

IN THE MATTER OF	*	BEFORE THE
HENRY FORD PHARMACY	*	MARYLAND STATE
ADVANTAGE SOUTHFIELD	*	BOARD OF PHARMACY
PERMIT NO: P06219	*	Case No. 19-305

* * * * *

PRE-CHARGE CONSENT ORDER

RECEIVED
 OCT 29 2019
 By: *Cent. mail*

Background

The Maryland Board of Pharmacy (the "Board") is in receipt of a self-report from Henry Ford Pharmacy Advantage Southfield (the "Pharmacy") disclosing that it had dispensed three (3) prescriptions to two (2) patients in Maryland during a lapse in licensure in 2018. Upon further investigation, the Board determined that the Pharmacy also dispensed approximately 21 prescriptions to Maryland patients prior to its initial licensure on September 9, 2014. The Pharmacy has been disciplined for similar or related violations in other states.

In lieu of instituting formal proceedings against Henry Ford Pharmacy Advantage Southfield, 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. The Pharmacy was initially issued a non-resident pharmacy permit to operate in Maryland on September 9, 2014. The Pharmacy's permit expires on May 31, 2020.
2. The Board received a self-report from the Pharmacy disclosing that it dispensed three (3) prescriptions to two (2) Maryland patients during a lapse in licensure

from June 1, 2018, to July 2, 2018.

3. The Board's investigation in the matter discovered that the Pharmacy also dispensed approximately 21 prescriptions into Maryland prior to its initial licensure on September 9, 2014.
4. The Pharmacy has been disciplined by other state boards of pharmacy for similar or related violations: Louisiana Board of Pharmacy (November 14, 2018); Kansas Board of Pharmacy (February 27, 2019); and New Hampshire Board of Pharmacy (April 17, 2019). The Pharmacy self-reported these disciplinary actions to the Board.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Henry Ford Pharmacy Advantage Southfield is subject to the imposition of a fine in accordance with Md. Code Ann., Health Occ. §§ 12-403(e) and 12-707(e).

ORDER

Based upon an affirmative vote of the Board, it this 11th day of December 2019, hereby.

ORDERED that Henry Ford Pharmacy Advantage Southfield shall pay a FINE in the amount of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00), 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 Maryland -- Board of Pharmacy
Lockbox 2051
7175 Columbia Gateway Drive
Columbia, Maryland 21046
(Please include the Case Number 19-305 to ensure proper assignment.)

and be it further,

ORDERED that Henry Ford Pharmacy Advantage Southfield shall comply with all laws and regulations governing the operation of a pharmacy providing pharmaceutical services to patients in Maryland, wherever located; and be it further,

ORDERED that this is a formal order and as such is a public document pursuant to Md. Code Ann., General Provisions Article, § 4-301 *et seq.*

12-11-19
Date


Deena Speights-Ngata
Executive Director for:

Kevin Morgan, Pharm.D.
Board President

CONSENT

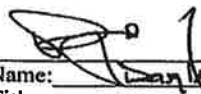
1. By signing this Consent, Henry Ford Pharmacy Advantage Southfield submits to the foregoing Consent Order as a resolution of this matter and agree to be bound by its terms and conditions.
2. Henry Ford Pharmacy Advantage Southfield acknowledges the validity of this Consent Order as if it were made 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.

3. Henry Ford Pharmacy Advantage Southfield acknowledges that, by entering into this Consent Order, it is waiving its right to appeal any adverse ruling of the Board that might have followed such an evidentiary hearing.

4. Henry Ford Pharmacy Advantage Southfield acknowledges the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.


5. Henry Ford Pharmacy Advantage Southfield signs this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. Henry Ford Pharmacy Advantage Southfield fully understands the language, meaning, and effect of this Consent Order.

11/2/19
Date


Name: Douglas Sanyal
Title: Operations Director

STATE OF MICHIGAN
COUNTY/CITY OF OAKLAND

I hereby certify that on this 17th day of November 2019, before me, a Notary Public of the State of ~~Maryland~~ Michigan and County/City aforesaid, personally appeared Douglas Samojedny and made an oath in due form that the foregoing Consent was his/her ~~voluntary~~ act and deed on behalf of Henry Ford Pharmacy Advantage Southfield.


Notary Public
My commission expires: 6/23/1920