

IN THE MATTER OF * BEFORE THE STATE
OLUSEGUN ALANI ADEDIRAN, P.D. * BOARD OF
RESPONDENT * PHARMACY
LICENSE NUMBER: 16036 * CASE NUMBER: 14-078

* * * * *

FINAL CONSENT ORDER

The State Board of Pharmacy ("the Board") charged Olusegun Alani Adediran, P.D. ("the Respondent"), license number: 16036 under the Maryland Pharmacy Act (the "Act"), Md. Health Occ. Code Ann. ("H.O.") §§ 12-101 *et seq.* (2009 Repl. Vol.). Specifically, the Board charged the Respondent with violating the following provisions:

H. O. § 12- 313. Denials, reprimands, suspensions, and revocations- Grounds.

(b) Subject to the hearing provisions of § 12-315 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a license to any applicant for a pharmacist's license, reprimand any licensee, place any licensee on probation, or suspend or revoke a license of a pharmacist if the applicant or licensee:

- (2) Fraudulently or deceptively uses a license;
- ((6) Submits a false statement to collect a fee;
- (7) Willfully makes or files a false report or record as part of practicing pharmacy
- (15) Dispenses any drug, device, or diagnostic for which a prescription is required without a written, oral, or electronically transmitted prescription from an authorized prescriber;

(25) Violates any rule or regulation adopted by the Board;

The Board also charges the Respondent with violating:

Code of Md. Regs tit. 10, §34.10

.01 Patient Safety and Welfare.

A. A pharmacist shall:

(1) Abide by all federal and State laws relating to the practice of pharmacy and the dispensing, distribution, storage, and labeling of drugs and devices, including but not limited

(c) Health Occupations Article, Title 12, Annotated Code of Maryland.

B. A pharmacist may not:

(1) Engage in conduct which departs from the standard of care ordinarily exercised by a pharmacist.

(3) Engage in unprofessional conduct.

The Respondent was given notice of the Board's charges by letter dated October 30, 2014. A case resolution conference was held on December 10, 2014. As a consequence of the Case Resolution Conference, the Respondent and the Board agreed to resolve the matter by way of settlement. The Respondent and the Board agreed to the following:

FINDING OF FACT

The Board finds that:

1. At all times relevant hereto, the Respondent was licensed to practice pharmacy in the State of Maryland. The Respondent was originally licensed to practice pharmacy in Maryland on or about April 5, 2001.

2. The Respondent's license expires on November 30, 2016.

3. At all-times relevant hereto, the Respondent was employed by a Maryland hospital (Facility A"), where he worked as a pharmacist.¹

4. On or about May 27, 2014, the Pharmacy Director at Facility A ("Pharmacy Director") filed a complaint with the Board. In the complaint, the Pharmacy Director informed the Board that the Respondent was terminated for filling prescriptions without the consent of an authorized prescriber.

5. An investigation revealed that between February 2014 and April 2014, the Respondent filled unauthorized prescriptions for the following medications: Losartan-HCTZ 100-25 mg tablets; Proair HFA 90 mcg Inhaler; Lidocaine 2% Viscous Soln; Cefuroxime Axetil 250 mg tablets; and Rabeprazole Sod Sr 20 mg tablets.

6. The physician whose named appeared on prescriptions was contacted by the Pharmacy Director. The physician told the Pharmacy Director that hat he did not know the patients whose names appeared on the prescriptions and he did not authorize the prescriptions that were filled by the Respondent.

