



**STATE OF  
OHIO**  
BOARD OF PHARMACY

**IN THE MATTER OF:**

**CASE NO. A-2021-0410**

**Kathy Crisp, RPh**  
13632 Township Road 180  
PO Box 590  
Kenton, OH 43326

**License No. 03-120475**

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

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (Board) and Kathy Crisp, RPh, for the purpose of resolving all issues between the parties relating to the Board investigation of an error in dispensing. Together, the Board and Kathy Crisp 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. Kathy Crisp is a licensed pharmacist in the state of Ohio under license number 03-120475.

#### **FACTS**

1. The Board initiated an investigation of Kathy Crisp, pharmacist license number 03-120475, and Rite Aid #7928, related to an error in dispensing.
2. On or about November 4, 2022, the Board sent a Notice of Opportunity for Hearing to Kathy Crisp, which outlined the allegations and provided notice of her right to a hearing, her rights in such hearing, and her right to submit contentions in writing.

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

77 South High Street, 17th Floor, Columbus, Ohio 43215

T: (614) 466.4143 | F: (614) 752.4836 | [contact@pharmacy.ohio.gov](mailto:contact@pharmacy.ohio.gov) | [www.pharmacy.ohio.gov](http://www.pharmacy.ohio.gov)



## 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. Kathy Crisp neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated November 4, 2022; 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. Kathy Crisp agrees to pay to the Board a monetary penalty in the amount of \$500.00. This fine will be attached to Kathy Crisp's license record and must be paid no later than 180 days from the effective date of this Order. To pay this fine, login to [www.license.ohio.gov](http://www.license.ohio.gov) and process the items in the cart.
4. Kathy Crisp must obtain six hours of approved continuing pharmacy education (.6 CEUs) which may not also be used for license renewal. The .6 CEUs must be completed within six months from the effective date of this agreement. Copies of completed CEUs must be e-mailed to [legal@pharmacy.ohio.gov](mailto:legal@pharmacy.ohio.gov).
5. The Board hereby imposes a written reprimand on Kathy Crisp's pharmacist license, number 03-120475.
6. Kathy Crisp agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
7. Kathy Crisp understands that she has the right to be represented by counsel for review and execution of this agreement.
8. Kathy Crisp 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.
9. Kathy Crisp 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.


OHIO BOARD  
OHIO PHARMACY BOARD  
NOV 29 2022

12. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
13. If any of the provisions, terms, or clauses of this Agreement are declared illegal, unenforceable, or ineffective by an authority of competent jurisdiction, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of this Agreement shall remain valid and binding upon both Parties.
14. This Agreement shall become effective upon the date of the Board President's signature below.

*[SIGNATURE PAGE FOLLOWS]*

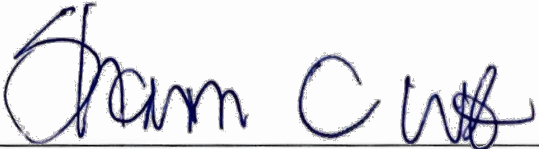
IN WITNESS WHEREOF, the parties to this Agreement have executed it and/or cause it to be executed by their duly authorized representatives.

Approved by:

  
\_\_\_\_\_  
Kathy Crisp, Respondent

11-21-2022  
\_\_\_\_\_  
Date of Signature

\_\_\_\_\_  
Attorney for Respondent (if applicable)

  
\_\_\_\_\_  
Shawn C. Wilt, RPh, President,  
State of Ohio Board of Pharmacy

\_\_\_\_\_  
Date of Signature  
  
12.13.2022  
\_\_\_\_\_  
Date of Signature

OHIO PHARMACY BOARD  
NOV 29 2022



**STATE OF**  
**OHIO**  
BOARD OF PHARMACY

**-THIS IS A RED INK STAMP-**  
I certify this to be a true and exact copy of  
the original document on file with the  
Ohio State Board of Pharmacy.  
*Steven W. Schierholt*  
Steven W. Schierholt, Esq., Executive Dir.  
Date: Nov 04, 2022  
**-MUST HAVE BOARD SEAL TO BE OFFICIAL-**

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

**IN THE MATTER OF:**

**CASE NO. A-2021-0410**

**Kathy Crisp, RPh**  
13632 Township Road 180  
PO Box 590  
Kenton, OH 43326

**License No. 03-120475**

November 4, 2022

Dear Kathy Crisp, RPh:

**You are notified, in accordance with the provisions of Section 119.07 of the Ohio Revised Code the State of Ohio Board of Pharmacy (Board) proposes to take action against your license for violations of Chapter 4729. of the Revised Code and Chapter 4729 of the Administrative Code under authority of Section 4729.16 of the Revised Code.**

**JURISDICTION**

1. Pursuant to division (A)(1) of Section 4729.16 (effective October 9, 2021) of the Ohio Revised Code (ORC), the Board may impose any one or more of the following sanctions on a pharmacist or pharmacy intern if the board finds the individual engaged in any of the conduct set forth in division (A)(2) of this section:
  - a. Revoke, suspend, restrict, limit, or refuse to grant or renew a license, ORC 4729.16(A)(1)(a); and/or
  - b. Reprimand or place the license holder on probation, ORC 4729.16(A)(1)(b); and/or
  - c. Impose a monetary penalty or forfeiture not to exceed in severity any fine designated under the Revised Code for a similar offense or in the case of a violation of a section of the Revised Code that does not bear a penalty, impose a monetary penalty or forfeiture of not more than \$500, ORC 4729.16(A)(1)(c).
2. Rule 4729:1-4-01 of the Ohio Administrative Code (OAC) provides that the Board may discipline or deny the issuance of a license to practice pharmacy as a pharmacist in Ohio.
3. Kathy Crisp, RPh, is a licensed pharmacist in the state of Ohio under license number 03-120475.

