

<b>IN THE MATTER OF</b>	*	<b>BEFORE THE</b>
<b>TINA HART-LAWSON, Pharm.D.</b>	*	<b>STATE BOARD</b>
<b>LICENSE NO. 09913</b>	*	<b>OF PHARMACY</b>
<b>Respondent</b>	*	<b>Case Number: 05-089</b>

\* \* \* \* \*

**FINAL CONSENT ORDER**

Based on information received and a subsequent investigation by the State Board of Pharmacy (the "Board"), and subject to Md. Health Occ. Code Ann. § 12-101, et seq., (2000 Repl. Vol.) (the "Act"), the Board charged Tina Hart-Lawson, Pharm.D., (the "Respondent"), with violations of the Act. Specifically, the Board charged the Respondent with violation of the following provisions of §12-313:

(a) "Convicted" defined---In this section, "convicted" includes a determination of guilt, a guilty plea, or a plea of nolo contendere followed by a sentence.

(b) Subject to the hearing provisions of §12-315 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a license to any applicant, reprimand any licensee, place any licensee on probation; or suspend or revoke a license if the applicant or licensee:

- (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 [;].

The Respondent was given notice of the issues underlying the Board's charges by letter dated March 25, 2005. Accordingly, a Case Resolution Conference was held on May 3, 2005, and was attended by Melvin Rubin, P.D., Pharmacist Board Member, Margie Bonnett, Consumer Board Member, LaVerne Naesea, Executive Director, and, Linda Bethman, Assistant Attorney General, Board Counsel. Also in attendance were the

Respondent and her husband, Samuel Lawson, who is co-owner of the pharmacy where the incident occurred, and Roberta Gill, Assistant Attorney General, Administrative Prosecutor. The Respondent waived her right to be represented by counsel.

Following the Case Resolution Conference, and over the objection of the Prosecutor, the Respondent and the Board agreed to resolve the matter by way of settlement. The Respondent and the Board agreed to the following:

#### **FINDINGS OF FACT**

1. At all times relevant to the charges herein, Respondent was licensed to practice pharmacy in the State of Maryland. The Respondent was first licensed on November 17, 1982. The Respondent's license expires on August 31, 2005.
2. At all times relevant hereto, the Respondent was co-owner and chief dispensing pharmacist at Lawson's, Inc., d/b/a Medicine Shoppe Pharmacy in Cheverly, Maryland.
3. According to a Federal Indictment, on or about February 9, 2000, an undercover officer purchased 40 Percocet tablets from the Respondent using a false and fraudulent prescription in the name of a physician that did not exist. The Respondent knew that the prescription was fake and that the doctor did not exist. Nevertheless, the Respondent dispensed the Percocet, a Schedule II Controlled Dangerous Substance.
4. On January 10, 2002, the Respondent agreed to plead guilty to Count One of the Indictment.

5. On April 24, 2002, the Respondent pled guilty to Count One, unlawful distribution of oxycodone on February 9, 2000, and was found guilty in the United States District Court, District of Maryland, by Deborah K. Chasanow, United States District Judge. The Respondent was imprisoned for a total of five months, in community confinement with work release. Upon release from imprisonment, the Respondent was placed on supervised release for three years.

6. On her July 2003 application for renewal, the Respondent informed the Board of this guilty plea.

7. As set forth above, being convicted of a felony and a crime of moral turpitude is a violation of the Act.

#### **CONCLUSIONS OF LAW**

Based upon the foregoing Findings of Fact, the Board finds that Respondent violated § 12-313 (a) and (b) (21).

#### **ORDER**

Based on the foregoing Findings of Fact, Conclusions of Law and agreement of the Respondent and Board, it is this 28 day of August, 2005, by a majority of a quorum of the Board,

**ORDERED** that the Respondent's license to practice pharmacy is hereby **SUSPENDED** for three years, with all three years immediately Stayed; and it is further

**ORDERED** that the Respondent shall be placed on Probation for a minimum of three years, subject to the following condition:

During the first year of probation, the Respondent shall successfully complete a Board-approved continuing education course on ethics.

