MARYLAND
Department of Health
Larry Hogan, Governor • Boyd Rutherford, Lt. Governor • Dennis Schrader, Secretary

MARYLAND BOARD OF PHARMACY
4201, Patterson Avenue, Baltimore, Maryland 21215-2299
Mitra Gavgani, Board President • Deena Speights-Napata, Executive Director

VIA REGULAR & CERTIFIED MAIL, RETURN RECEIPT REQUESTED
ARTICLE #7016 0750 0001 0747 6386

July 19, 2017

Tawfik Besher, R.Ph.
9378 Pep Rally Lane
Waldorf, Maryland 20603

Re: License No. 11118
Case No. 17-106
Notice of Recommended Civil Penalty

Dear Pharmacist Besher:

The Board of Pharmacy (the "Board") conducted an annual inspection of Family Care Pharmacy on March 1, 2017. During that inspection, it was noted that you were Board certified to administer vaccinations but were unable to produce your active CPR card. You subsequently submitted a copy of your CPR card on March 8, 2017, that indicated that you had completed a CPR class on March 3, 2017, after the inspection.

I. FINDINGS AND CONCLUSION

The Board finds that you failed to maintain an active CPR certification as a condition of registration to administer vaccinations under the authority of your pharmacist's license.

A pharmacist must maintain an active CPR certification in order to be registered to administer vaccinations in accordance with the Maryland Pharmacy Act, Health Occ. Art. § 12-508(b)(2) and COMAR 10.34.32.03A(2).

Please be advised that you must have a current and active CPR certification in order to administer vaccinations under the authority of your Maryland pharmacist license unless otherwise authorized.

II. RECOMMENDED CIVIL MONETARY PENALTY

Under Maryland Health Occupations Article § 12-314 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 findings and conclusions above, the Board hereby recommends the imposition of a **civil monetary penalty of $250.00**.

In determining the recommended civil monetary penalty, the Board took into consideration the aggregating and mitigating factors outlined in COMAR 10.34.11.04.

III. OPPORTUNITY FOR HEARING

If you dispute the findings, conclusions or the civil monetary penalty, you may request an evidentiary hearing on the Board's decision in this matter. In the event that you request 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 by submitted in writing to Vanessa Thomas Gray, Compliance Investigator, Maryland Board of Pharmacy, 4201 Patterson Ave., 1st Floor, Baltimore, Maryland 21215, **no later than thirty (30) days of the date of this Notice.**

Please be advised that at the hearing you would have the following rights: to be represented by counsel, to subpoena witnesses, to call witnesses on your own behalf, to present evidence, to cross-examine witnesses, to testify, and to present summation and argument. Should the Board find you guilty of the violations cited herein, the Board may impose formal public disciplinary action against your license such as a reprimand, placing your license on probation, suspension, or revocation. The Board may also impose a civil penalty against your license not to exceed $10,000. If you request a hearing but fail to appear, the Board may nevertheless hear and determine the matter in your absence.

V. OPTION TO PAY RECOMMENDED MONETARY PENALTY

Alternatively, you 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:

Maryland Board of Pharmacy
P.O. Box 2051
Baltimore, MD 21203-2051

NOTE: Please include the case number, 17-106, on your check or money order to insure proper assignment to your case.

Upon your payment of the civil monetary penalty, this Notice will constitute the Board's final action with respect to this matter, and shall be a public document in accordance with the Maryland Public Information Act.

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

Sincerely,

Deena Speights-Napata
Executive Director

cc: Linda Bethman, Board Counsel