmacy |
| Colleen Longstreet | Senior Pharmacy Technician (Certified) | Meijer |

10:39 a.m.

Ms. Southard presented the Pharmacist Examination Waiver request of Bryan Alawneh – El Paso, TX (APP-000729552).

R-2026-0015

Mr. Grimm moved that the Board grant the request of the Bryan Alawneh – El Paso, Texas (APP-000729552). The motion was seconded by Mr. Hubert and approved by the Board: Yes-7, No-0.

10:42 a.m.

Ms. Southard presented a High School Pharmacy Technician Training Program Request from Fort Hayes Career Center High School Technician Training Program.

- R-2026-0016** Mr. Grimm moved the Board grant Fort Hayes Career Center High School Technician Training Program request. The motion was seconded by Mr. Hubert and approved by the Board: Yes-7, No-0.
- 10:44 a.m.** Mr. McNamee presented rules *4729:5-14-01 Emergency medical services - definitions, 4729:5-19-02 Personally furnishing dangerous drugs, 4729:5-20-02 Personally furnishing dangerous drugs, 4729:5-21-02 Personally furnishing dangerous drugs from an opioid treatment program, 4729:9-1-01 Schedule I controlled substances, 4729:5-21-05 Mobile opioid treatment programs* to the Board for approval.
- R-2026-0017** Mr. George moved that the Board approve rules *4729:5-14-01 Emergency medical services - definitions, 4729:5-19-02 Personally furnishing dangerous drugs, 4729:5-20-02 Personally furnishing dangerous drugs, 4729:5-21-02 Personally furnishing dangerous drugs from an opioid treatment program, 4729:9-1-01 Schedule I controlled substances, 4729:5-21-05 Mobile opioid treatment programs* for filing with JCARR. The motion was seconded by Ms. Buettner and approved by the Board: Yes-7, No-0.
- 10:50 a.m.** Mr. McNamee presented rule *4729:1-3-03 Administration of Drugs by Injection (AMEND)* to the Board for Approval. The Board decided to table the matter for more information.
- 10:55 a.m.** Mr. McNamee presented rule *4729:5-3-24 Dispensing Dangerous Drugs to an Alternate Location (NEW)* to the Board for Approval.
- R-2026-0018** Ms. Buettner moved that the Board approve rule *4729:5-3-24 Dispensing Dangerous Drugs to an Alternate Location (NEW)* for filing with CSI and JCARR. The motion was seconded by Mr. Buchta and approved by the Board: Yes-7, No-0.
- 10:56 a.m.** Mr. McNamee presented rule *4729:5-2-01 – Responsible person - terminal distributor (NEW)* to the Board for approval.
- R-2026-0019** Ms. Ferris moved that the Board approve rule *4729:5-2-01 – Responsible person - terminal distributor (NEW)* for filing with CSI and JCARR. The motion was seconded by Ms. Buettner and approved by the Board: Yes-7, No-0.
- 11:07 a.m.** Mr. Schierholt provided the Executive Director Report.
- R-2026-0020** Mr. George 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. Grimm and a roll-call vote was conducted by *President* Huston as follows: Buchta-yes; Buettner-yes; George-yes; Grimm-yes; Ferris-yes; Hubert-yes; and Miller-yes.
- 3:17 p.m.** The Board returned to public session.

R-2026-0021

After hearing Mr. Flaharty discuss the significant facts regarding the activities of Terminal Distributor of Dangerous Drugs licensee Primary Convenient Care D.B.A Primary Aesthetics and Wellness, New Waterford, Ohio (02-64000790) Mr. Buchta moved that the Board summarily suspend the Terminal Distributor of Dangerous Drugs license belonging to Primary Convenient Care D.B.A Primary Aesthetics and Wellness, New Waterford, Ohio (02-64000790). The motion was seconded by Mr. Miller and approved by the Board: Yes-7, No-0.

