

IN THE MATTER OF
WILLIAM ISENSTEIN, P.D.
LICENSE NO. 09704

BEFORE THE MARYLAND
STATE BOARD OF
PHARMACY

*
*
*
*

* * * * *

CONSENT ORDER

HISTORY

In November 2007, William Isenstein, P.D. ("Respondent") informed the Maryland State Board of Pharmacy (the "Board") that he was engaged in substance abuse rehabilitation and had surrendered his license to practice in North Carolina after his license was summarily suspended for making false statements on his Reciprocity Questionnaire with regard to his substance abuse history. Respondent asserts the submission of the false statements was unintentional. The Board's investigation into the matter led it to believe that a mental or physical ailment may have been affecting Respondent's ability to safely practice pharmacy. As a result, the Board referred Respondent for an evaluation by a Board-appointed psychologist to determine if Respondent is mentally competent to practice pharmacy. This evaluation took place on January 7, 2009, and the psychologist submitted his report to the Board on January 14, 2009.

On March 18, 2009, a Case Resolution Conference ("CRC") was held with members of the Board, Board Counsel, Respondent, and his counsel, in accordance with the Maryland Pharmacy Act, Md. Code Ann., Health Occ. § 12-315 *et seq.* Thereafter, the Board and Respondent have agreed to resolve this matter as set forth in this Consent Order.

FINDINGS OF FACT

1. Respondent has engaged in substance abuse rehabilitation, although he has recently relapsed in 2003, 2006 and 2007.
2. Respondent was licensed to practice pharmacy in North Carolina on January 17, 2007.
3. Respondent surrendered his North Carolina license on November 20, 2007 in connection with having provided a false statement on his reciprocity application. Respondent asserts the submission of the false statements was unintentional.
4. Respondent is currently in a substance abuse treatment program and psychotherapy, and submits to random urine screens. Both Respondent's substance abuse program counselors and psychotherapist indicate that he is currently compliant with treatment.
5. In November 2007, Respondent engaged in a contract with Pharmacists Education and Advocacy Council (PEAC) and has been compliant with its terms.
6. Respondent submitted to a substance abuse evaluation by a Board-assigned evaluator on January 7, 2009. The evaluation indicates that Respondent is fit to practice pharmacy without significant threat to his recovery or endangerment to the public provided he practices under certain restrictions, which have been incorporated by the Board into the Order below.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Respondent is subject to discipline pursuant to Md. Code Ann., Health Occ. §§ 12-313(b)(21) and (24).

ORDER

Based on an affirmative vote of the Board, it is this 15th day of April, 2009,

hereby:

ORDERED that Respondent's license shall be immediately placed on PROBATION for at least THREE (3) YEARS, subject to the following conditions:

1. Respondent shall submit to random weekly urine screenings to be ordered by the Board and conducted at a CLIA-certified laboratory;
2. Respondent shall continue individual psychotherapy and shall cooperate with the therapist's recommendations;
3. Respondent shall continue weekly participation in a 12-step aftercare or other group substance abuse program that is comprised of healthcare professionals and shall provide the Board weekly with verification of attendance;
4. Respondent shall ensure his employer(s) submit to the Board monthly performance reports.

ORDERED that Respondent shall at all times cooperate with the Board in the monitoring, supervision, and investigation of his compliance with the terms and conditions of this Consent Order; and be it further,

ORDERED that Respondent's failure to fully cooperate with the Board shall be deemed a violation of the probationary terms and a violation of this Consent Order; and be it further,

ORDERED that should Respondent violate any of the terms and/or conditions of this Order, the Board, in its discretion, after notice and an opportunity for a hearing, may impose any additional sanctions, including revocation and/or a monetary penalty authorized under the Maryland Pharmacy Act; and be it further,

ORDERED that Respondent may petition the Board for modification of the terms of this Order after one (1) year of its effective date if he has remained compliant with its terms and conditions; and be it further,

ORDERED that Respondent may petition the Board for release from probation no earlier than three (3) years after the effective date of this Order provided that he has been fully compliant with all of the terms of probation and there are no pending complaints against him; 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 Md. Code Ann., State Gov't, § 10-617(h).

Date 4/15/09

Donald W. Taylor
LaVerne Naesca, Executive Director for
Donald Taylor, P.D., President of the Board of
Pharmacy

CONSENT

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

3/31/09

Date

William Isenstein
 William Isenstein

STATE OF MARYLAND
 COUNTY/CITY OF Baltimore

I hereby certify that on this 31st day of March, 2009, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared WILLIAM ISENSTEIN, and made an oath in due form that the foregoing Consent was his voluntary act and deed.

[Signature]
 Notary Public
 My commission expires: 12/26/11

