

IN THE MATTER OF * BEFORE THE MARYLAND
MOHAMMAD T. HUSSAIN, R.Ph. * STATE BOARD OF
LICENSE NO. 11704 * PHARMACY

* * * * *

CONSENT ORDER OF REINSTATEMENT

Background Findings

On June 14, 2011, Mohammad T. Hussain submitted a Petition for Reinstatement to the Board of Pharmacy (the “Board”) for reinstatement of his license to practice pharmacy. On February 15, 2012, Mr. Hussain appeared before a quorum of the Board to present his case in support of reinstatement and to answer questions posed by the Board regarding his ability to practice pharmacy in a safe and ethical manner.

Mr. Hussain’s license to practice pharmacy in Maryland was revoked on September 20, 1999, based on a jury in the U.S. District Court of Maryland finding him guilty of conspiracy, wire fraud, aiding and abetting, and selling sample drugs in 1997. Mr. Hussain received 36 months of imprisonment, three years of supervised release, and a fine for these offenses. Mr. Hussain has been licensed and practicing as a pharmacist in Washington, D.C., since 2000, and his D.C. license is in good standing.

FINDINGS OF FACT

1. Mr. Hussain’s 1997 conviction stemmed from events that took place between May 1995 and October 1996, when he owned and operated an independent pharmacy in Maryland. Essentially, Mr. Hussain was convicted of buying drugs from a licensed pharmacist that had been stolen from a hospital and then misbranded, and submitting false insurance claims after selling the drugs to his customers. Mr. Hussain does not dispute these facts.

2. In his letter to the Board, Mr. Hussain stated that he fully cooperated with investigators from the Food and Drug Administration as soon as he became aware that he had purchased contraband drugs. Mr. Hussain also stated that he believes this situation occurred because he was not competent as an owner of an independent pharmacy, and that he has no desire or intention to own an independent pharmacy in the future.

3. Mr. Hussain has worked as a pharmacist in Washington, D.C., since 2000. Mr. Hussain reported that he informed the District of Columbia Board of Pharmacy of his conviction and discipline in Maryland when he applied for licensure. He is currently working as pharmacy manager at a chain community pharmacy, a position he has held since 2009.

4. Mr. Hussain stated in his letter to the Board that he enjoys working at a chain community pharmacy, and he expressed at the February 15, 2012 hearing that he would like to continue working at a chain community pharmacy in Maryland, if the Board reinstates his license to practice pharmacy in Maryland.

5. Mr. Hussain has continued to live in Maryland while working in Washington, D.C. Mr. Hussain stated at the February 15, 2012 hearing that he is seeking reinstatement of his license so that he can transfer to a job in Maryland and stop commuting to Washington, D.C.

CONCLUSIONS OF LAW

Mr. Hussain has sufficiently demonstrated that he is capable of practicing pharmacy in Maryland in a safe and ethical manner under the terms and conditions outlined in this Order.

ORDER

It is this 28th day of March, 2012, by an affirmative vote of the Maryland Board of Pharmacy, hereby:

ORDERED that Mr. Hussain's license to practice pharmacy be reinstated, provided that

Mr. Hussain first successfully:

1. Complete the required continuing education;
2. Take the Maryland Pharmacy Jurisprudence Examination (“MPJE”); and
3. Pay the reinstatement fee; and be it further,

ORDERED that upon reinstatement, Mr. Hussain’s license be placed on immediate PROBATION for at least TWO (2) YEARS, during which Mr. Hussain shall take an ethics course approved by the Board; and be it further,

ORDERED that after two (2) years of probation, Mr. Hussain may petition the Board to terminate probation, provided that he has been fully compliant with the terms of probation and does not have any pending complaints filed against him; and be it further,

ORDERED as a condition of this consent order that Mr. Hussain shall not own a pharmacy or practice at a pharmacy owned by a family member; and be it further,

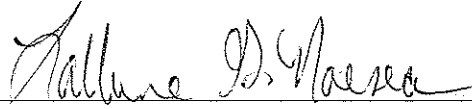
ORDERED that in the event the Board finds in good faith that Mr. Hussain has violated any of the conditions of probation herein, or in the event the Board finds in good faith that Mr. Hussain has committed a violation of Title 12 of the Health Occupations Article or regulations adopted thereunder, the Board may impose further disciplinary action against Mr. Hussain’s license, provided that Mr. Hussain is first given the opportunity for a hearing; and be it further,

ORDERED that Mr. Hussain shall bear the expenses associated with this Order; and be it further,

ORDERED that this is a formal order of the Maryland Board of Pharmacy and as such is a public document pursuant to the Maryland Annotated Code, State Government Article, Section 10-617(h).

3/28/12

Date



LaVerne G. Naesea, Executive Director
For
Michael Souranis, P.D.
President, Board of Pharmacy

CONSENT

1. By signing this Consent, I hereby admit to the truth of the findings contained herein and agree to be bound by the foregoing Consent Order and its conditions.

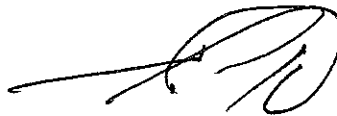
2. By signing this Consent, I submit to the foregoing Consent Order as a resolution of this matter. By signing this Consent, I waive any rights I may have had to contest the findings and determinations contained in this Consent Order.

~~3. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.~~

4. I sign this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. I fully understand the language, meaning, and effect of this Consent Order.

03/19/2012

Date



Mohammad T. Hussain, R.Ph.

STATE OF MARYLAND
COUNTY/CITY OF

Montgomery

I hereby certify that on this 19 day of 03, 2012, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared MOHAMMAD T. HUSSAIN, and made an oath in due form that the foregoing Consent was his voluntary act and deed.



Notary Public
My commission expires:

