



-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: 4/12/2022
-MUST HAVE BOARD SEAL TO BE OFFICIAL-

BEFORE THE STATE OF OHIO BOARD OF PHARMACY

In the Matter of	:	
	:	Case No. A-2021-0251
Cathy Wilson	:	
3525 Navarre Ave., Apt. F35	:	License No. 09-316141
Oregon, OH 43616	:	
	:	
Respondent.	:	

FINAL ORDER OF THE STATE OF OHIO BOARD OF PHARMACY

Cathy Wilson (“Respondent”) was issued a registration as a certified pharmacy technician by the State of Ohio Board of Pharmacy on August 19, 2021. The Board issued a Notice of Opportunity for Hearing (“Notice”) to Respondent on October 20, 2021. Respondent received the Notice, via certified mail return receipt requested, on November 4, 2021. Pursuant to Ohio Revised Code (ORC) Section 119.07, Respondent had a right to a hearing if requested within 30 days of mailing. Respondent failed to do so. Accordingly, no hearing was held, and the matter was brought before the Board on April 5, 2022, for final adjudication pursuant to ORC 119.07, 4729.16(F), and 4729.96(D).

WHEREFORE, after review of the administrative record, the Board finds that Respondent was legally served with the Notice and informed of the allegations contained therein and the rights afforded pursuant to ORC Chapter 119.

WHEREFORE, after review of the administrative record and pursuant to ORC 4729.96(A)(1) and Ohio Administrative Code (OAC) 4729:3-4-01(B), the Board finds and concludes that Respondent engaged in conduct set forth in ORC 4729.96(A)(2) and OAC 4729:3-4-01(C) and all violations of law as described in the Notice. Based on the findings contained herein, the Board ORDERS as follows:

1. The Board hereby imposes a written reprimand on Respondent’s certified pharmacy technician registration, no. 09-316141.
2. The Board hereby imposes a fine in the amount of \$50.00. This fine will be attached to the registration record and must be paid no later than 6 months from the effective date of this Order. To pay this fine, login to www.license.ohio.gov and process the items in the cart.
3. This Board disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which Respondent currently holds a professional license, including to the Board on renewal applications or applications for a new license or registration.

Service of this Order shall be perfected in accordance with the requirements of ORC Chapter 119.

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



Shawn Wilt, RPh, moved for the findings of fact, conclusions of law, and decision of the Board. TJ Grimm, RPh, seconded the motion. Motion passed (Aye-7/Nay-0).

SO ORDERED.


It is hereby certified by this Board that the above language is a copy of the Order entered upon its journal in this case.

TIME AND METHOD TO PERFECT AN APPEAL

Any party desiring to appeal shall file a Notice of Appeal with the State of Ohio Board of Pharmacy, 77 South High Street, 17th Floor, Columbus, OH 43215, setting forth the order appealed from and stating that the agency's order is not supported by reliable, probative, and substantial evidence and is not in accordance with law. The notice of appeal may, but need not, set forth the specific grounds of the party's appeal beyond the statement that the agency's order is not supported by reliable, probative, and substantial evidence and is not in accordance with law. The Notice of Appeal shall also be filed by the appellant in the court of common pleas of the county in which the place of business of the licensee is located or the county in which the licensee is a resident. If the appellant is not a resident of and has no place of business in this state, the party may appeal to the court of common pleas of Franklin county. Such notices of appeal shall be filed within fifteen (15) days after the mailing of the notice of the State of Ohio Board of Pharmacy's Order as provided in ORC 119.12.

BY ORDER OF THE STATE BOARD OF PHARMACY

ORDER MAILED & EFFECTIVE: **April 12, 2022**

By: 

Steven W. Schierholt, Esq., Executive Director

SWS/mlw/jrn

CMRRR: 9414 7118 9956 1665 1628 52



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: 10/20/2021
-MUST HAVE BOARD SEAL TO BE OFFICIAL-

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

IN THE MATTER OF:

**Case No. A-2021-0251
I-2021-0678**

Cathy Wilson
3525 Navarre Ave., Apt. F35
Oregon, OH 43616

Registration No. 09-316141

October 20, 2021

Dear Ms. Wilson:

You are hereby 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 disciplinary action against your technician registration due to violations of Chapter 4729. of the Revised Code and Section 4729:3 of the Administrative Code under authority of Section 4729.96 of the Revised Code.