R-2026-0022

After hearing Mr. Flaharty discuss the significant facts regarding the activities of Terminal Distributor of Dangerous Drugs licensee Smooth Line Aesthetics, Mayfield, Ohio (02-64000663) Ms. Buettner moved that the Board summarily suspend the Terminal Distributor of Dangerous Drugs license belonging to Smooth Line Aesthetics, Mayfield, Ohio (02-64000663). The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0.

R-2026-0023

After hearing Mr. Flaharty discuss the significant facts regarding the activities of Terminal Distributor of Dangerous Drugs licensee Grace and Glam Medical Spa, Cincinnati, Ohio (02-64000779) Ms. Buettner moved that the Board summarily suspend the Terminal Distributor of Dangerous Drugs license belonging to Grace and Glam Medical Spa, Cincinnati, Ohio (02-64000779). The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0.

R-2026-0024

President Huston announced the OAC Rule 4729-2-02 appointments to matters and other duties for Fiscal Year 2026.

R-2026-0025

After votes were taken in public session, the Board adopted the following order in the Matter of Felicia Beacham, Toledo, Ohio.

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

Case Number A-2025-0040

In The Matter Of:

Felicia Beacham

3461 Blackstone Dr.

Toledo, OH 43608

Registration No. 09-216508

INTRODUCTION

Felicia Beacham (Respondent) was issued a Pharmacy Technician Trainee Registration (No. 09-216508) on April 14, 2022. The Board issued a Summary Suspension/Notice of Opportunity for Hearing on February 5, 2025. Respondent timely requested a hearing and the Matter of Felicia Beacham came for hearing before Hearing Examiner Linda Mosbacher on April 28, 2025. Respondent was present at the hearing and appeared *pro se*. The State of Ohio was represented by Henry Appel, Assistant Attorney General. The Hearing Examiner's Report and Recommendation was issued to Respondent via traceable email, on or about June 6, 2025. The Board received confirmation of receipt via an electronic delivery receipt and an email from Respondent confirming receipt on June 7, 2025. The matter subsequently came for consideration by the Board on July 9, 2025, before the following members: Jeff Huston, RPh, *President*; Jason George, RPh, *Vice President*; Anthony Buchta, Sr., RPh; Trina Buettner, RPh; Mindy Ferris, RPh, T.J. Grimm, RPh; Leonard Hubert, *Public Member*; and Rich Miller, RPh.

Absent: Christine Pfaff, 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 Mosbacher's Report and Recommendation.

FINDINGS OF FACT

Based on a thorough review of the entire administrative record in this matter, the Board hereby confirms and approves the Findings of Fact as set forth in Hearing Examiner Mosbacher's Report and Recommendation. The Board Finding of Fact include and reflect the allegations as set forth in the February 5, 2025 Notice Letter, in its entirety.

CONCLUSIONS OF LAW

Based on a thorough review of the entire administrative record in this matter, the Board hereby confirms and approves the Conclusions of Law as set forth in Hearing Examiner Mosbacher's Report and Recommendation. The Board Findings include and reflect the Violations of Law as set forth in the February 5, 2025 Notice Letter, in its entirety.

DECISION OF THE BOARD

Pursuant to Section 4729.96 of the Ohio Revised Code and Rule 4729:3-4-01 of the Ohio Administrative Code, and after consideration of the record as a whole, the Board hereby modifies in part the recommendation of the Hearing Examiner and **permanently revokes** Respondent's registration as a pharmacy technician trainee, no. 09-216508, effective as of the date of this Order. Respondent is prohibited from working or

otherwise serving in any capacity that requires a license or registration under ORC Chapter 4729. The Board finds the conduct to be of such an egregious nature that employment in a facility containing dangerous drugs, including controlled substances, and providing services that impact the public's health and safety warrant a permanent prohibition on applying for any license or registration over which the Board has jurisdiction.

Ms. Ferris moved for Findings of Fact, as described above; Mr. Buchta seconded the motion. Motion passed (Yes -7 / No-0).

Ms. Ferris moved for Conclusions of Law, as described above; Mr. Buchta seconded the motion. Motion passed (Yes - 7/ No-0).

