



# 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-030109-052)

In The Matter Of:

**AUDLEY D. STEVENS, R.Ph.**

1269 Washington Street  
Box 293

Conneautville, PA 16406  
(R.Ph. No. 03-2-07168)

This Settlement Agreement is entered into by and between Audley D. Stevens 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.

Audley D. Stevens voluntarily enters into this Agreement being fully informed of his 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. Audley D. Stevens acknowledges that by entering into this agreement he has waived his 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, Audley D. Stevens is licensed to practice pharmacy in the State of Ohio.

Whereas, on or about January 9, 2003, pursuant to Chapter 119. of the Ohio Revised Code, Audley D. Stevens was notified of the allegations or charges against him, his right to a hearing, his rights in such hearing, and his right to submit contentions in writing. Audley D. Stevens requested a hearing; it was scheduled and continued. The January 9, 2003, Notice of Opportunity for Hearing contains the following allegations or charges:

- (1) Records of the Board of Pharmacy indicate that Audley D. Stevens was originally licensed in the State of Ohio on March 8, 1960, pursuant to reciprocity, and is currently licensed to practice pharmacy in the State of Ohio.
- (2) Audley D. Stevens did, on or about July 5, 1996, knowingly make a false statement with purpose to secure the issuance of a license or registration, to wit: Audley D. Stevens indicated on his pharmacist license renewal application that he had not been subject of a disciplinary action by any state or federal agency. On or about May 30, 1996, Audley D. Stevens pled guilty to Mail Fraud, a felony, in violation of 18 U.S.C. §1341. United States of America vs. Audley Stevens, Criminal No. 96-15, U.S. District

For Western District of Pennsylvania. Such conduct is in violation of Section 2921.13 of the Ohio Revised Code.

- (3) On May 30, 1996, Audley D. Stevens pled guilty to Mail Fraud, a felony, in violation of 18 U.S.C. §1341. United States of America vs. Audley Stevens, Criminal No. 96-15, U.S. District For Western District of Pennsylvania

Audley D. Stevens neither admits nor denies the allegations stated in the Notice of Opportunity for Hearing letter dated January 9, 2003; 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, Audley D. Stevens knowingly and voluntarily agrees with the State Board of Pharmacy to the following:

- (A) Audley D. Stevens' pharmacist identification card, No. 03-2-07168, will be suspended for one year from the effective date of this Agreement.
- (B) Audley D. Stevens license to practice pharmacy will be reinstated following the suspension with the following conditions:
- (1) Audley D. Stevens' 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) Audley D. Stevens may not serve as a responsible pharmacist.

If, in the judgment of the Board, Audley D. Stevens 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.

Audley D. Stevens acknowledges that he 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.

Audley D. Stevens waives any and all claims or causes of action he 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. Audley D. Stevens 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.

**SIGNED AND EFFECTIVE JUNE 2, 2003**