

IN THE MATTER OF * BEFORE THE
OLAOLUWA OLADEJO, Pharm. D. * STATE BOARD
Respondent * OF PHARMACY
License No.: 26310 * Case No. 20-300

* * * * *

FINAL CONSENT ORDER

Based on information received and a subsequent investigation by the State Board of Pharmacy (the "Board"), and subject to Md. Code Ann., Health Occ. (H.O.) §§ 12-101, *et seq.* (2014 Repl. Vol. and 2019 Repl. Vol.) (the "Act"), on October 22, 2020, the Board issued Charges against the pharmacist license of **OLAOLUWA OLADEJO, Pharm. D.** (the "Respondent"). On December 9, 2020, a Case Resolution Conference was held with the Respondent, who was represented by Counsel, members of the Board, along with Board Counsel, and the Administrative Prosecutor, in order to determine whether the matter could be resolved. As a result, the following settlement was reached.

The Charges were issued pursuant to Health Occ. §12-313:

- (b) Subject to the hearing provisions of § 12-315 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a license to any applicant for a pharmacist's license, reprimand any licensee, place any licensee on probation, or suspend or revoke a license of a pharmacist if the applicant or licensee:
 - (2) Fraudulently or deceptively uses a license;
 - (8) Willfully fails to file or record any report that is required by law;
 - (15) Dispenses any drug, device, or diagnostic for which a prescription is required without a written, oral, or electronically transmitted prescription from an authorized prescriber;

(25) Violates any rule or regulation adopted by the Board [;].

The Board further charges the Respondent with violating its Pharmacist, Pharmacy Intern and Pharmacy Technician Code of Conduct, COMAR § 10.34.10:

B. A pharmacist may not:

- (1) Engage in conduct which departs from the standard of care ordinarily exercised by a pharmacist;
- (3) Engage in unprofessional conduct[.]

FINDINGS OF FACT

BACKGROUND

1. At all times relevant hereto, the Respondent was licensed to practice pharmacy in Maryland. The Respondent was first issued a Maryland pharmacist license on January 15, 2019. The Respondent's license expires on April 30, 2022.

2. At all times relevant herein, the Respondent was employed by a National chain retail pharmacy at various locations in Maryland and Washington, D.C., hereinafter, the "Pharmacy"¹.

3. On January 14, 2020, the Board received a letter from the Pharmacy notifying the Board that the Respondent had resigned from the Pharmacy for filling and verifying prescriptions for himself without prescriber authorization.

4. As a result of the letter, the Board began an investigation. In furtherance thereof, the Board's investigator obtained documents from an internal investigation

¹ Names of individuals and facilities are confidential.

conducted by the Pharmacy. The Pharmacy’s investigation determined that the Respondent had fraudulently called in and written prescriptions for himself, and, when confronted with the result of the Pharmacy’s investigation, the Respondent admitted same and was terminated from the Pharmacy on December 19, 2019, for “Gross Violation.”

5. Documentation received from the Pharmacy showed the following fraudulent prescriptions were filled by the Respondent from eight stores within the Pharmacy:

| Medication | Fill Date | Store Number ² |
|---|-----------|---------------------------|
| Testosterone Cyp ³ 2,000 mg/ml | 10/28/19 | 22 |
| BD INS SYRN UF ⁴ , 1 ml | 10/28/19 | 22 |
| Hydroquinone ⁵ , 4% cream | 8/28/18 | 1360 |
| Tretinoin ⁶ , 0.1% cream | 10/16/18 | 1363 |
| Hydroquinone, 4% cream | 10/16/18 | 1363 |
| Finasteride ⁷ , 1 mg | 7/11/19 | 1434 |
| Albuterol HFA ⁸ , 90 mcg Inhaler | 12/9/19 | 1436 |
| Albuterol HFA, 90 mcg Inhaler | 8/22/19 | 1456 |
| Chlorhexidine ⁹ , 0.12% Rinse | 8/22/19 | 1456 |

² Store Numbers 1434, 1436, 1456 and 3789 are located in Maryland.

³ Testosterone cypionate is used to treat symptoms of hypogonadism in males. In this condition, males do not produce enough of the sex hormone testosterone.

⁴ These are Insulin Syringes with **Ultra-Fine** needles.

⁵ Hydroquinone is used to lighten the dark patches of skin caused by pregnancy, birth control pills, hormone medicine, or injury to the skin.

⁶ Tretinoin is a prescription-strength topical cream or gel. It is used mainly to treat acne, sun-damaged skin, and fine wrinkles.

