

IN THE MATTER OF
DOMINIC GASDIA, P.D.
Respondent

License Number: 8479

* * * * *

* BEFORE THE
* STATE BOARD OF
* PHARMACY
* Case Number: 94-25

ORDER FOR REVOCATION

Pursuant to Md. Code Ann, State Gov't (S.G.) §10-226 (c), the Maryland Board of Pharmacy (the "Board") hereby **REVOKES** the pharmacist license of Dominic Gasdia, P.D. (the "Respondent"), license number 8479 under the Maryland Pharmacy Act, Md. Code Ann., Health Occ. §12-101 et seq. (1994)(the "Act"). This Order is based on the following information, which the Board has reason to believe is true:

1. At all times relevant the Respondent was licensed to practice pharmacy in the State of Maryland.

2. On or about March 10, 1994, the Respondent was charged by criminal information in the matter of The State of Maryland v. Dominic Robert Gasdia (Circuit Court for Harford County Criminal Case No. 94C0532) with having violated Art. 27, §300, subsections (g-1) (1) "manufactur(ing), distribut(ing), or possess(ing) with intent to distribute a prescription drug," (g-1) (3) "affix(ing) any false or forged label to a package, container, or other receptacle containing any prescription drug, or to omit, remove, alter, or obliterate any label or symbol on a prescription drug as required by federal, State, or local law," and (i) "Compounding or selling different drug, controlled dangerous substance, medicine,

etc., from one called for." (Criminal Information attached as Exhibit C.)

3. On December 12, 1996, the Respondent appeared before the Honorable Marshall, Judge of the Circuit Court for Harford County, and was found guilty of each of the above counts by a jury. A copy of the Order for Probation is attached hereto as Exhibit A. A copy of docket sheet is attached as Exhibit B. The Respondent was sentenced to five years, with all but 15 days suspended, the 15 days to be served in the detention center beginning on December 26, 1996; Respondent was placed on supervised probation for the duration of the sentence, fined \$2,500, and assessed court costs of \$515.00.

4. Subsection (i) requires that under this section, "[and] any person so convicted shall forfeit the right to practice pharmacy under any certificate or registration issued under the laws of this State."

5. Respondent has violated §12-313 (16) Violates any provision of §12-509 of this title, which concerns the labelling requirements for prescription medicines; (21) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside; and (23) Is disciplined by a licensing or disciplining authority of any other state or country or convicted or disciplined by a

court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes.

6. Based on the foregoing, the Board finds reason to believe that Respondent's license to practice pharmacy in the State of Maryland is forfeited, and therefore revoked, by operation of law.

7. On June 11, 1997 the Board unanimously voted to revoke the pharmacist license of Dominic Gasdia.

CONCLUSIONS OF LAW

By being found criminally guilty in the State of Maryland, by which your license to practice pharmacy in the State of Maryland was forfeited by operation of law, Respondent violated §12-313 (23) of the Act. Moreover, Respondent violated §12-313 (16) of the Act by failing to properly label prescription medicines. Further, the Board finds that Respondent violated §12-313 (21) as the crimes for which Respondent was found guilty of, are crimes of moral turpitude.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, a unanimous vote of the quorum of the Board present hereby

ORDERED, that the license of the Respondent, Dominic Gasdia (No. 8479), to practice pharmacy in the State of Maryland, be and is hereby **REVOKED**; and be it further

ORDERED, upon presentation of this Order for Revocation, Respondent shall immediately deliver to the Board, through the

Board's executive director or its designee, the display, renewal certificate, and wallet-sized license to practice pharmacy previously issued by the Board; and be it further

ORDERED that this is a Final Order of the Board of Pharmacy and as such is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., State Gov't §§ 10-611 et seq.

6/11/97
DATE

David M. Russo, R.Ph.
DAVID M. RUSSO, R.Ph.
~~George Voxakis, Pharm.D.~~
President Board of Pharmacy

NOTICE OF RIGHT TO APPEAL

Pursuant to Md. Code Ann., Health Occ. §12-316, you have a right to take a direct judicial appeal. A petition for appeal shall be filed within thirty days of your receipt of this Final Order and shall be made as provided for judicial review of a final decision in the Maryland Administrative Procedure Act, Md. Code Ann., State Gov't §§10-201 et seq., and Title 7, Chapter 200 of the Maryland Rules.