



OHIO STATE BOARD OF PHARMACY

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SETTLEMENT AGREEMENT WITH THE STATE BOARD OF PHARMACY

(Docket No. D-060516-076)

In The Matter Of:

STEPHEN THOMAS MEYER

3128 Cheltenham Road

Toledo, Ohio 43606

This Settlement Agreement is entered into by and between Stephen Thomas Meyer 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.

Stephen Thomas Meyer 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. Stephen Thomas Meyer 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, Rule 4729-3-03(C) of the Ohio Administrative Code provides that the board may, pursuant to Rule 4729-5-04 of the Ohio Administrative Code, deny the issuance of a certificate of registration or an identification card to practice pharmacy as an intern.

Whereas, Stephen Thomas Meyer submitted an Application for Registration as an Intern in the State of Ohio.

Whereas, on or about May 16, 2006, pursuant to Chapter 119. of the Ohio Revised Code, Stephen Thomas Meyer 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. Stephen Thomas Meyer requested a hearing; it was scheduled. The May 16, 2006, Proposal to Deny/Notice of Opportunity for Hearing contains the following allegations or charges:

- (1) Records of the Board of Pharmacy indicate that Stephen Thomas Meyer applied to the Board for registration as an intern in the State of Ohio on November 28, 2005.

- (2) Stephen Thomas Meyer was, on or about October 20, 2003, convicted in the Oregon Municipal Court of Driving under the Influence of Alcohol and/or Drugs (DUI) in violation of Section 4511.19 of the Ohio Revised Code. State of Ohio vs. Stephen T. Meyer, Case No. 03TRC02622, Lucas County Municipal Court of Oregon, Ohio. Stephen Thomas Meyer had been arrested for DUI, several traffic offenses, and Drug Abuse for possessing a quantity of marijuana, a Schedule I controlled substance. Such conduct indicates that Stephen Thomas Meyer is not of good moral character and habits and/or abusing liquor or drugs within the meaning of Rule 4729-5-04 of the Ohio Administrative Code; further, such conduct constitutes being guilty of gross immorality and/or guilty of willfully violating provisions of Chapter 2925. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (3) Stephen Thomas Meyer did, following an incident that occurred on October 14, 2004, plead guilty, and completed a diversion program resulting in expungement, to a charge of Furnishing Alcohol to Minors in violation of Section 4301.69 of the Ohio Revised Code.

Stephen Thomas Meyer neither admits nor denies the allegations stated in the Proposal to Deny/Notice of Opportunity for Hearing letter dated May 16, 2006; 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, Stephen Thomas Meyer knowingly and voluntarily agrees with the State Board of Pharmacy to the following:

Stephen Thomas Meyer will be placed on probation for the duration of his Internship. The terms of probation are as follows:

- (A) Stephen Thomas Meyer must not violate the drug laws of the State of Ohio, any other state, or the federal government.
- (B) Stephen Thomas Meyer must abide by the rules of the State Board of Pharmacy.
- (C) Stephen Thomas Meyer must comply with the terms of this Order.
- (D) Stephen Thomas Meyer's license is deemed not in good standing until successful completion of the probationary period.

If, in the judgment of the Board, Stephen Thomas Meyer 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.

Stephen Thomas Meyer 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.

Stephen Thomas Meyer 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. Stephen Thomas Meyer 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.

Stephen Thomas Meyer

10/02/2006
Date of Signature

Kevin P. Byers, Attorney for Respondent

10/02/2006
Date of Signature

James E. Turner, President, Ohio State Board of Pharmacy

10/10/2006
Date of Signature

Sally Ann Steuk, Ohio Assistant Attorney General

10/10/2006
Date of Signature