



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

Maryland Board of Pharmacy
Deena Speights-Napata, M.A.
Executive Director
4201 Patterson Avenue
Baltimore, MD 21215

July 23, 2020

Jessup Care Pharmacy
8610 Baltimore Washington Blvd., Suite 110
Jessup, MD 20794
Attn: Tri Nguyen, R.Ph., Pharmacy Manager

Re: Permit No. P07312
Case No. 20-129
Finding of Deficiencies and Imposition
of Civil Monetary Penalty By Consent

Dear Pharmacy Manager:

On September 30, 2019, the Maryland Board of Pharmacy (the "Board") conducted an annual inspection of Jessup Care Pharmacy (the "Pharmacy") for compliance with statutes and regulations governing the operation of a pharmacy. The Board's inspection indicated that the Pharmacy was not compliant with laws relating to pharmacy technician registration. Specifically, the Board inspector observed an individual (T.D.) performing delegated pharmacy acts in the prescription area with a registration that expired on March 31, 2019. The Board's records indicate that the Pharmacy also had similar issues in its October 2017 inspection.

The Pharmacy timely requested a hearing on the matter. The Board convened a case resolution conference resulting in an agreement to resolve the findings of deficiencies as set forth herein.

I. FINDINGS AND CONCLUSION

The Board finds that the Pharmacy permitted an individual (T.D.) to perform delegated pharmacy acts, such as pulling and counting pills, with a registration that expired on March 31, 2019.

Based upon the above deficiencies, the Board finds that the Pharmacy is in violation of the Maryland Pharmacy Act and the regulations adopted thereunder. Specifically, the Board finds the Pharmacy in violation of Health Occ. Art. § 12-403(c)(1) and § 12-6B-01.

II. CIVIL MONETARY PENALTY

Under Maryland Health Occupations Article § 12-410 and COMAR 10.34.11, the Board of Pharmacy has the authority to impose a civil monetary penalty based upon violations of the Maryland Pharmacy Act.

Based upon the deficiencies reported at the Pharmacy, the Board hereby imposes a **civil monetary penalty of \$1,000.00**. The deficiencies upon which the civil monetary penalty is based are set forth in the findings above and the Inspection Report, dated September 30, 2019.

In determining the recommended civil monetary penalty, the Board took into consideration the aggregating and mitigating factors outlined in COMAR 10.34.11.08.

III. SUBMISSION OF POLICIES & PROCEDURES/FOLLOW-UP INSPECTION

The Pharmacy shall submit to the Board a copy of its policies and procedures regarding licensure verification and monitoring within sixty (60) days of the date of this letter. Please also be advised that the Board of Pharmacy may perform a follow-up inspection of the Pharmacy to ensure that the deficiencies noted in the Inspection Report have been addressed and corrected. Should the follow-up inspection indicate that the Pharmacy has further deficiencies, the Board may pursue further disciplinary action against the Pharmacy that may result in the imposition of sanctions such as suspension, revocation or additional monetary penalties.

IV. PAYMENT OF MONETARY PENALTY

The Pharmacy has agreed to pay the recommended civil monetary penalty **within six (6) months** of the date of this Finding, in the form of a certified check or money order made payable to the Maryland Board of Pharmacy.

Please mail the check or money order to:

Wells Fargo Bank
Attn: State of MD - Board of Pharmacy
Lockbox 2051
7175 Columbia Gateway Drive
Columbia, MD 21046

NOTE: Please include the case number, 20-129, on your check or money order to ensure proper assignment to your case.

Upon the Pharmacy's payment of the civil monetary penalty and submission of its policies and procedures, this Finding will constitute the Board's final action with respect to this case regarding the deficiencies related to inspection of September 30, 2019, and shall be a final order and public document and order under the Maryland Public Information Act. Md. Code Ann., General Provisions Art. § 4-101 *et seq.*, and posted and reported in accordance with State and federal laws.

If you have any questions concerning the instructions contained in this letter, please contact Donna Goldberg, R.Ph., J.D., at 410-764-3768.

Sincerely,

A handwritten signature in black ink, appearing to read "Deena".

Deena Speights-Napata, M.A.
Executive Director

cc: Linda Bethman, AAG, Board Counsel