

IN THE MATTER OF * BEFORE THE MARYLAND
ARNOLD ALPERSTEIN, P.D. * STATE BOARD OF
LICENSE NO. 07356 * PHARMACY

* * * * *

CONSENT ORDER OF REINSTATEMENT

Background Findings

On May 16, 2007, Arnold Alperstein appeared before a quorum of the Maryland Board of Pharmacy (the "Board") in support of his Petition for Reinstatement and to answer questions posed by the Board regarding his ability to practice pharmacy in a safe and ethical manner.

On July 18, 2003, Mr. Alperstein surrendered his pharmacist's license to the Board pending a Board investigation into allegations of misconduct and in lieu of incurring disciplinary action under the Maryland Pharmacy Act. The Letter of Surrender was based upon Mr. Alperstein's arrest for theft of narcotics, namely Percocet, from a retail pharmacy. Based upon the terms of the Letter of Surrender, Mr. Alperstein could petition for reinstatement of his license provided that he submitted a substance abuse evaluation that was satisfactory to the Board and demonstrated a minimum of two years' compliance in a contract with the Pharmacists Education and Assistance Committee ("PEAC").

FINDINGS OF FACT

1. Mr. Alperstein entered into rehabilitation contract with PEAC on April 4, 2004, and has been compliant with its terms and conditions, to include drug screening and weekly monitoring.
2. Mr. Alperstein has submitted a substance abuse evaluation that has determined that Mr. Alperstein is fit to return to pharmacy practice.
3. Mr. Alperstein has completed in excess of 120 continuing education credits.

4. Mr. Alperstein's arrest for the theft of Percocet resulted in a *nolle prosequi*, i.e., the criminal case was withdrawn.
5. Mr. Alperstein has not practiced pharmacy since July 18, 2003.

CONCLUSIONS OF LAW

Mr. Alperstein has successfully complied with the terms of reinstatement under the Letter of Surrender, dated July 18, 2003, and has otherwise demonstrated that he is capable of practicing pharmacy in a safe and ethical manner under the probationary conditions set forth below.

ORDER

Based on an affirmative vote of the Board, it is this 9 day of JUNE, 2007, hereby:

ORDERED that Mr. Alperstein's license to practice pharmacy be reinstated under the terms and conditions set forth below, and in accordance with the Board's reinstatement regulations, COMAR 10.34.13; and be it further,

ORDERED that upon reinstatement, Mr. Alperstein's license shall be immediately placed on PROBATION for at least two (2) years, subject to the following conditions:

1. Mr. Alperstein shall practice under the on-site supervision of another licensed pharmacist;
2. Mr. Alperstein shall submit to random monthly drug screenings.
3. Mr. Alperstein shall not work as a floater.
4. Mr. Alperstein shall practice a maximum of 40 hours per week.
5. Mr. Alperstein shall practice for only one permit holder at a time.

6. Mr. Alperstein shall insure that his pharmacy employer(s) submit to the Board quarterly progress reports.
7. Mr. Alperstein shall provide a copy of this Consent Order to his pharmacy employer(s) prior to commencing employment and shall insure that the attached verification form is completed by the employer and returned to the Board prior to commencing employment; and be it further,

ORDERED that Mr. Alperstein may petition the Board for modification of the probationary terms SIX (6) MONTHS after the effective date of this Order provided that he has been fully compliant with all of the terms of probation; and be it further,

ORDERED that Mr. Alperstein may petition the Board for release from probation no earlier than TWO (2) YEARS after the effective date of this Order provided that he has been fully compliant with all of the terms of probation; and be it further,

ORDERED that in the event the Board finds for any good faith reason that Mr. Alperstein has violated any of the conditions of probation herein, to include a positive, diluted or missed drug screening, or in the event that the Board finds for any good faith reason that Mr. Alperstein has committed a violation of Title 12 of the Health Occupations Article or regulations adopted thereunder, the Board may immediately suspend Mr. Alperstein's license prior to a hearing; and be it further,

ORDERED that this is a formal order of the Maryland Board of Pharmacy and as such is a public document pursuant to the Maryland Annotated Code, State Government Article, Section 10-617(h).

June 19, 2007
Date

LaVerne B. Naesea
LaVerne Naesea, Executive Director
FOR
Mark Levi, P.D.
President, Board of Pharmacy



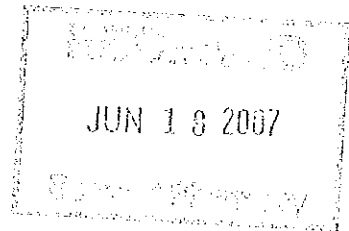
Arnie R. Alperstein
9214 James Howard Ln.
Pikesville, MD 21208

CONSENT

1. By signing this Consent, I hereby affirm the findings of fact contained herein and agree to be bound by the foregoing Consent Order and its conditions.
2. By this Consent, I submit to the foregoing Consent Order as a resolution of this matter. By signing this Consent, I waive any rights I may have had to contest the findings and determinations contained in this Consent Order.
3. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.
4. I sign this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. I fully understand the language, meaning, and effect of this Consent Order.

June 13, 2007
Date

Arnold Alperstein
Arnold Alperstein, P.D.



STATE OF MARYLAND
COUNTY/CITY OF Baltimore

I hereby certify that on this 13th day of June, 2007, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared ARNOLD ALPERSTEIN, and made an oath in due form that the foregoing Consent was his voluntary act and deed.

[Signature]
Notary Public
My commission expires: 03/01/08