⁷ Finasteride is used to shrink an enlarged prostate in adult men. It may be used alone or taken in combination with other medications to reduce symptoms of BPH and may also reduce the need for surgery.

| | | |
|------------------------|----------|------|
| Hydroquinone, 4% cream | 5/19/19 | 3789 |
| Hydroquinone, 4% cream | 9/3/18 | 7174 |
| Hydroquinone, 4% cream | 9/17/18 | 7174 |
| Hydroquinone, 4% cream | 11/14/18 | 7174 |
| Finasteride, 1 mg | 3/1/19 | 7174 |

6. Since his termination from employment, the Respondent asserts that he has not practiced pharmacy.

7. As set forth above, by fraudulently writing and filling prescriptions for himself, the Respondent violated the following provisions of Health Occ. §§ 12-313(b): (2) (Fraudulently or deceptively uses a license); and/or (8) (Willfully fails to file or record any report that is required by law); and/or (15) (Dispenses any drug, device, or diagnostic for which a prescription is required without a written, oral, or electronically transmitted prescription from an authorized prescriber); and/or (25) (Violates any rule or regulation adopted by the Board). The Respondent violated the Board's regulations by violating COMAR § 10.34.10: B: A pharmacist may not: (1) Engage in conduct which departs from the standard of care ordinarily exercised by a pharmacist; and/or (3) Engage in unprofessional conduct.

⁸ Albuterol is used to treat wheezing and shortness of breath caused by breathing problems.

⁹ Chlorhexidine is a disinfectant and antiseptic that is used for skin disinfection before surgery and to sterilize surgical instruments. It may be used both to disinfect the skin of the patient and the hands of the healthcare providers. It is also used for cleaning wounds, preventing dental plaque, treating yeast infections of the mouth, and to keep urinary catheters from blocking. It is used as a liquid or powder.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent's actions violated §§12-213 (b) (8), (15) and (25) of the Act and COMAR 10.34.10.10 (B) (1) and (3).

ORDER

Based on the foregoing Findings of Fact, Conclusions of Law and agreement of the parties, it is this 12th day of January 2021, by a majority of a quorum of the Board,

ORDERED that the Respondent's License be SUSPENDED for ONE (1) YEAR, and that that Suspension be immediately STAYED; and be it further

ORDERED, that the Respondent shall be immediately placed on Eighteen (18) Months PROBATION, subject to the following conditions:

- A. The Respondent shall, within the first year of Probation, take, pass and document to the Board, a Four (4) Continuing Education Unit (CEUs) Ethics course from the Accreditation Council for Pharmacy Education (ACPE);
- B. The Respondent shall also self-report any employment or change in employment, including any disciplinary action taken against him to the Board within two weeks of said occurrence.

ORDERED that the Respondent may petition for termination of Probation provided that he has fully complied with the terms of the Order and there are no outstanding complaints against him. The Board will not grant early termination of Probation; and be it further

ORDERED that the Respondent shall bear the costs of compliance with the Order; and be it further

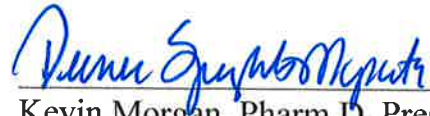
ORDERED that the Consent Order is effective as of the date of its signing by the Board; and be it further

ORDERED that the Respondent shall practice in accordance with the laws and regulations governing the practice of pharmacy in Maryland; and be it further

ORDERED that, should the Board receive information that the Respondent has violated the Act or if the Respondent violates any conditions of this Order or of Probation, after providing the Respondent with notice and an opportunity for a hearing, the Board may take further disciplinary action against the Respondent, including suspension or revocation. The burden of proof for any action brought against the Respondent as a result of a breach of the conditions of the Order or of Probation shall be on the Respondent to demonstrate compliance with the Order or conditions; and be it further

ORDERED, that for purposes of public disclosure, as permitted by Md. General Provisions. Code Ann. §§ 4-101, *et seq.* (Repl. Vol. 2014), this document consists of the contents of the foregoing Findings of Fact, Conclusions of Law and Order, and that the

Board may also disclose same to any national reporting data bank that it is mandated to report to.


Kevin Morgan, Pharm.D. President
State Board of Pharmacy

CONSENT OF OLAOLUWA OLADEJO, PHARM. D.

I, **OLAOLUWA OLADEJO, Pharm.D.** acknowledge that I am represented by counsel, Leonard C. Bennett, Attorney, and have consulted with counsel before entering into this Consent Order. By this Consent and for the purpose of resolving the issues raised by the Board, I agree and accept to be bound by the foregoing Consent Order and its conditions.

I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections provided by the law. I agree to forego my opportunity to challenge these allegations. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed after any such hearing.

I sign this Consent Order, voluntarily and without reservation, after having an opportunity to consult with counsel, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

12/29/20
Date


OLAOLUWA OLADEJO, Pharm. D.

STATE OF MD :

CITY/COUNTY OF PG :

I HEREBY CERTIFY that on this 29 day of December 2020, before me, Adela Orellana, a Notary Public of the foregoing State and (City/County),
(Print Name)

personally, appeared **OLAOLUWA OLADEJO**, Pharm. D., License No. 26310, and made oath in due form of law that signing the foregoing Consent Order was his voluntary act and deed, and the statements made herein are true and correct.

AS WITNESSETH my hand and notarial seal.



Notary Public

My Commission Expires: 02/02/2023

