



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

Maryland Board of Pharmacy

Kristopher Rusinko, PharmD, MBA, M.Ed., MS, Board President

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

4201 Patterson Avenue

Baltimore, MD 21215-2299

March 7, 2025

VIA REGULAR, EMAIL, & CERTIFIED MAIL
RETURN RECEIPT REQUESTED
ARTICLE#: 7019 2280 0000 6558 2485

CVS Pharmacy #4030
11623 Reisterstown Road
Reisterstown, Maryland 21136
Attn: Aaron Sung, R.Ph., Pharmacy Manager

Re: Permit No. P05466
Case No. 25-162
Notice of Deficiencies, Recommended Civil Monetary Penalty, and
Opportunity for Hearing

Dear Pharmacy Manager:

The Maryland Board of Pharmacy (the "Board") conducted an annual inspection of CVS Pharmacy #4030 (the "Pharmacy") on February 28, 2024, for compliance with statutes and regulations governing the operation of a pharmacy. The Board's inspection report indicated that the Pharmacy was not compliant with laws relating to pharmacy technician registration and submission of required documentation. Specifically, the Board's inspector noted two (2) pharmacy technician trainees on staff but the Pharmacy failed to provide training enrollment documentation despite being requested to do so. In addition, the Board inspector requested production of certain documentation regarding

the Pharmacy's DEA power of attorney and CDS biennial inventory, none of which has been provided to the Board to date.

I. FINDINGS AND CONCLUSION

The Board finds that the Pharmacy permitted two (2) technician trainees to perform delegated pharmacy acts without documented enrollment in a Board-approved technician training program not to exceed six (6) months. In addition, the Board finds that the Pharmacy failed to provide documentation regarding its DEA Power of Attorney and CDS biennial as part of the Board's inspection despite follow-up requests.

Based upon the deficiencies noted at your Pharmacy, the Board finds that the Pharmacy is in violation of the Maryland Pharmacy Act and the regulations adopted thereunder. Specifically, the Board finds the Pharmacy in violation of Health Occ. Art. §§ 12-403(c)(1), 12-6B-01 and 12-413(c).

II. RECOMMENDED CIVIL MONETARY PENALTY

Under Maryland Health Occupations Article § 12-410 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 deficiencies cited at the Pharmacy, the Board hereby recommends the imposition of a **civil monetary penalty of \$3,000.00**. The deficiencies upon which the civil monetary penalty is based are set forth above in this Notice and in the Board's inspection report, dated February 28, 2024.

In determining the recommended civil monetary penalty, the Board took into consideration the aggregating and mitigating factors outlined in COMAR 10.34.11.08.

III. FOLLOW-UP ACTION AND INSPECTION

The Pharmacy shall submit all documents requested in the Board's Inspection Report, dated February 28, 2024, within seven (7) days of the date of this Notice.

Please be advised that the Board of Pharmacy may perform a follow-up inspection of the Pharmacy to ensure that the deficiencies noted herein have been addressed and corrected. Should the follow-up inspection indicate that the Pharmacy has further deficiencies, the Board may pursue further disciplinary action against the Pharmacy that may result in the imposition of sanctions such as suspension, revocation or additional monetary penalties.

IV. OPPORTUNITY FOR HEARING

If the Pharmacy disputes the findings, conclusions or the proposed civil monetary penalty, the Pharmacy may request an evidentiary hearing on the Board's decision in this matter. In the event that the Pharmacy requests 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 be submitted in writing to Trina Leak, Pharm.D., Maryland Board of Pharmacy, 4201 Patterson Ave., 5th Floor, Baltimore, Maryland 21215, **no later than thirty (30) days of the date of this Notice.**

Please be advised that at the hearing the Pharmacy would have the following rights: to be represented by counsel, to subpoena witnesses, to call witnesses on its own behalf, to present evidence, to cross-examine witnesses, to testify, and to present summation and argument. Should the Board find the Pharmacy in violation of the Maryland Pharmacy Act, the Board may suspend or revoke the pharmacy permit, impose civil penalties, or both. If the Pharmacy requests a hearing but fails to appear, the Board may nevertheless hear and determine the matter in its absence.

V. OPTION TO PAY RECOMMENDED CIVIL MONETARY PENALTY

Alternatively, the Pharmacy 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:

Wells Fargo Bank
Attn: State of MD - Board of Pharmacy
Lockbox 2051
401 Market Street
Philadelphia, PA 19106

NOTE: Please include the case number, 25-162, on your check or money order to ensure proper assignment to your case.

Upon the Pharmacy's payment of the civil monetary penalty, this Notice will constitute the Board's final action with respect to the February 28, 2024, inspection, and shall be a public document and order under the Maryland Public Information Act, Md. Code Ann., General Provisions Art. § 4-101, *et seq.*, and posted and reported in accordance with State and federal laws.

March 7, 2025
Case: 25-162

If you have any questions concerning the instructions contained in this letter, please contact Trina Leak, Pharm.D., Compliance Director, at 443/635-8318.

Sincerely,

A handwritten signature in black ink, appearing to read "Deena".

Deena Speights-Napata, M.A.
Executive Director

cc: Linda Bethman, AAG, Board Counsel