Ms. Ferris moved for Decision of the Board, as described above; Mr. Buchta seconded the motion. Motion passed (Yes -7 / No-0).

SO ORDERED.

R-2026-0026

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

**IN THE MATTER OF:
Case No. A-2022-0269**

Frank Vostatek
Surrendered License No. 03-323895
4508 Fairway Drive
Steubenville, OH 43952

SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Frank Vostatek, for the purpose of resolving all issues between the parties relating to Mr. Vostatek's conviction in Federal Court. Together, the Board and Frank Vostatek 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, 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. Frank Vostatek was an Ohio-licensed pharmacist under license number 03-323895.

FACTS

1. The Board initiated an investigation of Frank Vostatek, pharmacist license number 03-323895, related to Frank Vostatek's conviction of one count of Conspiracy to Commit Unlawful Distribution of Controlled Substances, pursuant to 21 U.S.C. §§ 841(a)(1), (b)(1)(E)(i) and 846, and one count of False Statements Relating to Health Care Matters, pursuant to 18 U.S.C. §§ 1035(a)(2) in the United States District Court, Southern District of Ohio. United States of America vs. Frank Vostatek, 2:20-cr-00131, United States District Court for the Southern District of Ohio.
2. On or about April 22, 2025, Frank Vostatek, through counsel, requested to voluntarily surrender his license to practice pharmacy in the state of Ohio, license number 03-323895.

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. Frank Vostatek neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated April 9, 2024; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. **Frank Vostatek agrees to permanently and voluntarily surrender to the Ohio Board of Pharmacy his license to practice pharmacy, license no. 03-323895, with discipline pending.**
4. **Frank Vostatek agrees not to reapply for any license or registration over which the Ohio Board of Pharmacy has jurisdiction, including those set forth in Chapters 3719., 3796., 4729. or 4752. of the Revised Code.**
5. Frank Vostatek agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.

6. Frank Vostatek understands that he has the right to be represented by counsel for review and execution of this agreement.
7. Frank Vostatek 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.
8. Frank Vostatek expressly waives the requirements of Chapter 119. of the Ohio Administrative Code, including his right to notice of an opportunity for hearing as set forth in Section 119.07 of the Ohio Revised Code, his opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and further, 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.

R-2026-0027

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

**IN THE MATTER OF:
CASE NO. A-2024-0056**

Pacetti's Apothecary, Inc. DBA Springboro Pharmacy
License No. 02-1206950
268 West Central Ave.
Springboro, OH 45066

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Pacetti's Apothecary, Inc. DBA Springboro Pharmacy (Springboro Pharmacy) for the purpose of resolving all issues between the parties relating to the Board investigation of Springboro Pharmacy's compounding and minimum standards violations, as set forth in the Notice of Opportunity for Hearing dated March 5, 2025, in Case No. A-2024-0056. Together, the Board and Springboro 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. Springboro Pharmacy is a licensed Terminal Distributor of Dangerous Drugs under license number 02-1206950, which lists Cindy Pacetti, RPh as the Responsible Person and owner.

FACTS

1. The Board initiated an investigation of Springboro Pharmacy, Terminal Distributor of Dangerous Drugs license number 02-1206950, related to Springboro Pharmacy's compounding and minimum standards violations.
2. On or about March 5, 2025, the Board sent a Notice of Opportunity for Hearing to Springboro 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 11, 2025, Springboro Pharmacy, timely requested an administrative hearing, which was subsequently scheduled for October 6, 2025.

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

TERMS

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

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

2. Springboro Pharmacy neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated March 5, 2025; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. Springboro 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 the cart of the Responsible Person.
4. Springboro Pharmacy, TDDD license number 02-1206950, may not engage in any sterile or non-sterile compounding while the TDDD is under the ownership or control of Cindy Pacetti, RPh.
5. The Board hereby imposes a written reprimand on Springboro Pharmacy's TDDD license, number 02-1206950.
6. Springboro 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.
7. Springboro 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 Springboro 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 Springboro Pharmacy by the Board and will NOT discharge Springboro Pharmacy from any obligation under the terms of this Agreement.
8. Springboro Pharmacy agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
9. Springboro Pharmacy understands that it has the right to be represented by counsel for review and execution of this agreement.

