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| IN THE MATTER OF | * | BEFORE THE |
| EVOLTRIX DBA | * | MARYLAND STATE |
| CARLIN SPRINGS PHARMACY | * | BOARD OF PHARMACY |
| Pharmacy Permit: Pending | * | Case No. 25-148 |
| * * * * * | * | * * * * * |

PRE-CHARGE CONSENT ORDER

Background

The Maryland Board of Pharmacy (the “Board”) received an application for a change of ownership from Evoltrix dba Carlin Springs Pharmacy (the “Pharmacy”) on September 23, 2024. On the application, the Pharmacy stated that the change of ownership had already occurred on July 1, 2024. The Board subsequently opened an investigation and received documents indicating that the Pharmacy had dispensed approximately 500 prescription orders, including controlled dangerous substances, into Maryland without a Maryland non-resident pharmacy permit or Maryland CDS permit.

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 and the Pharmacy have agreed to resolve this matter as set forth in this Pre-Charge Consent Order.

FINDINGS OF FACT

1. Evoltrix dba Carlin Springs Pharmacy is a non-resident pharmacy located and licensed in Arlington, Virginia.
2. A pharmacy located outside of Maryland must hold a non-resident pharmacy permit issued by the Board before the pharmacy dispenses any prescription drugs into Maryland.

3. On or about September 23, 2024, the Pharmacy submitted a change of ownership application to the Board. The application indicated that the change of ownership occurred on July 1, 2024, possibly indicating that the new owner had been operating a pharmacy prior to the issuance of a new non-resident pharmacy permit.
4. The seller's pharmacy permit had expired on June 1, 2024.
5. Maryland pharmacy permits are not transferrable.
6. Upon review of the information in the application, the Board opened an investigation into the matter.
7. The Pharmacy cooperated with the Board's investigation and provided requested documents. The Board's investigation determined that the Pharmacy dispensed certain prescription drugs, including controlled dangerous substances, into Maryland prior to obtaining a Maryland non-resident pharmacy permit and Maryland CDS registration.
8. A pharmacy must obtain a Maryland CDS permit from the Office of Controlled Substances Administration ("OCSA"), in addition to a DEA registration, in order to dispense controlled dangerous substances in the State.
9. Specifically, between July and October 2024, the Pharmacy dispensed approximately 500 prescription orders, including controlled dangerous substances, to patients in Maryland without a Maryland non-resident pharmacy permit or Maryland CDS registration.
10. The Pharmacy's application for a non-resident pharmacy permit is on file with the Board pending resolution of this matter.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Evoltrix dba Carlin Springs Pharmacy is subject to a sanction in accordance with Md. Code Ann., Health Occ. §§ 12-401, 12-403(e) and Crim. Law § 5-301.

ORDER

Based upon an affirmative vote of the Maryland Board of Pharmacy under the authority of Md. Code Ann., Health Occ. § 12-101, *et seq.*, it this 21st day of April, 2025, hereby,

ORDERED that the Pharmacy shall pay a FINE in the amount of FIVE THOUSAND DOLLARS (\$5,000.00), payable to the Maryland Board of Pharmacy within thirty (30) days of the date of this Order, and mailed 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, 25-148, on your check or money order in order to ensure proper assignment to this case; and be it further,

ORDERED that the Pharmacy shall cease and desist dispensing any prescription drugs, including controlled dangerous substances, into Maryland until such time that the Pharmacy obtains a non-resident pharmacy permit and Maryland CDS permit, as appropriate; and be it further,

ORDERED that in the event that the Pharmacy violates any of the terms above, the Board, after notice and an opportunity for a hearing, and a determination of a violation, may impose any sanction it deems appropriate, including the imposition of further fines in accordance with Health Occ. § 12-410; and be it further,

ORDERED that this is a formal order and as such is a public document pursuant to the Maryland Public Information Act, Md. Code Ann., General Provisions Article § 4-101, *et seq.*

4-21-25
Date


Deena Speights-Mapata, M.A.
Executive Director for:

Kristopher Rusinko, Pharm.D.,
Board President

CONSENT

1. Evoltrix dba Carlin Springs Pharmacy acknowledges the validity of this Pre-Charge Consent Order as if it were made after a hearing in which it would have had the right to counsel, to confront witnesses, and to all other substantial procedural protections provided by law.

2. Evoltrix dba Carlin Springs Pharmacy acknowledges that, by entering into this Pre-Charge Consent Order, it is waiving its right to appeal any adverse ruling of the Board that might have followed such an evidentiary hearing.

3. Evoltrix dba Carlin Springs Pharmacy acknowledges the legal authority and jurisdiction of the Board to enter and enforce this Pre-Charge Consent Order.

4. Evoltrix dba Carlin Springs Pharmacy signs this Pre-Charge Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. Evoltrix dba Carlin Springs Pharmacy fully understands the language, meaning, and effect of this Pre-Charge Consent Order.

5. By signing this Consent, Evoltrix dba Carlin Springs Pharmacy, makes no admission to the facts but submits to the foregoing Pre-Charge Consent Order as a resolution of this matter in lieu of formal charges, and agrees to be bound by its terms and conditions.

04/15/2025
Date

[Signature]
Name: DIPTESHKUMAR PATEL
Title: MANAGER / OWNER

STATE OF VIRGINIA,
COUNTY/CITY OF FAIRFAX :

I hereby certify that on this 15 day of APRIL, 2025, before me, a Notary Public of the State of Virginia, County/City aforesaid, personally appeared DIPTESH PATEL, and made an oath in due form that the foregoing Consent was his/her voluntary act and deed on behalf of Evoltrix dba Carlin Springs Pharmacy.

DIPTESHKUMAR PATEL

[Signature]
Notary Public
My commission expires: 12/31/2025

THUAN THAI DANG
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES DEC. 31 2025
COMMISSION # 7967429