

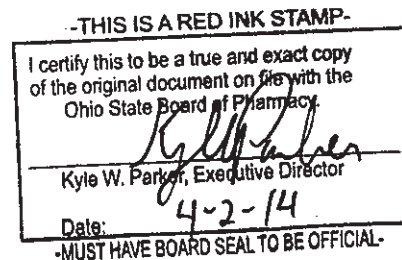


# OHIO STATE BOARD OF PHARMACY

- An Equal Opportunity Employer and Service Provider -

77 S. High Street, 17th Floor: Columbus, Ohio 43266-0320  
Telephone: 614/466-4143 FAX: 614/752-4836  
TTY/TDD Ohio Relay Service: 1-800/750-0750

July 29, 1993



PHILIP J. WEINBLATT, R.Ph.  
59 S. Ardmore Rd.  
Columbus, Ohio 43209

Re: Ohio Registered Pharmacist  
License No. 03-3-14444

Dear Pharmacist:

YOU ARE HEREBY NOTIFIED that, in accordance with the provisions of Chapters 119. and 4729. of the Ohio Revised Code, you are entitled to a hearing before the State Board of Pharmacy, if you request such a hearing within thirty (30) days of the time of the mailing of this notice, on the basis of the following allegations:

(1) Records of the Board of Pharmacy indicate that you were originally licensed in the state of Ohio on December 8, 1981, pursuant to reciprocity, and are currently licensed to practice pharmacy in Ohio and are the responsible pharmacist at Reynoldsburg Pharmacy pursuant to Sections 4729.27 and 4729.55 of the Ohio Revised Code and Rule 4729-5-11 of the Ohio Administrative Code.

(2) You as responsible pharmacist did, on or about August 26, 1992, and dates immediately preceding, fail to take and maintain a biennial inventory of controlled substances, to wit: you have not taken a "D.E.A. inventory" at Reynoldsburg Pharmacy since June 2, 1990. Such conduct is in violation of Section 1304.13 of the Code of Federal Regulations, Section 3719.07 of the Ohio Revised Code, and Rule 4729-9-14 of the Ohio Administrative Code, and if proven, constitutes being guilty of unprofessional conduct in the practice of pharmacy and/or guilty of willfully violating the provisions of Chapters 3719. and/or 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

(3) You as responsible pharmacist did, on or about August 26, 1992, and dates immediately preceding, fail to maintain the minimum standards for Reynoldsburg Pharmacy as set forth in Rule 4729-9-02 of the Ohio Administrative Code, to wit: you failed to have a library which contained current federal and state laws, regulations, and rules governing the legal distribution of drugs in Ohio. Such conduct, if proven, constitutes being

guilty of unprofessional conduct in the practice of pharmacy and/or guilty of willfully violating the provisions of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (4) You as responsible pharmacist did, on or about August 26, 1992, and dates immediately preceding, purchase drugs for the purpose of resale from a non-licensed wholesale distributor dangerous drugs, to wit: you received drug samples from Dr. Robert Snow for the purpose of resale, when Dr. Snow was not a licensed wholesale distributor of Dangerous drugs, the drugs being:

