

IN THE MATTER OF

*

BEFORE THE

AHF PHARMACY

*

MARYLAND STATE

*

BOARD OF PHARMACY

Pharmacy Permit: P08909

*

Case No. 24-303

* * * * *

PRE-CHARGE CONSENT ORDER

Background

The Maryland Board of Pharmacy (the “Board”) received an application for a change of ownership from AHF Pharmacy (the “Pharmacy”) on March 25, 2024. On the application, the Pharmacy stated that the change of ownership had already occurred on November 3, 2023. The Board subsequently opened an investigation and received documents indicating that AHF Pharmacy had dispensed approximately 3,500 prescription orders into Maryland prior to the issuance of its Maryland non-resident pharmacy permit on May 6, 2024.

In lieu of instituting formal proceedings against AHF Pharmacy in accordance with the Maryland Pharmacy Act, Md. Code Ann., Health Occ. § 12-101 *et seq.*, the Board and AHF Pharmacy have agreed to resolve this matter as set forth in this Pre-Charge Consent Order.

FINDINGS OF FACT

1. AHF Pharmacy is a non-resident pharmacy located and licensed in Fort Lauderdale, Florida.
2. On or about March 25, 2024, AHF Pharmacy submitted a change of ownership application to the Board. The application indicated that the change of ownership

occurred on November 3, 2023, possibly indicating that the new owner had been operating a pharmacy prior to the issuance of a new non-resident pharmacy permit.

3. Maryland pharmacy permits are not transferrable.
4. Upon review of the information in the application, the Board opened an investigation into the matter.
5. AHF Pharmacy cooperated with the Board's investigation and provided requested documents. The Board's investigation determined that AHF Pharmacy dispensed certain prescription drugs into Maryland prior to obtaining a Maryland non-resident pharmacy permit.
6. Specifically, between November 4, 2023, and March 25, 2024, AHF Pharmacy dispensed approximately 3,500 prescription orders to patients in Maryland without a Maryland non-resident pharmacy permit.
7. A pharmacy located outside of Maryland must hold a non-resident pharmacy permit issued by the Board before the pharmacy dispenses any prescription drugs into Maryland.
8. AHF Pharmacy obtained a Maryland non-resident pharmacy permit on May 6, 2024, which permit remains active and in good standing to date.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that AHF Pharmacy is subject to a sanction in accordance with Md. Code Ann., Health Occ. §§ 12-401, 12-403(e) and 12-408.

ORDER

Based upon an affirmative vote of the Maryland Board of Pharmacy under the authority of Md. Code Ann., Health Occ. § 12-101, *et seq.*, it this 19th day of August, 2024, hereby,

ORDERED that AHF Pharmacy shall pay a FINE in the amount of FIVE THOUSAND DOLLARS (\$5,000.00), payable to the Maryland Board of Pharmacy within thirty (30) days of the date of this Order, and mailed to:

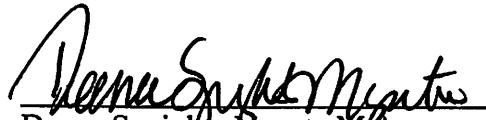
Wells Fargo Bank
Attn: State of MD - Board of Pharmacy
Lockbox 2051
401 Market Street
Philadelphia, PA 19106

NOTE: Please include the case number, 24-303, on your check or money order in order to ensure proper assignment to this case; and be it further,

ORDERED that in the event that AHF Pharmacy violates any of the terms above, the Board, after notice and an opportunity for a hearing, and a determination of a violation, may impose any sanction it deems appropriate, including the imposition of further fines in accordance with Health Occ. § 12-410; and be it further,

ORDERED that this is a formal order and as such is a public document pursuant to the Maryland Public Information Act, Md. Code Ann., General Provisions Article § 4-101, *et seq.*

8-19-24
Date


Deena Speight-Napata, M.A.
Executive Director for;

Kris Rusinko, Pharm.D.,
Board President

CONSENT


1. AHF Pharmacy acknowledges the validity of this Pre-Charge Consent Order as if it were made after a hearing in which it would have had the right to counsel, to confront witnesses, and to all other substantial procedural protections provided by law.

2. AHF Pharmacy acknowledges that, by entering into this Pre-Charge Consent Order, it is waiving its right to appeal any adverse ruling of the Board that might have followed such an evidentiary hearing.

3. AHF Pharmacy acknowledges the legal authority and jurisdiction of the Board to enter and enforce this Pre-Charge Consent Order.

4. AHF Pharmacy signs this Pre-Charge Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. AHF Pharmacy fully understands the language, meaning, and effect of this Pre-Charge Consent Order.

07/17/2024
Date


Name: Kenneth S. Carruthers
Title: Chief Pharmacy Officer

STATE OF FLORIDA,
COUNTY/CITY OF _____:

I hereby certify that on this _____ day of _____, 2024, before me, a Notary Public of the State of Florida, County/City aforesaid, personally appeared _____, and made an oath in due form that the foregoing Consent was his/her voluntary act and deed on behalf of AHF Pharmacy.

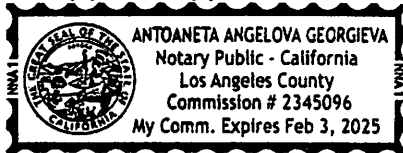
Please see attached
Notary Public
My commission expires: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 17th
day of July, 2024, by Kenneth Scott Carruthers

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature

A handwritten signature in cursive script, appearing to read "Kenneth Scott Carruthers", written over a horizontal line.