



OHIO STATE BOARD OF PHARMACY

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-Equal Opportunity Employer and Service Provider-

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SETTLEMENT AGREEMENT WITH THE STATE BOARD OF PHARMACY

(Docket No. D-070508-045)

In The Matter Of:

PAULA G. SONDERGELD, R.Ph.

6110 Cross Trails Road
Sylvania, Ohio 43560
R.Ph. No. 03-1-10998

This Settlement Agreement is entered into by and between Paula G. Sondergeld and the Ohio State Board of Pharmacy, a state agency charged with enforcing the Pharmacy Practice Act and Dangerous Drug Distribution Act, Chapter 4729. of the Ohio Revised Code.

Paula G. Sondergeld voluntarily enters into this Agreement being fully informed of her rights afforded under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel, the right to a formal adjudication hearing on the issues contained herein, and the right to appeal. Paula G. Sondergeld acknowledges that by entering into this agreement she has waived her rights under Chapter 119. of the Revised Code.

Whereas, the Board is empowered by Section 4729.16 of the Ohio Revised Code to suspend, revoke, place on probation, refuse to grant or renew an identification card or enforce a monetary penalty on the license holder for violation of any of the enumerated grounds therein.

Whereas, Paula G. Sondergeld is licensed to practice pharmacy in the State of Ohio.

Whereas, on or about May 8, 2007, pursuant to Chapter 119. of the Ohio Revised Code, Paula G. Sondergeld was notified of the allegations or charges against her, her right to a hearing, her rights in such hearing, and her right to submit contentions in writing. Paula G. Sondergeld requested a hearing; it was scheduled. The May 8, 2007, Notice of Opportunity for Hearing contains the following allegations or charges:

- (1) Records of the State Board of Pharmacy indicate that Paula G. Sondergeld was originally licensed in the State of Ohio on July 30, 1974, pursuant to examination, and is currently licensed to practice pharmacy in the State of Ohio.
- (2) Paula G. Sondergeld did, on or about the following dates, intentionally create false or forged prescriptions, to wit: Paula G. Sondergeld created, and filled for herself as the patient, the following prescriptions without authorization from a prescriber:

Date	RX number	N/R	Drug	Strength	Quantity
12/15/2003	6316388	N	diltiazem HCL	180 mg	90
02/03/2004	6320604	N	Lotensin HCT	10/12.5	100
02/18/2004	6321771	N	hydroxyzine HCL	25 mg	100
04/24/2004	6327294	N	ibuprofen	800 mg	100
10/23/2004	6341369	N	diltiazem HCL	180 mg	90
10/23/2004	6341370	N	Potassium CL	8 mEq	100
02/12/2005	6350581	N	Sulf/Pred	0.25% eye	10 Mls
02/16/2005	6350976	N	Lotensin HCT	10/12.5	100
03/18/2005	6353651	N	ibuprofen	800 mg	100
04/20/2005	6356400	N	EpiPen	0.3 mg	2
05/07/2005	6357952	N	Zithromax Tri Pak	500 mg	3
06/29/2005	6362227	N	hydroxyzine HCL	25 mg	100
10/11/2005	6370499	N	diltiazem HCL	180 mg	90

The following were the dates of the refills for these prescriptions:

Date	RX number	N/R	Drug	Strength	Quantity
01/12/2004	6316388	R	diltiazem HCL	180 mg	90
02/14/2004	6320604	R	Lotensin HCT	10/12.5	100
03/10/2004	6320604	R	Lotensin HCT	10/12.5	100
03/29/2004	6316388	R	diltiazem HCL	180 mg	90
04/12/2004	6320604	R	Lotensin HCT	10/12.5	100
04/12/2004	6321771	R	hydroxyzine HCL	25 mg	100
05/03/2004	6321771	R	hydroxyzine HCL	25 mg	100
05/25/2004	6320604	R	Lotensin HCT	10/12.5	100
06/21/2004	6316388	R	diltiazem HCL	180 mg	90
06/21/2004	6320604	R	Lotensin HCT	10/12.5	100
06/21/2004	6321771	R	hydroxyzine HCL	25 mg	100
08/26/2004	6327294	R	ibuprofen	800 mg	100
08/28/2004	6320604	R	Lotensin HCT	10/12.5	100