<u>Item No.</u>	<u>Drug/Strength</u>	<u>Quantity</u>
(1)	Azmacort	(3) 20 gm. Inhalers
(2)	Voltaren 75 mg.	(5) containers, (4) u.d. each
(3)	Voltaren 75 mg.	(1) container, (3) u.d.
(4)	Clinoril 150 mg.	(12) containers, (6) u.d. each
(5)	Clinoril 200 mg.	(7) containers, (6) u.d. each
(6)	Pepcid 40 mg.	(3) containers, (3) u.d. each
(7)	Ventolin Rotacaps 200 mg.	(7) containers, (8) u.d. each
(8)	Dolobid 500 mg.	(12) containers, (6) u.d. each
(9)	Theo-Dur 300 mg.	(25) containers, (6) u.d. each
(10)	Lorelco 500 mg.	(10) containers, (2) u.d. each
(11)	Persantine 50 mg.	(10) containers, (2) u.d. each
(12)	Persantine 75 mg.	(5) containers, (2) u.d. each
(13)	Slo-Bid 300 mg.	(40) containers, (6) u.d. each
(14)	Slo-Bid 300 mg.	(20) containers, (6) u.d. each
(15)	Slo-Bid 200 mg.	(10) containers, (6) u.d. each
(16)	Minipress 1 mg.	(5) containers, (10) u.d. each
(17)	Maxzide	(42) containers, (7) u.d. each
(18)	Voltaren 50 mg.	(17) containers, (6) u.d. each
(19)	Slow-K	(18) containers, (4) u.d. each
(20)	Deponit	(16) containers, (5) u.d. each
(21)	Catapres TTS	(18) delivery systems
(22)	Sinemet 25-100	(5) containers, (12) u.d. each
(23)	Minocin 100 mg.	(9) containers, (2) u.d. each
(24)	Tolectin DS 400 mg.	(18) containers, (3) u.d. each
(25)	Capozide 25/15	(2) containers, (14) u.d. each
(26)	Vibratabs 100 mg.	(9) containers, (2) u.d. each
(27)	Procardia 20 mg.	(4) containers, (6) u.d. each
(28)	Altace 2.5 mg.	(11) containers, (7) u.d. each
(29)	Sectral	(2) containers, (6) u.d. each
(30)	Ovcon 35	(6) containers, (28) u.d. each
(31)	Zestril 10 mg.	(1) containers, (7) u.d.
(32)	Terazol 3 Suppositories	(4) containers, (1) u.d. each
(33)	Polyhistine DM	(10) containers, (15) ml. each
(34)	Cardene 20 mg.	(8) containers, (3) u.d. each
(35)	Cardene 30 mg.	(8) containers, (3) u.d. each
(36)	Diprolene .05 % Cream	(19) containers, (2) gm. each
(37)	Lotrisone Cream	(20) containers, (2) gm. each
(38)	Elocon Cream 0.1 %	(100) containers, (2) gm. each
(39)	Polyhistine CS	(18) containers, (15) ml. each

Such conduct is in violation of Section 4729.51(D) of the Ohio Revised Code and if proven constitutes being guilty of dishonesty and unprofessional conduct in the practice of pharmacy and/or guilty of willfully violating,

conspiring to violate, attempting to violate, or aiding and abetting the violation of any of the provisions of Sections 3715.52 to 3715.72 or Chapter 2925., 3719., or 4729. of the Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

(5) You as responsible pharmacist did, on or about August 26, 1992, and dates immediately preceding, knowingly aid and abet in the sale of sample drugs when the conduct was not in accordance with Chapters 3719. and/or 4729. of the Ohio Revised Code, to wit: you aided and abetted the sale of sample drugs from Dr. Robert Snow; and you received samples from Dr. Robert Snow, the sample drugs being:

<u>Item No.</u>	<u>Drug/Strength</u>	<u>Quantity</u>
(1)	Azmacort	(3) 20 gm. Inhalers
(2)	Voltaren 75 mg.	(5) containers, (4) u.d. each
(3)	Voltaren 75 mg.	(1) container, (3) u.d.
(4)	Clinoril 150 mg.	(12) containers, (6) u.d. each
(5)	Clinoril 200 mg.	(7) containers, (6) u.d. each
(6)	Pepcid 40 mg.	(3) containers, (3) u.d. each
(7)	Ventolin Rotacaps 200 mg.	(7) containers, (8) u.d. each
(8)	Dolobid 500 mg.	(12) containers, (6) u.d. each
(9)	Theo-Dur 300 mg.	(25) containers, (6) u.d. each
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(22)	Sinemet 25-100	(5) containers, (12) u.d. each
(23)	Minocin 100 mg.	(9) containers, (2) u.d. each
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(37)	Lotrisone Cream	(20) containers, (2) gm. each
(38)	Elocon Cream 0.1 %	(100) containers, (2) gm. each
(39)	Polyhistine CS	(18) containers, (15) ml. each

Such conduct is in violation of Section 2925.36 of the Ohio Revised Code, and if proven constitutes being guilty of gross immorality; guilty of unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating the provisions of Chapter 2925. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

For these reasons, the State Board of Pharmacy will determine whether to take action pursuant to Section 4729.16 of the Ohio Revised Code.

