

IN THE MATTER OF * **BEFORE THE**
ARCHWAY APOTHECARY * **MARYLAND STATE**
PERMIT NO. P07935 * **BOARD OF PHARMACY**
* **Case No. 23-281**

* * * * *

PRE-CHARGE CONSENT ORDER

Background

The Maryland State Board of Pharmacy (the “Board”) received credible information indicating that Archway Apothecary (the “Pharmacy”), a pharmacy located and licensed in Louisiana, had dispensed prescription drugs to patients in Maryland prior to obtaining a non-resident pharmacy permit from the Board. The Board’s records also indicate that the Pharmacy has been formally disciplined by other state boards for failure to adhere to sterile compounding standards.

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

FINDINGS OF FACT

1. Archway Apothecary is a pharmacy located and licensed in Covington, Louisiana under Permit Number 7333.
2. The Pharmacy’s permit in Louisiana is currently active.
3. The Pharmacy was originally issued a non-resident pharmacy permit by the Maryland Board of Pharmacy on February 6, 2019.
4. On or about November 18, 2021, and November 10, 2022, the Board received

- self-reports from the Pharmacy indicating that it had been formally disciplined by certain other state boards of pharmacy, to include the Louisiana Board of Pharmacy on August 18, 2021, and the California State Board of Pharmacy on October 31, 2022. Both actions were based primarily on the Pharmacy's failure to adhere to substantive sterile compounding standards. The Louisiana Board also required the Pharmacy's pharmacist-in-charge to obtain USP 797 training.
5. During the course of the Board's investigation into the above matters, it also discovered that the Pharmacy had dispensed approximately 23 compounded sterile preparations into Maryland prior to the issuance of its Maryland non-resident pharmacy permit on February 6, 2019.
 6. The Pharmacy's non-resident pharmacy permit is currently active and will expire on May 31, 2024.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Archway Apothecary is subject to discipline in accordance with Md. Code Ann., Health Occ. §§ 12-313(b)(24); 12-401; 12-403(c)(9) and (e); 12-703; and 12-707(e).

ORDER

Based upon an affirmative vote of a majority of the Board under the authority of Md. Code Ann., Health Occ. § 12-101, *et seq.*, it this 23rd day of June, 2023, hereby,

ORDERED that Archway Apothecary, Permit No. P07935, shall pay a FINE in the amount of \$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, 23-281, on your check or money order to ensure proper assignment to this case; and be it further,

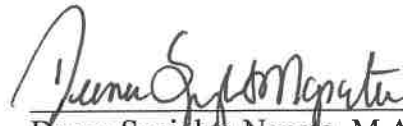
ORDERED that Archway Apothecary, shall comply with all laws and regulations governing the dispensing of prescription drugs and devices, to include compounded sterile products, into the State of Maryland by non-resident pharmacies; and be it further,

ORDERED that in the event that Archway Apothecary 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 disciplinary sanction it deems appropriate, including suspension, revocation, and fines, said violation being proven by a preponderance of the evidence; and be it further,

ORDERED that this is a formal order and as such is a public document pursuant to Md. Code Ann., General Provisions Article § 4-301, *et seq.*

6-23-23

Date



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

Neil Leikach, R.Ph.,
Board President

CONSENT

1. By signing this Consent, Archway Apothecary, submits to the foregoing Pre-Charge Consent Order as a resolution of this matter and agrees to be bound by its terms and conditions.

2. Archway Apothecary 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.

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

4. Archway Apothecary acknowledges the legal authority and the jurisdiction of the Board to enter and enforce this Pre-Charge Consent Order.

5. Archway Apothecary signs this Pre-Charge Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. Archway Apothecary understands the language, meaning, and effect of this Pre-Charge Consent Order.

6/21/23
Date


Name: Steve Puff
Title: President

STATE OF Louisiana
COUNTY/CITY OF St. Tammany :
PARISH

I hereby certify that on this 21 day of June, 2023, before me, a Notary Public of the State and County/City ^{PARISH} aforesaid, personally appeared Stephen Camp, and made an oath in due form that the foregoing Consent was his/her voluntary act and deed on behalf of Archway Apothecary.



Notary Public

My commission expires: _____

P. Keith Daigle, N.P.

LSBA No. 4457

My Commission Issued for Life