



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

Maryland Board of Pharmacy
Kristopher Rusinko, PharmD, Board President
Deena Speights-Napata, M.A., Executive Director
4201 Patterson Avenue
Baltimore, MD 21215-2299

**VIA REGULAR & CERTIFIED MAIL
RETURN RECEIPT REQUESTED
ARTICLE #: 7019 2280 0000 6568 2840**

September 30, 2024

Tigest Lemma, R.Ph.

Re: License No. 22889
Case No. 25-008
Notice of Deficiencies, Recommended Civil Monetary Penalty, and
Opportunity for Hearing

Dear Pharmacist Lemma:

The Board of Pharmacy (the "Board") conducted an annual inspection of your pharmacy employer ("Pharmacy A") in Hyattsville, Maryland, on February 13, 2024. During that inspection, it was noted that you were registered by the Board to administer vaccinations. However, you did not have your CPR certification in your possession as required. The Board's review of its licensing records later determined that your CPR certification had expired in June 2023. The Board subsequently obtained information from Pharmacy A indicating that you administered approximately 1,700 vaccinations without an active CPR certification both before and after the Board's inspection noting the deficiency. The Board also notes that you obtained an active CPR certificate on February 17, 2024.

I. FINDINGS AND CONCLUSION

The Board finds that you administered vaccinations without having an active CPR certificate through in-person classroom instruction as required in order to administer vaccinations under the authority of your pharmacist's license from approximately June 1, 2023, through February 16, 2024.

A pharmacist must maintain active CPR certification through in-person classroom instruction in order to register to administer vaccinations in accordance with the Maryland Pharmacy Act, Health Occ. Art. § 12-508(b)(2) and COMAR 10.34.32.03.

II. RECOMMENDED CIVIL MONETARY PENALTY

Under Maryland Health Occupations Article § 12-314 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 findings and conclusions above, the Board hereby recommends the imposition of a **civil monetary penalty of \$500.00**.

In determining the recommended civil monetary penalty, the Board took into consideration the aggregating and mitigating factors outlined in COMAR 10.34.11.04.

III. OPPORTUNITY FOR HEARING

If you dispute the findings, conclusions or the recommended civil monetary penalty, you may request an evidentiary hearing on the Board's decision in this matter. In the event that you request an evidentiary hearing, the Board shall initiate formal proceedings which will include notice and an opportunity for a full evidentiary hearing. The hearing will be held in accordance with the Administrative Procedure Act, Md. Code Ann., State Gov't § 10-201 et seq., and COMAR 10.34.01. Any request for a hearing must be submitted in writing to Trina Leak, Pharm.D., Maryland Board of Pharmacy, 4201 Patterson Ave., 5th Floor, Baltimore, Maryland 21215, **no later than thirty (30) days of the date of this Notice**.

Please be advised that at the hearing you would have the following rights: to be represented by counsel, to subpoena witnesses, to call witnesses on your own behalf, to present evidence, to cross-examine witnesses, to testify, and to present summation and argument. Should the Board find you in violation of the Maryland Pharmacy Act, the Board may impose formal public disciplinary action against your license such as a reprimand, placing your license on probation, suspension, or revocation. The Board may also impose a civil penalty against your license not to exceed \$10,000. If you request a hearing but fail to appear, the Board may nevertheless hear and determine the matter in your absence.

IV. OPTION TO PAY RECOMMENDED CIVIL MONETARY PENALTY

Alternatively, the Pharmacy may pay the recommended civil monetary penalty **within thirty (30) days** of the date of this Notice, 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 Maryland - Board of Pharmacy
Lockbox 2051
401 Market Street
Philadelphia, PA 19106

NOTE: Please include the case number, 25-008, on your check or money order to ensure proper assignment to your case.

Upon your payment of the recommended civil monetary penalty, this Notice will constitute the Board's final action with respect to this matter, and shall constitute a final and public order under the Maryland Public Information Act, General Provisions Art. § 4-333, and be posted on the Board's website in accordance with Health Occ. § 1-607, and reported in accordance with State and federal laws.

If you have any questions concerning the instructions contained in this letter, please contact Trina Leak, Pharm.D., Compliance Director, at 443-635-8318.

Sincerely,



Deena Speights-Napata, M.A.
Executive Director

cc: Linda Bethman, AAG, Board Counsel
Trina Leak, Pharm.D., Compliance Director
Jitan Patel, R. Ph., Compliance Investigator Supervisor
Sharica Tasker, Compliance Investigator