YOU ARE HEREBY ADVISED that under Division (A) of Section 4729.16 of the Ohio Revised Code: The State Board of Pharmacy, after notice and hearing in accordance with Sections 119.01 to 119.13 of the Ohio Revised Code, may revoke, suspend, place on probation, or refuse to grant or renew an identification card under this chapter, or may impose a monetary penalty or forfeiture not to exceed in severity any fine designated under the Ohio Revised Code for a similar offense, or in the case of a violation of a section of the Ohio Revised Code that does not bear a penalty, a monetary penalty or forfeiture of no more than five hundred dollars, if the Board finds a pharmacist or pharmacy intern:

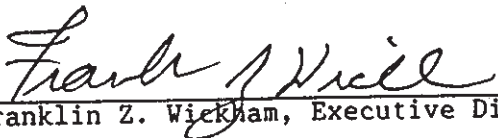
- (1) Guilty of a felony or gross immorality;
- (2) Guilty of dishonesty or unprofessional conduct in the practice of pharmacy;
- (3) Addicted to or abusing liquor or drugs or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy;
- (4) Has been convicted of a misdemeanor related to, or committed in, the practice of pharmacy;
- (5) Guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of any of the provisions of Sections 3715.52 to 3715.72 or Chapter 2925., 3719., or 4729. of the Revised Code;
- (6) Guilty of permitting anyone other than a pharmacist or pharmacy intern to practice pharmacy;
- (7) Guilty of knowingly lending his name to an illegal practitioner of pharmacy or having professional connection with an illegal practitioner of pharmacy; or
- (8) Guilty of dividing or agreeing to divide remuneration made in the practice of pharmacy with any other individual, including, but not limited to, a practitioner or any owner, manager, or employee of a health care facility, rest home, or nursing home.

IF YOU DESIRE A HEARING, such request shall be mailed to the State Board of Pharmacy, 77 South High Street, 17th Floor, Columbus, Ohio 43266-0320. You may appear at such hearing in person, by or with your attorney, 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 you do not request such a hearing within thirty (30) days of the mailing of this notice, the State Board of Pharmacy, upon consideration of the aforementioned allegations against you, may take action without such a hearing.

BY ORDER OF THE STATE BOARD OF PHARMACY

  
Franklin Z. Wickham, Executive Director

DLR:so (D-930729-002)

CERTIFIED MAIL  
Return Receipt

cc: Ronda Anderson, Assistant Attorney General





# OHIO STATE BOARD OF PHARMACY

77 South High Street, Room 1702; Columbus, OH 43215-6126

-Equal Opportunity Employer and Service Provider-

TEL: 614/466-4143

E-MAIL: [exec@bop.state.oh.us](mailto:exec@bop.state.oh.us)

FAX: 614/752-4836

TTY/TDD: Use the Ohio Relay Service: 1-800/750-0750

[www.pharmacy.ohio.gov](http://www.pharmacy.ohio.gov)

## SETTLEMENT AGREEMENT WITH THE STATE BOARD OF PHARMACY

In the Matters of:

**PHILIP J. WEINBLATT, R.Ph.**

59 S. Ardmore Rd.

Columbus, Ohio 43209

(R.Ph. No. 03-3-14444)

(Docket No. D-930729-002)

and

**REYNOLDSBURG PHARMACY**

Philip Weinblatt, R.Ph.

6587 East Main Street

Reynoldsburg, Ohio 43068

(Terminal Distributor No. 02-443450)

(Docket No. D-930729-003)

-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.

*Kyle W. Parker*  
Kyle W. Parker, Executive Director

Date:

4-2-14

-MUST HAVE BOARD SEAL TO BE OFFICIAL-

This Settlement Agreement is entered into by and between Philip J. Weinblatt, R.Ph., Reynoldsburg Pharmacy, 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.

Philip J. Weinblatt, individually and on behalf of Reynoldsburg Pharmacy, enters into this Agreement being fully informed of his/its rights afforded under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudication hearing on the issues contained herein.

Philip J. Weinblatt and Reynoldsburg Pharmacy are knowingly and voluntarily acknowledging that, in order to settle the disciplinary charges that have been filed by the Board against Philip J. Weinblatt and Reynoldsburg Pharmacy and in order to obviate the need to conduct an administrative hearing to consider possible disciplinary sanctions against the licenses, this Agreement is entered into on the basis of the following stipulations, admissions, and understandings:

1. The Ohio State Board of Pharmacy 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 impose a monetary penalty on the license holder for violation of any of the enumerated grounds.
2. The Ohio State Board of Pharmacy is empowered by Section 4729.57 of the Ohio Revised Code to suspend, revoke, refuse to renew, or impose a monetary penalty

on any terminal distributor of dangerous drugs for violation of any of the enumerated grounds.