10. 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 Springboro Pharmacy will operate.
11. Springboro 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.
12. 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.
13. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
14. 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.
15. 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.

R-2026-0028

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

**IN THE MATTER OF:
CASE NO. A-2024-0057**

Cindy Pacetti, RPh
License No. 03-322053
268 West Central Ave.
Springboro, OH 45066

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Cindy Pacetti, RPh, for the purpose of resolving all issues between the

parties relating to the Board investigation of compounding and minimum standards violations at Springboro Pharmacy, where Cindy Pacetti is the Responsible Person and owner, as set forth in the Notice of Opportunity for Hearing dated March 5, 2025, in Case No. A-2024-0057. Together, the Board and Cindy Pacetti 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. Cindy Pacetti is a licensed pharmacist in the state of Ohio under license number 03-322053.
3. Cindy Pacetti is the Responsible Person and owner of Pacetti’s Apothecary, Inc. DBA Springboro Pharmacy, located at 268 West Central Ave., Springboro, Ohio.

FACTS

1. The Board initiated an investigation of Cindy Pacetti, pharmacist license number 03-322053, and Springboro Pharmacy, related to compounding and minimum standards violations at Springboro Pharmacy, where Cindy Pacetti is the RP and owner.
2. On or about March 5, 2025, the Board sent a Notice of Opportunity for Hearing to Cindy Pacetti, 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 11, 2025, Cindy Pacetti, timely requested an administrative hearing, which was subsequently scheduled for October 6, 2025.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Cindy Pacetti neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated March 5, 2025; however, the Board has

evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.

3. Cindy Pacetti must successfully complete the following continuing pharmacy education courses, which may not also be used for license renewal: Law review, Responsible Person 101, and Responsible Person Roundtable. The CEUs must be completed within six months from the effective date of this Agreement, unless otherwise approved by the Board. Copies of completed CEUs must be e-mailed to legal@pharmacy.ohio.gov.
4. Cindy Pacetti, license number 03-322053, may not engage in any sterile or non-sterile compounding without prior approval of the Board.
5. The Board hereby imposes a written reprimand on Cindy Pacetti's pharmacist license, number 03-322053.
6. Cindy Pacetti agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
7. Cindy Pacetti understands that she has the right to be represented by counsel for review and execution of this agreement.
8. Cindy Pacetti 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 she currently holds a professional license, including the Board on renewal applications or applications for a new license.
9. Cindy Pacetti 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.
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.

R-2026-0029

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

IN THE MATTER OF:
CASE NO. A-2024-0511
Blood & Cancer Center, Inc.
License No. 02-1250900
3695 Boardman Canfield Rd.
Canfield, OH 44406

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Blood & Cancer Center, Inc., for the purpose of resolving all issues between the parties relating to the Board investigation of Blood & Cancer Center's drug security and failure to report personally furnished gabapentin to OARRS. Together, the Board and Blood & Cancer Center, Inc. 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. Blood & Cancer Center, Inc. is a licensed Terminal Distributor of Dangerous Drugs under license number 02-1250900.

FACTS

1. The Board initiated an investigation of Blood & Cancer Center, Inc., Terminal Distributor of Dangerous Drugs license number 02-1250900, related to Blood & Cancer Center's drug security and failure to report personally furnished gabapentin to OARRS.
2. On or about April 16, 2025, the Board sent a Notice of Opportunity for Hearing to Blood & Cancer Center, 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. 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. Blood & Cancer Center neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated April 16, 2025; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice, and hereby adjudicates the same.
3. Blood & Cancer Center agrees to pay to the Board a monetary penalty the amount of \$2,000.00. 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.license.ohio.gov and process the items in the cart of the Responsible Person.
4. The Board hereby imposes a written reprimand on Blood & Cancer Center's TDDD license, number 02-1250900.
5. Blood & Cancer Center 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. Blood & Cancer Center 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 Blood & Cancer Center 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 Blood & Cancer Center by the Board and will NOT discharge Blood & Cancer Center from any obligation under the terms of this Agreement.

