

IN THE MATTER OF \* BEFORE THE MARYLAND  
JIM SU PAK, P.D. \* STATE BOARD OF  
LICENSE NO. 12280 \* PHARMACY

\* \* \* \* \*

**CONSENT ORDER OF REINSTATEMENT**

**Background Findings**

On July 19, 2006, Jim Su Pak appeared before a quorum of the Maryland Board of Pharmacy (the "Board") in support of his Petition for Reinstatement and to answer questions posed by the Board regarding his ability to practice pharmacy in a safe and ethical manner.

On April 7, 2005, the Board issued an Order Continuing Summary Suspension which continued the summary suspension of Mr. Pak's license to practice pharmacy at least until February 16, 2006. The Board's Order was based upon Mr. Pak's diversion of significant quantities of controlled dangerous substances, specifically Percocet and Oxycontin, from the pharmacy, Hickory Plaza Pharmacy, of which he was the permit holder and supervising pharmacist. Based upon the terms of the 2005 Board Order, Mr. Pak was permitted to petition the Board to lift the suspension no earlier than February 16, 2006, provided that he submitted a substance abuse evaluation that was satisfactory to the Board and complied with all conditions imposed during his suspension period.

**FINDINGS OF FACT**

1. Mr. Pak entered into a rehabilitation contract with PEAC on June 10, 2005, and has been compliant with its terms, including therapy and random urinalysis.
2. Mr. Pak has submitted a substance abuse assessment determining that Mr. Pak is fit to return to practice under certain conditions.
3. Mr. Pak has undergone a physical examination that indicates no impairments on his

ability to practice pharmacy.

4. Mr. Pak attends regular NA/AA meetings.
5. Mr. Pak has submitted evidence of up-to-date continuing education credits.

### CONCLUSIONS OF LAW

Mr. Pak has successfully complied with the terms of reinstatement under the Board's Order, dated April 7, 2005, and has otherwise demonstrated that he is capable of practicing pharmacy, in a safe and ethical manner under the probationary conditions set forth below.

### ORDER

Based on an affirmative vote of the Board, it is this 16<sup>th</sup> day of August, 2006, hereby:

**ORDERED** that Mr. Pak's license to practice pharmacy be REINSTATED; and be it further,

**ORDERED** that upon reinstatement, Mr. Pak's license shall be immediately placed on PROBATION for at least two (2) years, subject to the following conditions:

1. Mr. Pak may not own a pharmacy;
2. Mr. Pak may not practice pharmacy more than 32 hours per week for the first year;
3. Mr. Pak may not work for more than one pharmacy employer at one time;
4. Mr. Pak shall insure that a perpetual inventory is maintained of Schedule II drugs at any pharmacy location in which he practices;
5. Mr. Pak shall provide a copy of this Consent Order to his pharmacy employer prior to commencing employment and shall insure that the attached verification form is completed by the employer and returned to the Board prior to commencing employment;

6. Mr. Pak shall insure that his pharmacy supervisor provides to the Board quarterly employer reports;
7. Mr. Pak shall enter into, or continue, a contract with a rehabilitation program, which contract shall include:
  - A. authorization for release of program's records, including therapy records, to the Board;
  - B. random bi-weekly full urine screens for the first 90 days, and then random full urine screens at least monthly thereafter;
  - C. individual therapy;
  - D. requirement of Board approval prior to any change or modification to the rehabilitation contract;
  - E. quarterly progress reports to the Board by the rehabilitation program; and
  - F. requirement that the rehabilitation program notify the Board of any incident of non-compliance with the contract, this Consent Order, or treatment, within two (2) business days of the occurrence.
8. Mr. Pak shall comply with all conditions of the substance abuse rehabilitation contract.

**ORDERED** that Mr. Pak may petition the Board for release from probation no earlier than two (2) years after the effective date of this Order provided that he has been compliant with all of the terms of probation and there are no outstanding complaints against Mr. Pak; and be it further,

**ORDERED** that in the event the Board finds for any good faith reason that Mr. Pak has relapsed, has violated any of the conditions of probation herein, or in the event that the Board finds for any good faith reason that Mr. Pak has committed a violation of Title 12 of the Health

CONSENT

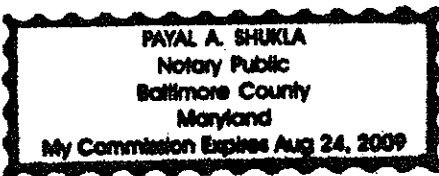
1. By signing this Consent, I hereby affirm the findings of fact contained herein and agree to be bound by the foregoing Consent Order and its conditions.
2. By this Consent, I submit to the foregoing Consent Order as a resolution of this matter. By signing this Consent, I waive any rights I may have 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.

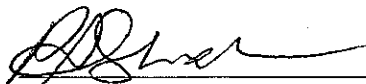
9-18-2006  
Date

  
\_\_\_\_\_  
Jim Su Pak, P.D.

STATE OF MARYLAND  
COUNTY/CITY OF Baltimore, Maryland

I hereby certify that on this 18<sup>th</sup> day of Sept, 2006, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared JIM SU PAK, and made an oath in due form that the foregoing Consent was his voluntary act and deed.



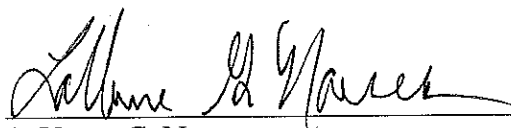
  
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Notary Public  
My commission expires: Aug 24, 2009

Occupations Article or regulations adopted thereunder, the Board may immediately suspend Mr. Pak's license prior to a hearing; 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 Maryland Annotated Code, State Government Article, Section 10-617(h).

Date

9/21/2006



LaVerne G. Naesea  
Executive Director