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## **ALLEGATIONS**

1. On or about July 7, 2021, while working at Rite Aid #7928, located at 3230 West Elm Street, Lima, Ohio, you dispensed prescription #575555 for methotrexate 2.5 mg tablets with directions "Take 4 tablets by mouth every morning and 4 tablets by mouth every evening" for patient B.S. The prescription was written for methotrexate 2.5 mg tablets with directions "Take 8 tablets by mouth once a week. Take 4 tablets in the morning and 4 tablets in the evening once weekly."
2. You were the verifying pharmacist, did not identify the data entry error, and dispensed the prescription as typed.
3. On or about July 13, 2021, patient B.S. picked up the prescription. The patient ingested methotrexate 2.5 mg, 8 tablets daily, for several days. The patient developed pain, mucositis, and elevated liver function tests (LFTs).
4. On or about July 28, 2021, you were interviewed by an agent of the Board and provided a written, notarized statement. You stated:
  - a. You were the pharmacist responsible for the error, although you could not recall checking the prescription or why the error was made.
  - b. You were not aware of the error until the patient's physician contacted you.

## **POTENTIAL VIOLATIONS OF LAW**

1. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of section 3715.52(A)(2) of the ORC, the adulteration or misbranding of any food, drug, device, or cosmetic, a misdemeanor of the fourth degree, punishable by a maximum penalty of \$250.
2. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of section 3715.64(A)(1), Misbranded drug – its labeling is false or misleading in any particular, punishable by a maximum penalty of \$150.
3. Such conduct as set forth in the Allegations Section, if proven, constitutes the following violations of divisions (A)(10) of section 3715.64(A)(10)(a) of the ORC, Misbranding, a drug and its container is so made, formed, or filled as to be misleading, each violation punishable by a maximum penalty of \$150.
4. Such conduct as set forth in the Allegations Section, if proven, also constitutes a violation of Rule 4729:5-5-08(A)(5) of the OAC, as effective December 1, 2020, Incorrect drug dosage, punishable by a maximum penalty of \$500.
5. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of Rule 4729:5-5-08(A)(8) of the OAC, as effective December 1, 2020, inappropriate duration of drug treatment, punishable by a maximum penalty of \$500.
6. 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 April 8, 2019, each violation constituting a minor misdemeanor, each punishable by a maximum penalty of \$150:

- a. Engaged in dishonesty or unprofessional conduct in the practice of pharmacy, ORC 4729.16 Section (A)(2)(b); and/or
  - b. Violated, conspired to violate, attempted to violate, or aided and abetted the violation of any of the provisions of this chapter 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/or
  - 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 4729.16(A)(2)(l).
7. 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 March 20, 2020, each violation punishable by a maximum penalty of \$500:
- a. Engaged in dishonesty or unprofessional conduct in the practice of pharmacy, OAC Rule 4729:1-4-01(B)(2)(b); and/or
  - 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)(e); and/or
  - 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..., OAC Rule 4729:1-4-01(B)(2)(m); and/or
  - 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)(p).

YOU ARE FURTHER NOTIFIED, in accordance with the provisions of Chapters 119. and 4729. of the Ohio Revised Code, that you are entitled to a hearing before the State of Ohio Board of Pharmacy, if you request such a hearing within thirty 30 days of the date of the mailing of this notice.

**IF YOU DESIRE A HEARING**, such request shall either be mailed to the State of Ohio Board of Pharmacy, Attn: Legal, 77 South High Street, 17<sup>th</sup> Floor, Columbus, Ohio 43215-6126 or an e-mail request may be sent to [legal@pharmacy.ohio.gov](mailto:legal@pharmacy.ohio.gov) (please note faxes will not be accepted). **YOUR REQUEST MUST BE RECEIVED ON OR PRIOR TO THE 30<sup>TH</sup> DAY FOLLOWING THE MAILING DATE OF THIS NOTICE.** Please note that if you submit a request via email, your request will be acknowledged within one business day of receipt. If you do not receive an acknowledgment, please contact the Board offices at 614-466-4143 and request the legal department. You may appear at such hearing in person, by your attorney, or by such other representative as is permitted to practice before the agency, or you may present your position, arguments or contentions in writing; and, at this hearing, you may also present evidence and examine any witnesses appearing for and against you.

**YOU ARE FURTHER ADVISED that if there is no request for such a hearing received by the Board on or prior to the 30<sup>th</sup> day following the mailing of this notice, the State of Ohio Board of Pharmacy, upon consideration of the aforementioned allegations against you, may take action without such a hearing, and may adopt a final**

order that contains the board's findings. In the final order, the board may impose any of the sanctions listed in division RC 4729.16(A).

If you have questions regarding the Chapter 119. Administrative Hearing process, please e-mail your questions to [legal@pharmacy.ohio.gov](mailto:legal@pharmacy.ohio.gov) or call the Board office at 614-466-4143 and ask for the legal department.

BY ORDER OF THE STATE BOARD OF PHARMACY



Steven W. Schierholt, Esq., Executive Director

SWS/jak/kll

Enclosure: Patient ID Key

CMRRR: 9414 7118 9956 2913 4985 32