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09/25/200	4	6320604	R	Lotensin HCT	10/12.5	100
09/25/200	4	6321771	R	hydroxyzine HCL	25 mg	100
10/23/200	4	6320604	R	Lotensin HCT	10/12.5	100
12/13/200	4	6320604	R	Lotensin HCT	10/12.5	100
01/10/200	5	6320604	R	Lotensin HCT	10/12.5	100
01/10/200	5	6341369	R	diltiazem HCL	180 mg	90
01/25/200	5	6321771	R	hydroxyzine HCL	25 mg	100
01/25/200	5	6341370	R	Potassium CL	8 mEq	100
03/18/200	5	6341369	R	diltiazem HCL	180 mg	90
03/18/200	5	6350976	R	Lotensin HCT	10/12.5	100
04/22/200	5	6353651	R	ibuprofen	800 mg	100
04/25/200	5	6341370	R	Potassium CL	8 mEq	100
04/25/200	5	6350976	R	Lotensin HCT	10/12.5	100
05/21/200	5	6350581	R	Sulf/Pred	0.25% eye	10 Mls
05/21/200	5	6350976	R	Lotensin HCT	10/12.5	100
06/04/200	5	6356400	R	EpiPen	0.3 mg	2
06/21/200	5	6341369	R	diltiazem HCL	180 mg	90
06/21/200	5	6341370	R	Potassium CL	8 mEq	100
06/21/200	5	6350976	R	Lotensin HCT	10/12.5	100
08/02/200	5	6350976	R	Lotensin HCT	10/12.5	100
10/11/200	5	6350976	R	Lotensin HCT	10/12.5	100
10/11/200	5	6353651	R	ibuprofen	800 mg	100
10/11/200	5	6362227	R	hydroxyzine HCL	25 mg	100
11/30/200	5	6350976	R	Lotensin HCT	10/12.5	100
11/30/200	5	6370499	R	diltiazem HCL	180 mg	90
12/28/200	5	6350976	R	benazepril-HCTZ	10/12.5	100
12/28/200	5	6350976	R	benazepril- HCTZ	10/12.5	100
12/28/200	5	6362227	R	hydroxyzine HCL	25 mg	100

Such conduct is in violation of Section 2925.23 of the Ohio Revised Code, and constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating provisions of Chapter 2925. of the Ohio Revised.

Paula G. Sondergeld neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated May 8, 2007; however, the Board has evidence sufficient to sustain the allegations and hereby adjudicates the same.

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of a formal hearing at this time, Paula G. Sondergeld knowingly and voluntarily agrees with the State Board of Pharmacy to the following:

- (A) Paula G. Sondergeld agrees to the imposition of a monetary penalty of two thousand five hundred dollars (\$2,500.00) due and owing within thirty days from the effective date of this Agreement. Checks should be made payable to the "Treasurer, State of Ohio" and mailed with the enclosed form to the State Board of Pharmacy, 77 South High Street, Room 1702, Columbus, Ohio 43215-6126.
- (B) Paula G. Sondergeld must obtain, within six months from the effective date of this Agreement, five hours of continuing pharmacy education (0.5 CEUs) in Jurisprudence, which may not also be used for license renewal.
- (C) Paula G. Sondergeld's license shall be limited in that she may not dispense prescriptions for herself or for any member of her family.
- (D) Paula G. Sondergeld's pharmacist identification card, No. 03-1-10998, will be placed on probation for three years from the effective date of this Settlement Agreement. The terms of probation are as follows:
 - (1) The State Board of pharmacy hereby declares that Paula G. Sondergeld's pharmacist identification card is not in good standing and thereby denies the privilege of being a preceptor and training pharmacy interns pursuant to paragraph (D)(1) of Rule 4729-3-01 of the Ohio Administrative Code.
 - (2) Paula G. Sondergeld may not serve as a responsible pharmacist.
 - (3) Paula G. Sondergeld must not violate the drug laws of the state of Ohio, any other state, or the federal government.
 - (4) Paula G. Sondergeld must abide by the rules of the Ohio State Board of Pharmacy.
 - (5) Paula G. Sondergeld must comply with the terms of this Agreement.

If, in the judgment of the Board, Paula G. Sondergeld appears to have violated or breached any terms or conditions of this Agreement, the Ohio State Board of Pharmacy reserves the right to, at any time, revoke probation, modify the conditions of probation, and reduce or extend the period of probation, and/or the Board may institute formal disciplinary proceedings for any and all possible violations or breaches, including but not limited to, alleged violation of the laws of Ohio occurring before the effective date of this Agreement.

Paula G. Sondergeld acknowledges that she has had an opportunity to ask questions concerning the terms of this agreement and that all questions asked have been answered in a satisfactory manner. Any action initiated by the Board based on alleged violation of this Agreement shall comply with the Administrative Procedure Act, Chapter 119. of the Ohio Revised Code.

Paula G. Sondergeld waives any and all claims or causes of action she may have against the State of Ohio or the Board, and members, officers, employees, and/or agents of either, arising out of matters which are the subject of this Agreement. Paula G. Sondergeld waives any rights of appeal pursuant to Chapter 119. of the Ohio Revised Code.

This Settlement Agreement shall be considered a public record, as that term is used in Section 149.43 of the Ohio Revised Code, and shall become effective upon the date of the Board President's signature below.

Paula G. Sondergeld, Respondent

10/05/2007
Date of Signature

Ralph E. Breitfeller, Attorney for Respondent

10/09/2007
Date of Signature

Gregory Braylock, President, Ohio State Board of Pharmacy

10/09/2007
Date of Signature

Sally Ann Steuk, Ohio Assistant Attorney General

10/12/2007
Date of Signature