7. Blood & Cancer Center agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
8. Blood & Cancer Center 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 Blood & Cancer Center will operate.
10. Blood & Cancer Center explicitly 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.

R-2026-0030

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

**IN THE MATTER OF:
CASE No. A-2020-0406
Parichehr Shoureshi
Inactive License No. 06-015235
5421 Renner Rd. 106
Columbus, OH 43228**

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Parichehr Shoureshi, for the purpose of resolving all issues between the parties relating to the Board investigation of engaging in the practice of pharmacy as a pharmacy intern without an active Board-issued license. Together, the Board and Parichehr Shoureshi 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, or refuse to grant or renew any license issued pursuant to Sections 4729.11 of the Ohio Revised Code to practice pharmacy as an intern in the state of Ohio.
2. During the time of the conduct outlined in the Notice of Opportunity for Hearing, Parichehr Shoureshi was an Ohio-licensed pharmacy intern under license number 06-015235.

FACTS

1. The Board initiated an investigation of Parichehr Shoureshi, pharmacist intern license number 06-015235, related to Parichehr Shoureshi’s engaging in the practice of pharmacy as a pharmacy intern without an active Board-issued license.
2. On or about October 20, 2021 the Board sent a Notice of Opportunity for Hearing to Parichehr Shoureshi, which outlined the allegations and provided notice of the right to a hearing, the rights in such hearing, and the 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. Parichehr Shoureshi neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated October 20, 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. The Board hereby imposes a written reprimand on Parichehr Shoureshi's inactive pharmacy intern license, license number 06-015235.
 4. Parichehr Shoureshi agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
 5. Parichehr Shoureshi understands that she has the right to be represented by counsel for review and execution of this agreement.
 6. Parichehr Shoureshi 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.
 7. Parichehr Shoureshi explicitly withdraws her request for hearing, waives her opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code, and waives any right to an appeal.
 8. 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.
 9. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
 10. 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.
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R-2026-0031

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

IN THE MATTER OF:
CASE NOS. A-2025-0122 & A-2025-0124
Jenerous Hydration, LLC
License No. 02-62001627
c/o Jennifer Rummell, CNP
232 W. 3rd Street, Suite 320
Dover, Ohio 44622

Jenerous Hydration, LLC**License No. 02-62000840**

c/o Jennifer Rummell, CNP

1518 Sharon Valley Rd. SE

New Philadelphia, Ohio 44663

SETTLEMENT AGREEMENT WITH THE OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the Ohio Board of Pharmacy (Board) and Jenerous Hydration, LLC (Dover) and Jenerous Hydration, LLC (New Philadelphia), collectively “Jenerous Hydration,” for the purpose of resolving all issues between the parties relating to the Board investigation of a non-Food and Drug Administration (FDA)-approved medication (retatrutide), discovered during an inspection. Together, the Board and Jenerous Hydration 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. Jenerous Hydration, LLC, located at 232 W. 3rd Street, Suite 320, Dover, Ohio, is a licensed Terminal Distributor of Dangerous Drugs (TDDD) under license number 02-62001627 and lists Jennifer Rummell, CNP [Ohio Board of Nursing license number APRN.CNP.0029553] as the Responsible Person since the license was issued on November 16, 2023.
3. Jenerous Hydration, LLC, located at 1518 Sharon Valley Rd. SE, New Philadelphia, Ohio, is a licensed TDDD under license number 02-62000840 and lists Jennifer Rummell, CNP as the Responsible Person since the license was issued on September 1, 2021.

FACTS

1. The Board initiated an investigation of Jenerous Hydration, Terminal Distributor of Dangerous Drugs license numbers 02-62001627 and 02-62000840, related to Jenerous Hydration’s prescribing, purchasing and possession of retatrutide, a non-Food and Drug Administration (FDA)-approved medication.
2. On or about May 12, 2025, the Board sent a Summary Suspension/Notice of Opportunity for Hearing to Jenerous Hydration, 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 May 27, 2025, Jenerous Hydration, through counsel Greg Tapocsi, timely requested an administrative hearing, which was subsequently scheduled for July 10, 2025. The parties settled the matter via this Agreement in lieu of hearing.

