

IN THE MATTER OF
MARIO BLOUNT, R.Ph.
Applicant

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BEFORE THE
MARYLAND STATE
BOARD OF PHARMACY
Case No. 18-306

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CONSENT ORDER DENYING APPLICATION FOR LICENSURE

Background

The Maryland Board of Pharmacy (the “Board”) received an application for pharmacist licensure from Mario Blount, R.Ph. (the “Respondent”) dated March 10, 2018. The Respondent disclosed on his application that he had federal convictions for various controlled substances violations and had surrendered his West Virginia pharmacist’s license as a result.

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

FINDINGS OF FACT

1. On or about March 10, 2018, the Respondent submitted an application for pharmacist licensure to the Maryland Board of Pharmacy.
2. The Respondent resides in West Virginia, and was licensed as a pharmacist in West Virginia for 29 years prior to the federal convictions referenced herein.
3. The Respondent disclosed that on February 3, 2015, he pled guilty to and was convicted on three (3) counts relating to the distribution of controlled dangerous substances: Count 1, conspiracy to possess with intent to distribute and to

distribute Schedule II Controlled Substances; Count 2, performing a false or fraudulent material omission; and Count 3, distribution of Oxymorphone outside the scope of his professional practice. *United States of America v. Mario Blount, R.Ph.*, U.S. Dist. Ct. for the Northern District of West Virginia, Case No. 1:14CR063.

4. The Respondent was sentenced to incarceration for 36 months, and ordered to pay forfeiture in the amount of \$15,000. The Respondent was released after 28 months, and is currently on supervised probation for three (3) years. In addition, the Respondent agreed, as a condition of his guilty plea, to surrender his West Virginia pharmacist's license and never to reapply for said license.
5. The Respondent's convictions were based on conduct occurring between December 2012 and October 2013, in which the Respondent "advanced" oxymorphone prescriptions, a Schedule II drug, for a certain patient based on the patient's prescription history with the pharmacy. The Respondent did not retain the "advanced" prescription, nor contact the patient's prescriber to issue a new prescription for the advanced amount of drugs. In addition, the Respondent failed to report the dispensing of the advanced prescription to the West Virginia Prescription Drug Program as required.
6. The Respondent currently works as a manager in a non-pharmacy retail setting.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Mario Blount, R.Ph., Applicant, is subject to denial of his application in accordance with Md. Code Ann., Health Occ. § 12-313(b)(22).

ORDER

Based upon an affirmative vote of the Board under the authority of Md. Code Ann., Health Occ. Art. § 12-313, it this 28th day of August, 2018, hereby,

ORDERED that Respondent's application for a pharmacist's license shall be DENIED; and be it further,

ORDERED that Respondent, may re-submit an application for a pharmacist's license after the Respondent has fully satisfied all terms of his criminal probation associated with the above-referenced case; and be it further,

ORDERED that the Board shall review any resubmission by the Respondent and take any necessary action on such resubmission as it deems necessary to protect the health and safety of Maryland citizens; 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 § 4-333 and shall be reported and posted in accordance with federal and state law.

8-28-18

Date



Deena Speights-Napata,
Executive Director for:

Kevin Morgan, Pharm.D.
Board President

CONSENT

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

2. Respondent acknowledges the validity of this Consent Order as if it were made after a hearing in which Respondent would have had the right to counsel, to confront witnesses, and to all other substantial procedural protections provided by law.

3. Respondent acknowledges that, by entering into this Consent Order, Respondent is waiving his right to appeal any adverse ruling of the Board that might have followed such an evidentiary hearing.

4. Respondent acknowledges the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.

5. Respondent signs this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. Respondent fully understands the language, meaning, and effect of this Consent Order.

8/21/18
Date

Mario Blount R.Ph.
Mario Blount, R.Ph.

STATE OF WV
COUNTY/CITY OF Harrison:

I hereby certify that on this 21 day of August, 2018, before me, a Notary Public of the State of WV and County/City aforesaid, personally appeared MARIO BLOUNT, and made an oath in due form that the foregoing Consent was his voluntary act and deed.



Mary Ann Murray
Notary Public
My commission expires: March 17, 2019