

IN THE MATTER OF

*

BEFORE THE

**CUSTOM PRESCRIPTIONS OF
LANCASTER**

*

MARYLAND BOARD

*

OF PHARMACY

Permit No. P05572

*

Case No. 24-302

* * * * *

PRE-CHARGE CONSENT ORDER

Background

In April 2024, the Maryland Board of Pharmacy (the “Board”) received an application for reinstatement of an expired pharmacist license from a pharmacist designated as the Maryland-licensed pharmacist responsible for the provision of pharmaceutical services to Maryland residents at a non-resident pharmacy, Custom Prescriptions of Lancaster (the “Pharmacy”), Permit No. P05572. Upon further investigation, the Board discovered that the Pharmacy was providing services to Maryland patients without an active Maryland-licensed designee between approximately October 1, 2023, and April 14, 2024.

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 proposed, and the Pharmacy agreed, to resolve this matter as set forth in this Consent Order.

FINDINGS OF FACT

1. At all times relevant hereto, the Pharmacy operated as a non-resident pharmacy in Maryland. The Pharmacy began operating under Permit No. P05572 on September 6, 2011; the permit is active and is set to expire on May 31, 2026.

2. At all relevant times, the Pharmacy designated Pharmacist A as the Maryland-licensed pharmacist responsible for the provision of pharmaceutical services to patients in Maryland, in accordance with Md. Code Ann., Health Occ. § 12-403(e)(2).
3. On September 3, 2023, Pharmacist A's license to practice pharmacy in Maryland expired. On April 9, 2024, Pharmacist A submitted an application for reinstatement of her Maryland license to the Board; Pharmacist A indicated on her application that she inadvertently missed the renewal period for her Maryland license.
4. Pharmacist A's license to practice in Maryland was reinstated on April 15, 2024.
5. The Pharmacy did not designate a new Maryland-licensed pharmacist responsible for the provision of pharmaceutical services to patients in Maryland within 60 days of the expiration of Pharmacist A's license as required by COMAR 10.34.37.04B(3).
6. The Pharmacy operated as a non-resident pharmacy in Maryland, dispensing approximately 93 prescriptions to Maryland patients, without an active Maryland-licensed designated pharmacist between October 1, 2023, and April 14, 2024.
- 7.

CONCLUSION OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Pharmacy is subject to disciplinary action in accordance with Md. Code Ann., Health Occ. §§12-403(e)(2), 12-409(b), and 12-410, and COMAR 10.34.37.04B(2), (3).

ORDER

Based on an affirmative vote of a majority of the Board, it is this 12th day of September, 2024, hereby:

ORDERED that the Pharmacy shall pay a fine in the amount of TWO THOUSAND DOLLARS (\$2,000.00), payable to the Maryland Board of Pharmacy, within sixty (60) days of the date of this Order and sent to:

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

(Please include the case number, 24-302, on your check or money order to ensure proper assignment to your case);

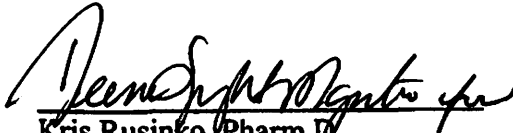
and be it further,

ORDERED that failure to pay in full the above fine within sixty (60) days of the date of this Order shall be considered a violation of this Order, and after notice and opportunity for a hearing shall subject the Pharmacy to further discipline such as suspension, revocation or further fines based on the violations cited in this Order; and be it further,

ORDERED that the Pharmacy shall practice in Maryland at all times in accordance with the Maryland Pharmacy Act, and specifically the requirements relating to a designated Maryland-licensed pharmacist on staff; and be it further

ORDERED that this is a formal order of the Maryland Board of Pharmacy and as such is a public document pursuant to the Md. Code Ann., Gen. Provisions § 4-301, *et seq.*

9-12-24
Date


Kris Rusinko, Pharm.D.
President, Maryland Board of Pharmacy

CONSENT

1. By signing this Consent, the Pharmacy submits to the foregoing Consent Order as a resolution of this matter in lieu of formal charges, which process would have afforded the Pharmacy the right to a full evidentiary hearing. The Pharmacy consents and submits to the foregoing Findings of Fact, Conclusions of Law, and Order as if made after a full evidentiary hearing in which the Pharmacy would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on its behalf, and to all other substantive and procedural protections provided by law.
2. By signing this Consent, the Pharmacy waives any rights it may have had to contest the findings and determinations contained in this Consent Order.
3. The Pharmacy acknowledges that this is a formal order of the Board and as such is a public document.
4. The Pharmacy acknowledges the legal authority and the jurisdiction of the Board to enter into and enforce this Consent Order.
5. The Pharmacy signs this Consent Order freely and voluntarily and after having had the opportunity to consult with counsel. The Pharmacy fully understands the language, meaning, and effect of this Consent Order.

Custom Prescriptions of Lancaster
Permit No. P05572

8/26/24
Date

Diane Boomsma
Name: Diane Boomsma
Title: President

STATE OF Pennsylvania
COUNTY/CITY OF Lancaster :

I hereby certify that on this 5th day of September, 2024,
before me, a Notary Public of the State of Pennsylvania and County/city aforesaid,
personally appeared Diane Boomsma, on behalf of CUSTOM PRESCRIPTIONS OF
LANCASTER and made an oath in due form that the foregoing Consent was his/her
voluntary act and deed.

Bernadette M Sheckart

Notary Public

My commission expires: Feb. 25, 2026