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

TERMS

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

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Jenerous Hydration neither admits nor denies the allegations stated in the Summary Suspension/Notice of Opportunity for Hearing letters dated March 25, 2025; however, the Board has evidence sufficient to sustain the allegations, finds them to violate Ohio's pharmacy law as set forth in the Notice letters, and hereby adjudicates the same.
3. The Board will lift the summary suspension imposed on Jenerous Hydration's TDDD license numbers 02-62001627 and 02-62000840, and reinstate both licenses immediately upon the effective date of this Agreement.
4. Jenerous Hydration agrees to pay to the Board a monetary penalty the amount of \$15,000.00. The monetary penalty will be applied as follows: \$7,500.00 will be attached to the license record for license number 02-62001627 and \$7,500.00 will be attached to the license record for license number 02-62000840. This fine must be paid no later than 24 months from the effective date of this Agreement. To pay this fine, login to www.elicense.ohio.gov and process the items in each cart.
5. Jenerous Hydration's TDDD licenses are subject to a minimum one-year probationary period beginning the effective date of this Agreement. Jenerous Hydration will remain on probation until the \$15,000.00 monetary penalty is paid in full or one year has passed, whichever occurs last.
6. Jenerous Hydration and Jennifer Rummell, CNP agree that Ms. Rummell will notify each patient who was prescribed and/or received retatrutide from Jenerous Hydration of the following: Retatrutide is not an Food and Drug Administration (FDA) approved medication and it is not permitted to be prescribed, purchased, administered or shipped into Ohio.
7. The Board hereby imposes a written reprimand on both of Jenerous Hydration's licenses, TDDD license numbers 02-62001627 and 02-62000840.

8. Jenerous Hydration's owner, Jennifer Rummell, CNP, must obtain ten hours of approved continuing pharmacy education (1.0 CEUs) which may not also be used for the purpose of CNP license renewal. The 1.0 CEUs must be in the topic areas of pharmacy law/compliance and/or Ohio law and 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.
9. Jennifer Rummell, CNP agrees to attend a Board-sponsored Responsible Person 101 presentation (one hour) within six months from the effective date of this Agreement.
10. Jenerous Hydration 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.
11. Jenerous Hydration 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 Jenerous Hydration 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 Jenerous Hydration by the Board and will NOT discharge Jenerous Hydration from any obligation under the terms of this Agreement.
12. Jenerous Hydration agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
13. Jenerous Hydration understands that it has the right to be represented by counsel for review and execution of this agreement.
14. 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 Jenerous Hydration will operate.
15. Jenerous Hydration 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.

16. 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.
 17. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
 18. 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.
 19. 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.
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R-2026-0032

Mr. George moved that the June 2, 2025, Probation Committee Meeting Minutes be approved as written. The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0.

R-2026-0033

Mr. George moved that the June 2 - 4, 2025, Board Meeting Minutes be approved as written. The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0.

R-2026-0034

Mr. George moved that the June 2, 2025, Special Meeting Minutes be approved as written. The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0.

R-2026-0035

Mr. George moved that the June 25, 2025, Conference Call Meeting Minutes be approved as written. The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0.

R-2026-0036

Mr. George moved that the July 2, 2025, Conference Call Meeting Minutes be approved as written. The motion was seconded by Mr. Grimm and approved by the Board: Yes-7, No-0.

R-2026-0037

Mr. Grimm moved to adjourn the July 2025 Ohio Board of Pharmacy Meeting. The motion was seconded by Mr. Hubert and approved by the Board: Yes-7, No-0.

3:40 p.m.

The Board Meeting Adjourned.

Jeff Huston , RPh, President

Date: 8.5.2025

Steven W. Schierholt, Executive Director

Date: 8.5.2025