7. The Respondent's conduct as set forth above is a violation of H.O. §§ 12-313 (b)(15) and (25) and Code of Md. Regs tit.10, §34.10.01 A (1) (c) and B (1) and (3)

¹ Facility A is not identified in this document for privacy reasons, but this information will be provided upon request.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated H.O. §§ 12-313 (b)(15) and (25) and Code of Md. Regs tit.10, §34.10.01 A (1) (c) and B (1) and (3).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 22nd day of January 2014, by a majority of the Board hereby:

ORDERED that the Respondent be **REPRIMANDED**; and it is further

ORDERED that the Respondent's shall be placed on **PROBATION** for a period of one (1) year subject to the following conditions:

1. The Respondent shall take and pass a Board approve ethic course.

2. The Respondent shall take and pass a Board approved Continuing education course focused on ensuring the validity of prescriptions; and it is further

ORDERED that at the end of the Respondent's probationary period, the Respondent shall file a written petition to the Board for termination of the probationary status and the removal of any conditions or restrictions that resulted from this disciplinary action, provided that Respondent has fulfilled all the terms and conditions set forth herein, is not in violation of this Order, and there are no outstanding complaints against the Respondent; and it is further

ORDERED that if the Respondent fails to make any such petition, then the probationary period status shall continue indefinitely, subject to the conditions set forth in this Order; and it is further

ORDERED that if the Board determines that the terms or conditions of this Order have not been successfully completed, the Board may modify the terms and conditions of Respondent's probation, upon notice to the Respondent; and it is further

ORDERED that if the Respondent violates any of the terms of this Order, the Board, after notice and a hearing, and a determination of violation, may impose any other disciplinary sanctions it deems appropriate, said violation being proved by a preponderance of evidence; and it is further

ORDERED that Respondent shall be responsible for all costs incurred under this Order; and it is further

ORDERED that the effective date of this Order is the date that it is signed by the Board; and it is further

ORDERED that this document constitutes a formal disciplinary action of the State Board of Pharmacy and is therefore a public document for purposes of public disclosure, pursuant to Md. General Provisions §§ 4-101 *et seq.* (2014).

1/22/15
Date


Lenna Israbian-Jamgochian, Pharm.D.
President
State Board of Pharmacy

CONSENT OF OLUSEGUN ALANI ADEDIRAN, P.D.

I, Olusegun Alani Adediranr, by affixing my signature hereto, acknowledge that:

1. I am represented by Howard J. Schulman, Esquire.

2. I am aware that I am entitled to a formal evidentiary hearing before the Board, pursuant to Md. Health Occ. Code Ann. § 12-315 (Repl. Vol. 2014) and Md. State Govt. Code Ann. §§ 10-201 *et seq.* (Repl. Vol. 2009).

3. I acknowledge the validity and enforceability of this Consent Order as if entered after a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections provided by law. I am waiving those procedural and substantive protections.

4. I voluntarily enter into and consent to the foregoing findings of fact, conclusions of law, and order and agree to abide by the terms and conditions set forth in this Consent Order, as a resolution of the Board's case, based on the findings set forth herein.

5. I waive my right to contest the findings of fact and conclusions of law, and I waive my right to a full evidentiary hearing, and any right to appeal this Consent Order as set forth in Md. Health Occ. Code Ann. § 4-319 (Rep. Vol. 2014) and Md. State Govt. Code Ann. §§ 10-201 *et seq.* (Rep. Vol. 2009).

6. I acknowledge that by failing to abide by the terms and conditions set forth in this Consent Order, and, following proper procedures, I may be subject to disciplinary action.

7. I sign this consent order, without reservation, as my voluntary act and deed. I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Order.

1/20/15
Date


Olusegun Alani Adediran

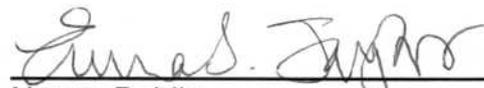
NOTARY

STATE OF MD

CITY/COUNTY OF BALTIMORE

I hereby certify that on this 20 day of JANUARY, ~~2014~~^{2015 ET}, before me, a Notary Public for the State of Maryland and the City/County aforesaid, personally appeared Olusegun Alani Adediran, P.D. and made oath in due form of law that the foregoing Consent Order was her voluntary act and deed.

AS WITNESS my hand and Notarial Seal.


Notary Public

My Commission Expires: 8/26/2016