3. Philip J. Weinblatt was originally licensed to practice pharmacy in the state of Ohio on December 8, 1981, pursuant to reciprocity, and is currently practicing pharmacy. Records further reflect that Philip J. Weinblatt is the responsible pharmacist at Reynoldsburg Pharmacy, pursuant to Sections 4729.55 and 4729.27 of the Ohio Revised Code and Rule 4729-5-11 of the Ohio Administrative Code.
4. On July 29, 1993, Philip J. Weinblatt was notified, pursuant to Chapter 119. of the Ohio Revised Code, by letter of his right to a hearing, his rights in such hearing, and his right to submit his contentions in writing. Attached hereto and incorporated with this Agreement is the Notice of Opportunity letter to Philip J. Weinblatt dated July 29, 1993, marked as Exhibit A.
5. On July 29, 1993, Reynoldsburg Pharmacy was notified, pursuant to Chapter 119. of the Ohio Revised Code, by letter of its right to a hearing, its rights in such hearing, and its right to submit its contentions in writing. Attached hereto and incorporated with this Agreement is the Notice of Opportunity letter to Reynoldsburg Pharmacy dated July 29, 1993, marked as Exhibit B.

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, Philip J. Weinblatt and Reynoldsburg Pharmacy knowingly and voluntarily agree with the State Board of Pharmacy to the following:

1. The Ohio State Board of Pharmacy hereby places Philip J. Weinblatt and Reynoldsburg Pharmacy on probation for one year, from April 15, 1994, to April 15, 1995. The terms of probation are as follows:
  - (a) Philip J. Weinblatt and Reynoldsburg Pharmacy must not violate the drug laws of the state of Ohio, any other state, or the federal government;
  - (b) Philip J. Weinblatt and Reynoldsburg Pharmacy must abide by the rules of the State Board of Pharmacy; and
  - (c) Pursuant to paragraph (D)(1) of Rule 4729-3-01 of the Ohio Administrative Code, the State Board of Pharmacy hereby declares that Philip J. Weinblatt's pharmacist identification card is not in good standing, for purposes of Rule 4729-3-01 of the Ohio Administrative Code, and hereby denies him the privileges of being a preceptor and of training pharmacy interns while on probation.
  - (d) Philip J. Weinblatt and Reynoldsburg Pharmacy must comply with the terms of this Agreement;
2. The Board imposes a monetary penalty of \$5,000.00 due and owing within 30 days from the effective date of this Agreement. The monetary penalty should be made payable to the "Treasurer, State of Ohio" and mailed with the enclosed form to the State Board of Pharmacy, 77 S. High Street, 17th Floor, Columbus, Ohio 43266-0320.

If, in the judgment of the Board, Philip J. Weinblatt and/or Reynoldsburg Pharmacy appear to have violated or breached any terms or conditions of this Agreement, the Ohio State Board of Pharmacy reserves the right, at any time, to initiate and maintain formal proceedings pursuant to the Administrative Procedure Act, Chapter 119. of the Ohio Revised Code.

Philip J. Weinblatt and Reynoldsburg Pharmacy acknowledges that he/it 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.

Philip J. Weinblatt and Reynoldsburg Pharmacy waive any and all claims or causes of action he/it may have against the State of Ohio or the Board, its members, officers, employees, and/or agents of either, arising out of matters which are the subject of this Agreement.

In the event the Board, in its discretion, does not approve this Agreement, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. Philip J. Weinblatt and Reynoldsburg Pharmacy agree that should the Board reject this Agreement and if this case proceeds to hearing, he/it will assert no claim that the Board was prejudiced by its review and discussion of this Agreement or of any information relating thereto.

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 last date of signature below.

/s/ Philip J. Weinblatt RPh  
Philip Weinblatt, R.Ph.  
Responsible Pharmacist, Reynoldsburg Pharmacy

/d/ 4-11-94  
Date of Signature

/s/ Tod H. Friedman  
Tod H. Friedman, Attorney for Respondents

/d/ 4-11-94  
Date of Signature

/s/ J.R. Sabino  
Joseph Sabino, President, Ohio State Board of Pharmacy

/d/ 4-12-94  
Date of Signature

/s/ Gregg Thornton  
Gregg Thornton, Ohio Assistant Attorney General

/d/ 4-12-94  
Date of Signature