



STATE OF MARYLAND

**DHMH**

Department of Health and Mental Hygiene

*Larry J. Hogan, Jr. Governor – Boyd K. Rutherford, Lt. Governor – Van T. Mitchell, Secretary*

**MARYLAND BOARD OF PHARMACY**

*4201 Patterson Avenue • Baltimore, Maryland 21215-2299*

*Mitra Gavvani, Board President – Deena Speights-Napata, Executive Director*

**VIA REGULAR & CERTIFIED MAIL, RETURN RECEIPT REQUESTED**  
**ARTICLE #7013 1090 0000 3937 6285**

February 24, 2016

Alco Pharmacy  
11435 Cronhill Drive, Suite A  
Owings Mills, Maryland 21117  
Attn: Barbara Denrich

Re: Permit No. PW0249  
Finding of Deficiencies and Imposition of Civil Monetary Penalty  
By Consent

Dear Ms. Denrich:

On September 25, 2015, the Board of Pharmacy (the "Board") conducted a follow-up inspection of Alco Pharmacy (the "Pharmacy") to ensure compliance with State laws governing the registration of pharmacy technicians. The Board's inspector observed two unlicensed individuals performing prescription data entry. The Board's prior inspections of June 11, 2015 and March 30, 2015, also indicated similar violations of pharmacy technician registration laws. The Pharmacy subsequently provided information to the Board which evidenced that the Pharmacy's violations were unintentional, and demonstrated remedial actions taken to address registration of any technicians hired by the Pharmacy in the future.

## **I. FINDINGS AND CONCLUSION**

Based on the Board's inspection of the Pharmacy on September 25, 2015, the Board finds that the Pharmacy allowed two unlicensed individuals, A.O. and A.F., to perform delegated pharmacy acts without being duly registered as pharmacy technicians or pharmacy technician trainees enrolled in a Board-approved technician training program.

410-764-4755 • Fax 410-384-4128 ext. 500 • Toll Free 800-542-4964

DHMH 1-877-463-3464 • Maryland Relay Service 1-800-735-2258

Web Site: [www.dhmh.maryland.gov/pharmacy](http://www.dhmh.maryland.gov/pharmacy)

Based upon deficiencies at your Pharmacy, the Board finds that the Pharmacy is in violation of the Maryland Pharmacy Act and the regulations adopted thereunder. Specifically, the Board finds the Pharmacy in violation of Health Occ. Art. § 12-403(c)(1) and § 12-6B-01.

## II. RECOMMENDED CIVIL MONETARY PENALTY

Under Maryland Health Occupations Article § 12-410 and COMAR 10.34.11, the Board of Pharmacy has the authority to impose a civil monetary penalty based upon violations of the Maryland Pharmacy Act.

Based upon the deficiencies cited at the Pharmacy, and the subsequent mitigating factors presented by the Pharmacy, the Board hereby imposes a **civil monetary penalty of \$2,500.00**. The deficiencies upon which the civil monetary penalty is based are set forth above in this Notice.

In determining the recommended civil monetary penalty, the Board took into consideration the aggregating and mitigating factors outlined in COMAR 10.34.11.08.

The civil monetary penalty is **due within thirty (30) days** of the date of this letter, in the form of a check made payable to the Maryland Board of Pharmacy.

## III. FOLLOW-UP INSPECTION

Please be advised that the Board of Pharmacy may perform a follow-up inspection of the Pharmacy to insure that the deficiencies noted herein have been addressed and corrected. In addition, the Pharmacy has agreed to revise its policies and procedures to clarify that the Director of Pharmacy is responsible for all pharmacy operations, to include appropriate licensure of staff. Should the follow-up inspection indicate that the Pharmacy has further deficiencies or has not revised its policies and procedures as agreed above, the Board may pursue further disciplinary action against the Pharmacy that may result in the imposition of sanctions such as suspension, revocation or additional monetary penalties.

If you have any questions concerning the information or instructions contained in this letter, please contact Vanessa Thomas Gray, Compliance Investigator, at 410-764-2493.

Sincerely,



Deena Speights-Napata  
Executive Director

cc: Linda M. Bethman, AAG, Board Counsel