

**IN THE MATTER OF** \* **BEFORE THE**  
**RICHARD HILLER, P.D.** \* **STATE BOARD**  
**License No.:10814** \* **OF**  
**Respondent** \* **PHARMACY**  
\* **Case No. 19-068**

\* \* \* \* \*

**FINAL ORDER OF PERMANENT REVOCATION OF PHARMACIST LICENSE**

On March 20, 2019, the State Board of Pharmacy (the “Board”), notified **RICHARD HILLER, P.D., License No. 10814**, the Respondent, of its Intent to Permanently Revoke his pharmacist license.

The Notice also informed the Respondent that, unless he requested a hearing in writing within 30 days of receipt of said Notice, the Board would sign the Final Order, which was enclosed. More than 30 days have elapsed and the Respondent failed to timely request a hearing. Therefore, this revocation is final.

The basis for the Board’s action was pursuant to the Maryland Pharmacy Act (the “Act”), Md. Code Ann., Health Occupations (“Health Occ.”) §§ 12-101 *et seq.* (2014 Repl. Vol. and 2018 Supp.).

The relevant provision is as follows:

H.O. § 12-313. Denials, reprimands, suspensions, and revocations--Grounds.

- (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 for a pharmacist’s license, reprimand any licensee, place any licensee on probation, or suspend or revoke a license of a pharmacist if the applicant or licensee:

- (22) 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 [;].

**FACTS THAT WARRANT  
THE REVOCATION OF THE RESPONDENT'S LICENSE**

1. At all times relevant hereto, the Respondent was registered to practice as a pharmacist in Maryland. The Respondent was first registered on July 31, 1986. The Respondent's license expired on August 31, 2018.

2. At all times relevant herein, the Respondent was employed at a pharmacy, hereinafter the "Pharmacy"<sup>1</sup>, in Towson in Baltimore County, Maryland.

3. On August 24, 2018, the Respondent pled guilty in the United States District Court for the District of Maryland to conspiracy to distribute oxycodone and distributing oxycodone<sup>2</sup>.

4. The Stipulation of Facts to that plea include the following:

- A. Between January 2014 and February 2017, the [Respondent] agreed with at least one other person to distribute mixtures or substances containing oxycodone, a Schedule II controlled substance;
- B. During the course of the conspiracy, the [Respondent] began to fill fraudulent prescriptions for 15 mg oxycodone pills uttered by several women in return for sexual favors;

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<sup>1</sup> To protect confidentiality, names of facilities and individuals will not be disclosed in this document.

<sup>2</sup> Oxycodone is an opioid pain medication, sometimes called a narcotic. Oxycodone is used to treat moderate to severe pain.

- C. On numerous occasions, between January 2014 and February 2017, two women would come to the Pharmacy and the Respondent would make them perform sexual intercourse or other sexual acts in the rear area of the pharmacy prior to filling fake prescriptions for oxycodone;
- D. The [Respondent] filled the prescriptions knowing they were fraudulent and outside the usual course of professional practice. In an effort to hide the conspiracy, the fake prescriptions uttered by one of the women would often use multiple names, including fake names and those of family members who never used the Pharmacy. Both of the women were addicted to oxycodone;
- E. On February 6, 2017, the [Respondent] knowingly filled a fraudulent prescription for 240, 15 mg oxycodone pills for one of the women;
- F. Also, starting in 2014, the [Respondent] begin to distribute oxycodone to a third woman outside the usual course of his professional practice. In return for distributing oxycodone to her, often without any valid prescription to cover them, the [Respondent] would ask the woman to send him nude photographs and sexual videos of herself and allow him to grope and kiss her. That woman would sometimes use her real first name to obtain oxycodone prescriptions from one doctor and then use her middle name as her first name to simultaneously obtain oxycodone prescriptions from a second doctor.

G. The [Respondent] would then fill both prescriptions knowing that they had been fraudulently obtained. At one point, when the third woman rejected one of the Respondent's advances, the [Respondent] called her doctors to notify them that she was fraudulently obtaining prescriptions from both of them;

H. The conspiracy distributed approximately 20,500, 15 mg oxycodone pills.

5. The Respondent was subsequently arrested and pled guilty.

6. Based on the above, on October 12, 2018, the Board summarily suspended the Respondent's license. The Respondent failed to request a hearing or contest the Board's Findings.

7. On December 1, 2018, the Respondent received the following judgment: he was sentenced to 40 months imprisonment in Pennsylvania as to both Counts to run concurrently; he is to be on supervised release for a term of three years following imprisonment, subject to certain conditions, such as refraining from possession of a controlled substance, and refraining from any unlawful use of a controlled substance. The Respondent also must participate in a mental health treatment program and follow the rules and regulations of that program, wherein the probation officer, in consultation with the treatment provider, will supervise his participation in the program, regarding the location, modality, and intensity, etc. The Respondent was also assessed \$230 dollars and fined \$15,000, with the latter to be paid at a rate of \$5000 per year upon his supervised release.

8. As set forth above, the Respondent pled guilty to and was convicted of a felony, in violation of H.O. §12-313(b) (22), and, as such, should have his license permanently revoked.

**CONCLUSIONS OF LAW**

Based upon the foregoing Findings of Fact, the Board concludes that the Respondent violated § of H.O. §12-313(b) (22).

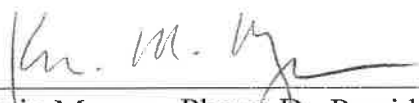
**ORDER**

As set forth above, the Board hereby orders that the license to practice as a Pharmacist in Maryland held by **RICHARD HILLER, P.D., License No. 10814**, the Respondent, be and is **PERMANENTLY REVOKED**, and that this Order is public, pursuant to Md. Code Ann., General Provisions §§ 4-101 *et seq.* (2014 Vol. and 2018 Supp.).

**NOTICE OF RIGHT OF APPEAL**

In accordance with §12-316 of the Act and Md. Code. Ann., State Government, §§10-201, *et seq.*, (2014 Repl. Vol. and 2018 Supp.), you have a right to a direct judicial appeal of this decision. A petition for appeal of the Final Board Order shall be filed within thirty days from your receipt of this Final Order and shall be made in accordance with the aforesaid authority.

5/15/2019  
\_\_\_\_\_  
Date

  
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Kevin Morgan, Pharm.D., President  
State Board of Pharmacy