JURISDICTION

1. Pursuant to division (A)(1) of Section 4729.96 (effective April 6, 2017) of the Ohio Revised Code (ORC), and Rule 4729:3-4-01 of the Ohio Administrative Code (OAC), the Board may impose any one or more of the following sanctions on a certified pharmacy technician 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 4729.96(A)(1)(a) OAC 4729:3-4-01(A)(1); and/or
 - b. Reprimand or place the license holder on probation, ORC 4729.96(A)(1)(b), OAC 4729:3-4-01(A)(2); and/or
 - c. Impose a monetary penalty or forfeiture not to exceed in severity any penalty 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 4729.96(A)(1)(c), OAC 4729:3-4-01(A)(3).
2. Cathy Wilson is a registered certified pharmacy technician in the state of Ohio under registration number 09-316141.

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

T: (614) 466.4143 | F: (614) 752.4836 | contact@pharmacy.ohio.gov | www.pharmacy.ohio.gov



ALLEGATIONS

1. On or about May 5, 2021, Phillip J. Nelson, RPh, Responsible Person at Mercy Health St. Vincent Medical Center Pharmacy, located at 2213 Cherry Street, Toledo, Ohio, notified the Board of Pharmacy you were performing pharmacy technician duties without proper registration with the Board. You had been working as a pharmacy technician at Mercy Health St. Vincent Medical Center from on or about January 11, 2021, to April 30, 2021, without Board issued registration. You worked a total of 584.75 hours in the IV rooms, unit dose areas, and several vaccine clinics. You were issued registration as a pharmacy technician trainee on or about May 28, 2021, and registration as a certified pharmacy technician on or about August 25, 2021.
2. On or about June 8, 2021, you spoke with an agent of the Board. You admitted you started your application but never finished it. You continued work as a pharmacy technician even though you had not received notice from the Board that you were registered.

POTENTIAL VIOLATIONS OF LAW

1. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of Section 4729.95(A) of the ORC, No person who is not a pharmacist, pharmacy intern, registered pharmacy technician, certified pharmacy technician, or pharmacy technician trainee shall knowingly engage in any of the activities listed in section 4729.91 of the Revised Code in a location licensed as a terminal distributor of dangerous drugs, a misdemeanor of the second degree, punishable by a maximum penalty of \$750.
2. Such conduct as set forth in the Allegations Section, if proven, constitutes a violation of the following divisions of (A) of section 4729.96 of the ORC, as effective April 6, 2017, each violation constituting a minor misdemeanor, each punishable by a maximum penalty of \$150:
 - a. Engaged in dishonesty or unprofessional conduct, as prescribed in rules adopted by the board under section 4729.94 of the Revised Code, ORC 4729.96 Section (A)(2)(b); and/or
 - b. Engaged in any conduct for which the board may imposed discipline as set forth in rules adopted under section 4729.94 of the Revised Code, ORC Section 4729.96(A)(2)(g).
3. Such conduct as set forth in the Allegations section, if proven, constitutes a violation of each of the following divisions of Rule 4729:3-4-01 of the OAC, as effective May 30, 2020, each violation punishable by a maximum penalty of \$500:
 - a. Has engaged in any of the conduct specified in division (A)(2) of section 4729.96 of the Revised Code, OAC Rule 4729:3-4-01(C)(1); and/or
 - b. Violated any state or federal law or rule regardless of the jurisdiction in which the acts were committed, except for minor traffic violations such as parking violations, speeding tickets and violations such as failure to obey a red light, failure to use a turn signal or expired registration, OAC Rule 4729:3-4-01(C)(2); and/or
 - c. Engaged in dishonesty or unprofessional conduct, OAC Rule 4729:3-4-01(C)(9).

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, 17th Floor, Columbus, Ohio 43215-6126 or an e-mail request may be sent to legal@pharmacy.ohio.gov (please note faxes will not be accepted). **YOUR REQUEST MUST BE RECEIVED ON OR PRIOR TO THE 30TH 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 30th 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.

If you have questions regarding the Chapter 119. Administrative Hearing process, please e-mail your questions to 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/alg/pae

CMRR: 7021 0950 0001 1266 9513