**ORDERED** that the Consent Order is effective as of the date of its signing by the Board; and be it

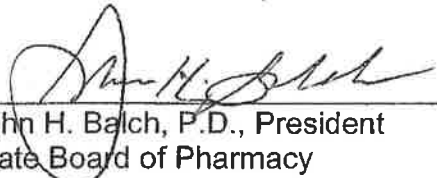
**ORDERED** that if the Board receives credible information that the Respondent is filing fraudulent prescriptions, the Board may immediately lift the Stay of the Suspension. The Respondent shall be entitled to a show cause hearing within a reasonable time thereafter.

**ORDERED** that should the Board receive information that the Respondent has violated the Act or if the Respondent violates any conditions of this Order or of Probation, other than listed above, e.g., filling fraudulent prescriptions, after providing the Respondent with notice and an opportunity for a hearing, the Board may take further disciplinary action against the Respondent, including lifting the suspension or revocation. The burden of proof for any action brought against the Respondent as a result of a breach of the conditions of the Order or of Probation shall be on the Respondent to demonstrate compliance with the Order or conditions; and be it

**ORDERED** that the Respondent shall practice in accordance with the laws and regulations governing the practice of pharmacy in Maryland; and be it further

**ORDERED** that, at the end of the Probationary period, the Respondent may petition the Board to be reinstated without any conditions or restrictions on her license, provided that she can demonstrate compliance with the conditions of this Order. Should the Respondent fail to demonstrate compliance, the Board may impose additional terms and conditions of Probation, as it deems necessary;

**ORDERED** that for purposes of public disclosure, as permitted by Md. State Govt. Code Ann. §10-617(h) (Repl. Vol. 2004), this document consists of the contents of the foregoing Findings of Fact, Conclusions of Law and Order and that the Board may also disclose same to any national reporting data bank that it is mandated to report to.

  
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John H. Balch, P.D., President  
State Board of Pharmacy

**CONSENT OF TINA HART-LAWSON, PHARM.D.**

I, Tina Hart-Lawson, by affixing my signature hereto, acknowledge that:

1. I am not represented by an attorney and have knowingly and voluntarily waived my right to be so represented;
2. I am aware that without my consent, my license to practice pharmacy in this State cannot be limited except pursuant to the provisions of § 12-313 of the Act and the Administrative Procedure Act (APA), Md. State Govt. Code Ann. §10-201, et seq., (2004 Repl. Vol.).
3. I am aware that I am entitled to a formal evidentiary hearing before the Board.

By this Consent Order, I hereby consent and admit to the foregoing Findings of Fact, Conclusions of Law and Order, provided the Board adopts the foregoing Consent Order in its entirety. By doing so, I waive my right to a formal hearing as set forth in § 12-315 of the Act and §10-201, et seq., of the APA, and any right to appeal as set forth in § 12-316 of the Act and §10-201, et seq., of the APA. I acknowledge that my failure to abide by the conditions set forth in this Order and following proper procedures, I may suffer disciplinary action, possibly including revocation, against my license to practice pharmacy in the State of Maryland.

08/19/05  
Date

Tina Hart-Lawson Pharm.D.  
Tina Hart-Lawson, Pharm.D.

STATE OF Maryland  
CITY/COUNTY OF Prince Georges

I HEREBY CERTIFY that on this 19 day of August, 2005 before  
me, Anita Butler, a Notary Public of the foregoing State and (City/County),  
(Print Name)

personally appeared Tina Hart-Lawson, License No. 09913, and made oath in due form of  
law that signing the foregoing Consent Order was her voluntary act and deed, and the  
statements made herein are true and correct.

AS WITNESSETH my hand and notarial seal.

Anita A Butler  
Notary Public

My Commission Expires: January, 2008