

IN THE MATTER OF \* BEFORE THE MARYLAND STATE  
JOHN NEWTON, P.D. \* BOARD OF PHARMACY  
License No. 12238 \*

\* \* \* \* \*

CONSENT ORDER OF REINSTATEMENT

Pursuant to John Newton's Letter of Surrender dated December 11, 1997 (copy attached and incorporated by reference herein), Mr. Newton, license number 12238 ("Applicant"), was allowed to petition the Maryland State Board of Pharmacy for reinstatement of his surrendered pharmacist's license after meeting certain preconditions. Applicant then petitioned the Board for reinstatement and appeared before the Board at a reinstatement hearing on June 1, 1999. Based on his compliance with the conditions for reinstatement set forth in the Letter of Surrender, the Board hereby **ORDERS** the reinstatement of the Applicant's license subject to the following probationary conditions:

1. Applicant shall abstain from taking any mood altering substance.

2. Applicant shall continue to attend NA/AA meetings on a weekly basis.

3. Applicant shall be able to verify at all times that he has a sponsor in the 12 step program who is helping him with recovery.

4. Applicant shall continue his treatment at the Allegheny County Health Department Outpatient Addictions Program and shall abide by all recommendations for treatment.

5. Applicant shall submit to random urinalysis testing once per week.

6. Applicant shall extend the terms of his current contract with the Pharmacy Education and Assistance Committee ("PEAC") to June 30, 2000, and shall abide by all terms of that contract and all recommendations made by PEAC.

7. Applicant shall not work at more than one pharmacy location unless the additional pharmacy location is owned by the same employer. Applicant must notify the Board immediately regarding any intention to change employment, which change of employment is subject to the prior approval of the Board.

8. Applicant shall work under the direct supervision of a licensed pharmacist at least 90 % of the time for a period of eight weeks. At the end of eight weeks, Applicant shall be directly supervised for at least 50% of the time he is on duty in the pharmacy.

9. Applicant shall insure that a perpetual inventory of all controlled dangerous substances is maintained at any pharmacy in which he practices pharmacy.

10. Applicant shall disclose this Consent Order of Reinstatement and attached Letter of Surrender to all pharmacy employers.

11. Applicant shall complete all required continuing education credits by December 31, 1999, including all continuing education credits that were required in his previous license renewal period. And it is further

**ORDERED**, that the Board finds that the public health can be adequately protected only by Applicant's practice of pharmacy performed in accordance with the above probationary conditions. By signing this Consent Order of Reinstatement, Applicant agrees that he shall practice pharmacy only in accordance with these probationary conditions. And be it further

**ORDERED** that six months following the effective date of this Consent Order of Reinstatement, Applicant may petition the Board to release him from probation or to modify the terms of probation. Any such petition must be endorsed by the PEAC and the addictions counselor assessing the Applicant's progress in treatment, which petition may be accepted or rejected at the Board's sole discretion. And be it further

**ORDERED** that the terms of this Consent Order of Reinstatement do not preclude the Board from summarily suspending Applicant's

license as warranted by facts or circumstances of which the Board is not presently aware. And be it further

ORDERED that this Consent Order of Reinstatement constitutes a final order of the Board and is a public document subject to inspection by members of the public upon request, which Consent Order of Reinstatement may be shared by the Board with other licensing boards and otherwise published or disseminated consistent with Board policy regarding the dissemination and publication of Board orders. And be it further

ORDERED, that if the Applicant fails to abide by the terms of this Consent Order of Reinstatement and/or otherwise appears to be a danger to himself or to others, then the Board may, without prior notice and without an opportunity to be heard, summarily suspend the Applicant's license to practice pharmacy. And be it further

ORDERED, that if the Board summarily suspends the Applicant's license to practice pharmacy, the Board shall give the Applicant immediate notice of the summary suspension and an opportunity to be heard within forty-five (45) days of the Board's receipt of his written request for a hearing.

6/23/97  
Date

W. Irving Lattier, Jr. P.D.  
~~Stanton Ades, P.D.~~  
~~President, Board of Pharmacy~~  
Secretary Board of Pharmacy

CONSENT


I, JOHN NEWTON, P.D., have read this Consent Order of Reinstatement and acknowledge the following:

1. I understand and agree that this Consent Order of Reinstatement is a public document pursuant to §10-617(h) of the State Government Article, Annotated Code of Maryland.

2. I sign this Consent Order of Reinstatement after having an opportunity to consult with an attorney, whether or not I have done so, and without reservation, and I fully understand its meaning.

3. I further acknowledge that this Consent Order of Reinstatement provides that in the event the Board receives information that I am not complying with the conditions of this Consent Order of Reinstatement or that indicates that I appear to be a danger to myself or others, the Board may summarily suspend my license to practice pharmacy **WITHOUT PRIOR NOTICE AND WITHOUT A PRIOR OPPORTUNITY TO BE HEARD**. I acknowledge that should the Board take such action, I will then be given immediate notice of the summary suspension and an opportunity to be heard within forty-five (45) days of the Board's receipt of my written request for a hearing.

6/29/99  
Date

  
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John Newton, P.D.

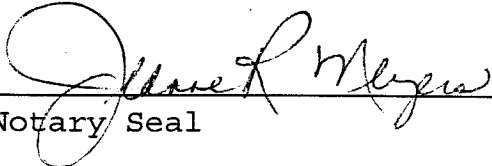
NOTARY

STATE OF MARYLAND

Garrett COUNTY

I HEREBY CERTIFY that on this 29<sup>th</sup> day of June, 1999,  
before me, a Notary Public of the State and City aforesaid,  
personally appeared John Newton, P.D., and made oath in due form of  
law that the execution of the foregoing Consent Order of  
Reinstatement is his voluntary act and deed.

AS WITNESS my hand and notarial seal.

  
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Notary Seal

My Commission expires on June 1, 2000.