

IN THE MATTER OF
CHRIS R. BUCAR, P.D.
LICENSE NO. 15040

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BEFORE THE MARYLAND
STATE BOARD OF PHARMACY

CONSENT ORDER

Background

Based upon information received from Wal-Mart Pharmacy, Store #1968 in Aberdeen, Maryland, and discussions with representatives of the Pharmacy Education and Assistance Committee ("PEAC") regarding the pharmacy practice of Chris Buchar, License No. 15040 ("Respondent"), the Maryland Board of Pharmacy honored PEAC's request to meet with the Board on November 17, 1999. A quorum of the Board was present. The Respondent was assisted in his presentation to the Board by Tony Tommasello and Laurie Mohler of PEAC.

At the meeting, the Board, PEAC's representatives, and the Respondent discussed whether formal action against the Respondent's license was warranted. The Respondent and the Board subsequently agreed to the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. The Respondent has a long-standing and serious substance abuse problem.
2. The Respondent stole and abused narcotics valued at approximately \$1,500 to \$2,000 from the Wal-Mart Pharmacy, Store #1968, in Aberdeen, Maryland, over several months in 1999.
3. The Respondent forged prescriptions to facilitate the theft of narcotics.
4. On September 25, 1999, the Respondent informed his employer that he had a

substance abuse problem.

5. Respondent was terminated from his employment with Wal-Mart on September 27, 1999.

6. On October 4, 1999, the Respondent entered into a contract with PEAC, in which he agreed, among other things, to refrain from dispensing drugs, to submit to weekly random urinalysis, and to attend appropriate therapy for his substance abuse problem. This contract is effective for three years.

7. The Respondent is seeing a psychiatrist for depression and is in group therapy and regularly attends Narcotics Anonymous meetings. The Respondent's prospects for recovery are good based on his willing compliance with all conditions of his PEAC contract.

8. Based on PEAC's recommendations, the Respondent may practice pharmacy safely only in a non-dispensing position.

CONCLUSIONS OF LAW

Pursuant to Maryland Annotated Code, State Government Article, Section 10-226(c)(2)(i), the Board finds that public health, welfare, and safety is imminently threatened by the Respondent's continued practice of pharmacy without restrictions due to the danger of relapse of the Respondent's substance abuse problem.

ORDER

Based on agreement of the parties, it is this 23RD day of DECEMBER, 1999, by a majority of a quorum of the Board, hereby

ORDERED that the Respondent be placed on **PROBATION**, subject to the following conditions:

1. Respondent shall not dispense drugs. Respondent shall not have access to drugs during the course of employment.

2. Respondent shall abide by all conditions of his contract with PEAC and any directions from PEAC to amend his contract. Respondent shall comply with all directions from PEAC regarding compliance with his contract. PEAC may release to the Board any information it deems relevant regarding the Respondent's progress in therapy and his compliance with the PEAC Contract.

3. PEAC shall immediately report to the Board any violation of the PEAC contract committed by the Respondent.

4. A copy of this Consent Order shall be provided to PEAC and all employers prior to beginning work, and the Respondent shall immediately notify the Board of all places of employment prior to beginning work. The Respondent shall ensure that his current employer and any subsequent employers notify the Board that the employer has reviewed this Order and understands its terms. The Respondent shall immediately notify the Board of any change in address.

6. Two years following the date this Consent Order is signed by the Board officer, the Respondent may petition the Board for release from probation provided that PEAC endorses such release. And be it further


ORDERED that in the event that the Board receives an unsatisfactory report from PEAC which it believes in good faith to be accurate, or in the event that the Board finds for any good faith reason that the Respondent has violated any of the conditions of probation herein, or in the event that the Board finds for any good faith reason that the Respondent has committed a serious

violation of Title 12 of the Health Occupations Article or regulations adopted thereunder, the Board may take immediate action, including, but not limited to, **REVOCATION OR SUSPENSION OF THE RESPONDENT'S LICENSE TO PRACTICE PHARMACY, WITHOUT PRIOR NOTICE AND WITHOUT A HEARING.** And be it further

ORDERED that the Board reserves the right to issue further charges for violations of Title 12 of the Health Occupations Act or regulations adopted thereunder pending the outcome of any criminal charges against the Respondent related to his admitted theft of narcotics and forgery of prescriptions.

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

12/23/99
Date


Stanton G. Ades, P.D.
President, State Board of Pharmacy

CONSENT

By signing this Consent, I hereby admit to the truth of the foregoing Findings of Fact, and agree to be bound by the foregoing Consent Order and its conditions. I acknowledge the validity of the Order as if made after a hearing in which I would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf and to all other substantive and procedural protections provided by law. I understand that by signing this Consent I waive my right to appeal any adverse ruling that might have followed such a hearing. **I further waive any right to a hearing should the Board receive an unsatisfactory report from PEAC, or should in good faith find that I have violated my probation or that I have committed a serious violation of the Maryland Pharmacy Act, Title 12 of the Health Occupations Article or regulations adopted by the Board thereunder, and consent to the revocation, suspension, or any additional restriction on my license imposed by the Board due to the Board's receipt of any unsatisfactory report from PEAC, a violation of probation, or a serious violation of the Maryland Pharmacy Act or pharmacy regulations.**

I, Chris Buchar, have read this Consent Order in its entirety. I have been given the opportunity to consult with an attorney and to review each and every part of this Consent Order with the counsel of my choice. I understand this Consent Order and voluntarily and without reservation agree to sign it with full comprehension of its meaning and effect.

12.21.99
Date

Chris Buchar
Chris R. Buchar, P.D.

NOTARY

STATE OF MARYLAND

COUNTY/CITY OF Baltimore

I hereby certify that on this 21st day of December 1999, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared Chris R. Buchar, P.D., and made an oath in due form that the foregoing Consent was his voluntary act and deed.

Doris Jean Darden, Notary Public
Prince Georges County
State of Maryland

My Commission expires:

My Commission Expires Apr. 1, 2002

Doris Jean Darden
Notary Public