



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

Maryland Board of Pharmacy

Neil Leikach, RPh, MSc., Board President

Deena Speights-Napata, M.A., Executive Director

4201 Patterson Avenue

Baltimore, MD 21215-2299

January 17, 2024

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article Number: 7014 2870 0000 4732 2421

Alliance Pharmacy Plus Takoma Park

1101 University Blvd. East

Takoma Park, Maryland 20912

Attn: Emeka Munonye, R.Ph., Pharmacy Manager

Re: Permit No. P08674

Case No. 24-093

Notice of Deficiencies, Recommended Civil Monetary Penalty, and
Opportunity for Hearing

Dear Pharmacy Manager:

On May 12, 2023, the Maryland Board of Pharmacy (the "Board") conducted an annual inspection of Alliance Pharmacy Plus Takoma Park (the "Pharmacy") for compliance with statutes and regulations governing the operation of a pharmacy. The Board's inspection indicated that the Pharmacy was not compliant with laws relating to pharmacy security, pharmacy technician registration, board notification of business hours, and posting of medication error notices. Specifically, the Board inspection noted that a technician trainee (Trainee A) had access to open the pharmacy and was in the pharmacy without a pharmacist on the premises. The inspection also noted that the Pharmacy was not a Board-approved site for technician training. Furthermore, the Pharmacy's posted business hours to did not reflect the business hours submitted to the Board. Lastly, the Pharmacy did not post required patient notice regarding how to resolve

medication errors and did not submit documentation of such posting after requested by the Board's inspector.

I. FINDINGS AND CONCLUSION

The Board finds that the Pharmacy permitted Trainee A to have access to the Pharmacy, and permitted Trainee A to be in the Pharmacy without a supervising pharmacist on the premises. The Board also finds that the Pharmacy permitted Trainee A to work as a trainee obtaining work experience without obtaining Board approval as a technician training program. The Board further finds that the Pharmacy did not provide the Board with its updated business hours. Lastly, the Board finds that the Pharmacy did not post notice to its patients regarding how to resolve medication errors, and did not provide documentation of such posting as requested by the Board inspector.

Based upon the deficiencies noted 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), (4), and (20), 12-413(c), and 12-6B-01, and COMAR 10.34.05.02B(2), 10.34.30.05, and 10.34.34.06.

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, the Board hereby recommends the imposition of a **civil monetary penalty of \$2,000.00**. The deficiencies upon which the civil monetary penalty is based are set forth above in this Notice and the inspection report, dated May 12, 2023.

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

III. FOLLOW-UP INSPECTION

Please be advised that the Board of Pharmacy may perform a follow-up inspection of the Pharmacy to ensure that the deficiencies noted herein have been addressed and corrected. Should the inspection indicate that the Pharmacy has further deficiencies, 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.

IV. OPPORTUNITY FOR HEARING

If the Pharmacy disputes the findings, conclusions or the recommended civil monetary penalty, the Pharmacy may request an evidentiary hearing on the Board's decision in this matter. In the event that the Pharmacy requests an evidentiary hearing, the Board shall initiate formal proceedings which will include the opportunity for a full evidentiary hearing. The hearing will be held in accordance with the Administrative Procedure Act, Md. Code Ann. State Gov't § 10-201 *et seq.*, and COMAR 10.34.01. Any request for a hearing must be submitted in writing to Trina Leak, Pharm.D., Maryland Board of Pharmacy, 4201 Patterson Ave., 5th Floor, Baltimore, Maryland 21215, **no later than thirty (30) days of the date of this Notice.**

Please be advised that at the hearing the Pharmacy would have the following rights: to be represented by counsel, to subpoena witnesses, to call witnesses on its own behalf, to present evidence, to cross-examine witnesses, to testify, and to present summation and argument. Should the Board find the Pharmacy in violation of the deficiencies cited above, the Board may suspend or revoke the pharmacy permit, impose civil penalties, or both. If the Pharmacy requests a hearing but fails to appear, the Board may nevertheless hear and determine the matter in its absence.

V. OPTION TO PAY RECOMMENDED CIVIL MONETARY PENALTY

Alternatively, the Pharmacy may pay the recommended civil monetary penalty **within thirty (30) days** of the date of this Notice, in the form of a certified check or money order made payable to the Maryland Board of Pharmacy.

Please mail the check or money order 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, 24-093, on your check or money order to ensure proper assignment to your case.

Upon the Pharmacy's payment of the civil monetary penalty, this Notice will constitute the Board's final action with respect to the May 12, 2023, inspection, and shall be a public document and order under the Maryland Public Information Act, Md. Code

January 17, 2024
Case #24-094

Ann., General Provisions Art. § 4-101, *et seq.*, and posted and reported in accordance with State and federal laws.

If you have any questions concerning the instructions contained in this letter, please contact Trina Leak, Pharm.D., at 443-635-8318.

Sincerely,



Deena Speights-Napata, M.A.
Executive Director

cc: Linda Bethman, AAG, Board Counsel