

STATE OF MARYLAND

DHMH

Department of Health and Mental Hygiene

Lawrence J. Hogan, Jr. Governor – Boyd K. Rutherford, Lt. Governor – Dennis R. Schrader,
Secretary

MARYLAND BOARD OF PHARMACY

4201 Patterson Avenue • Baltimore, Maryland 21215-2299

Mitra Gavvani, Board President – Deena Speights-Napata, Executive Director

VIA REGULAR & CERTIFIED MAIL, RETURN RECEIPT REQUESTED
ARTICLE #7014 2870 0000 4732 1905

January 17, 2017

People's Community Pharmacy
c/o Suzanne Alice Bates-Crandall
Chief Operations Officer
People's Community Health Centers, Inc.
1734 Maryland Avenue
Baltimore, MD 21201

Re: Permit No. P05579
Case No. PI-17-008
Notice of Deficiencies, Recommended Civil Monetary Penalty, and
Opportunity for Hearing

Dear Ms. Bates-Crandall:

The Maryland Board of Pharmacy (the "Board") received information indicating that People's Community Pharmacy (the "Pharmacy") ceased operations on June 30, 2014, and did not renew its permit. However, the Board's records do not indicate that the Pharmacy submitted to a closing inspection or otherwise complied with regulatory requirements concerning closure of a pharmacy.

I. FINDINGS AND CONCLUSION

Based upon the Pharmacy's failure to comply with the Board's Closure of Pharmacy regulations, 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(b)(1) and COMAR 10.34.14.

II. RECOMMENDED 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 cited at the Pharmacy, the Board hereby recommends the imposition of a **civil monetary penalty of \$500.00**. The deficiencies upon which the recommended civil monetary penalty is based are set forth in Section I.

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 PERMIT

As the Pharmacy has ceased operations, please immediately submit the pharmacy permit, P05579, to the Board of Pharmacy, attn: Vanessa Thomas-Gray, at 4201 Patterson Avenue, Baltimore, MD 21215, within thirty (30) days of the date of this Notice. Should you wish to re-apply for another pharmacy permit in the future, you must comply with all relevant application requirements.

IV. OPPORTUNITY FOR HEARING

If the Pharmacy disputes the findings, conclusions or the recommended civil monetary penalty, the Pharmacy may request an evidentiary hearing on the Board's decision in this matter. In the event that the Pharmacy requests an evidentiary hearing, the Board shall initiate formal proceedings which will include the 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 Vanessa Thomas Gray, Investigator, 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 violations cited herein be proven by a preponderance of the evidence, the Board may suspend or revoke the pharmacy permit, or impose civil penalties, or both. If you request a hearing but fail to appear, the Board may nevertheless hear and determine the matter in your absence.

V. 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:

Maryland Board of Pharmacy
P.O. Box 2051
Baltimore, MD 21203-2051

NOTE: Please include the case number, PI-17-008, on your check or money order to insure proper assignment to your case.

Upon the Pharmacy's payment of the civil monetary penalty, this Notice will constitute the Board's formal action with respect to this matter, and shall be a public document in accordance with the Maryland Public Information Act, General Provisions Art. § 4-333.

If you have any questions concerning the instructions contained in this letter, please contact Vanessa Thomas Gray, Compliance Investigator, at 410-764-2493.

Sincerely,



Deena Speights-Napata
Executive Director

cc: Linda Bethman, Board Counsel