

IN THE MATTER OF
HREMT PHARMACY
PERMIT NO. P02010

Respondent - Pharmacy

* BEFORE THE
* MARYLAND
* STATE BOARD
* OF
* PHARMACY

* * * * *

ORDER LIFTING STAY OF SUMMARY SUSPENSION

Pursuant to Md. Code Ann., State Gov't § 10-226(c), the State Board of Pharmacy (the "Board") hereby lifts the stay of the summary suspension of the permit issued to Hremt Pharmacy ("Hremt") to operate the pharmacy located at 5644 Silver Hill Road in District Heights, Maryland.

Procedural Background

1. At all times relevant hereto, Hremt was a pharmacy operating under the permit originally issued by the Board on November 20, 1996. Emmanuel Thad Ereme is the sole owner and permit holder for Hremt Pharmacy. A substantial portion of Hremt's pharmacy business was dedicated to institutional customers, namely the Department Juvenile Justice.
2. On March 6, 2003, the U.S. District Court issued a grand jury indictment against Mr. Ereme based on a finding of probable cause that Mr. Ereme engaged in a conspiracy to distribute drugs and drug distribution. All of the alleged illegal drug distribution took place at Hremt Pharmacy and involved the illegal distribution of Schedule II narcotics.

3. On March 11, 2003, the Board issued summary suspension orders against Mr. Ereme's pharmacist's license as well as his permit to operate Hremt Pharmacy. The summary suspension order against Hremt Pharmacy was stayed for a period of 14 days to allow Mr. Ereme to wind down his business and transfer his drug inventory.
4. The Board held a show cause hearing on Wednesday, March 19, 2003, during which Mr. Ereme had an opportunity to present argument for lifting or modifying the summary suspensions against his license or pharmacy permit.
5. On March 24, 2003, the Board issued an Order Continuing Summary Suspensions, in which the Board stayed the suspension against the Hremt with respect to Hremt's institutional pharmacy practice, but continued the suspension in all other respects. The Board continued its summary suspension of Mr. Ereme's pharmacist's license.
6. On March 28, 2003, the Board issued a letter modifying its Order, dated March 24, 2003, by allowing Hremt to service walk-in customers for a period of sixty (60) days, provided that Hremt retain a full-time pharmacy monitor. The Board's letter was issued in response to a request from Hremt to allow walk-in customers to facilitate the sale of Hremt pharmacy. Hremt never retained such a monitor and therefore it was not authorized to service walk-in customers.

FINDINGS

This Order is based on the following investigative information, which the Board finds credible and has reason to believe is true:

1. On March 6, 2003, the federal grand jury indicted Mr. Ereme based on allegations of narcotics conspiracy and distribution of controlled dangerous substances (Criminal No. PJM-02-0478). The indictment contains details regarding an alleged agreement between Mr. Ereme and a dentist, Beverly Wheatley, also indicted, to dispense Schedule II narcotics based on false or stolen prescriptions, *to wit*:

- a. From in or about 1999 and continuously thereafter up to and including in or about April 2002, in the State and District of Maryland, and elsewhere, [Mr. Ereme]....did knowingly, intentionally and unlawfully combine, conspire and agree together to distribute and possess with intent to distribute the following Schedule II controlled substances: Oxycodone (commonly referred to as Percocet or Roxicet), Hydromorphone (commonly referred to as Dilaudid) and Dolophine (commonly referred to as Methadone).
- b. It was part of the conspiracy that Mr. Ereme did dispense or cause others to dispense controlled substances pursuant to prescriptions that he knew were not authorized by a medical practitioner, prescriptions that were stolen from medical practitioners or otherwise fraudulent, and/or prescriptions that were not written by a medical practitioner for a legitimate medical purpose.
- c. It was further part of the conspiracy that Beverly Wheatley provided unlawful prescriptions to Mr. Ereme and other employees of the Hremt

- Pharmacy for the purpose of unlawfully obtaining controlled substances for herself and for others.
- d. It was further part of the conspiracy that Mr. Ereme failed to keep, or caused other employees of Hremt Pharmacy to fail to keep, proper records relating to dispensing controlled substances in order to hide, conceal and facilitate the illegal diversion of controlled substances.
2. The federal indictment also specifies four dates (March 21, 24, 28 and 29, 2000) on which Mr. Ereme knowingly, intentionally and unlawfully distributed Oxycodone, a Schedule II narcotic.
 3. Other scheduled controlled dangerous substances have street value and abuse potential in addition to Schedule II narcotics.
 4. Mr. Ereme is the sole owner and permit holder of Hremt Pharmacy. Mr. Ereme's license to practice pharmacy was summarily suspended by the Board on March 11, 2003.
 5. The Board summarily suspended the permit for Hremt Pharmacy on March 11, 2003. After a show cause hearing, the Board issued an Order Continuing Summary Suspensions, dated March 24, 2003, in which the Board stayed the suspension against Hremt with respect to its institutional pharmacy practice.
 6. Approximately two-thirds (2/3) of Hremt's pharmacy business was dedicated to servicing institutional customers, namely the Department of Juvenile Justice. Hremt Pharmacy since lost its contract with the Department of Juvenile Justice. Hremt ceased all of its operations in or about the first week of May 2003.

7. Hremt continues to possess its full inventory of Schedule II stimulants, Schedule III, IV, and V drugs as well as non-scheduled drugs.

CONCLUSION OF LAW

Based upon the foregoing, the Board concludes that the public health, safety and welfare imperatively require emergency action, pursuant to Md. Code Ann., State Gov't Article § 10-226(c)(2)(1999).

ORDER

Based on the foregoing, on this 14th day of May, 2003, by a unanimous vote of a quorum of the Board, by authority granted to the Board by Md. Code Ann., State Gov't Art. § 10-226(c)(2), it is hereby,

ORDERED that the stay of the summary suspension of the permit for Hremt Pharmacy, Permit No. P02010, held by Emmanuel Thad Ereme, be LIFTED; and be it further,

ORDERED that the summary suspension of Hremt Pharmacy be in full force and effect; and be it further,

ORDERED that the permit issued to Hremt Pharmacy shall be immediately forwarded to the Board of Pharmacy; and be it further,

ORDERED that this document constitutes a final order of the State Board of Pharmacy and is therefore a public document for purposes of public disclosure, as required by Md. Code Ann., State Gov't Art., §§10-617(h)(1999).

5/17/03
Date

LaVerne G. Naesea
LaVerne G. Naesea
Executive Director, Board of Pharmacy

NOTICE OF HEARING

The Respondent, Hremt Pharmacy, shall have the opportunity to show cause why the Board of Pharmacy should not have executed this Order. A show cause hearing shall be held before the Board of Pharmacy at 4201 Patterson Avenue, Baltimore, Maryland 21215. The Respondent shall submit a request to the Board in writing.