



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

**Maryland Board of Pharmacy**

Jennifer L. Hardesty, PharmD, Board President  
Deena Speights-Napata, M.A., Executive Director  
4201 Patterson Avenue  
Baltimore, MD 21215-2299

**VIA CERTIFIED & REGULAR MAIL**  
**RETURN RECEIPT REQUESTED**  
**ARTICLE# 7019 2280 0000 6567 1929**

April 10, 2023

Rehya Health Specifics, Inc.  
405 Frederick Road  
Catonsville, Maryland 21228  
Attn: Patrick Enekwe, R.Ph., Pharmacy Manager

Re: Permit No. P08007  
Case No. 23-175  
Notice of Deficiencies, Recommended Civil Monetary Penalty, and  
Opportunity for Hearing

Dear Pharmacy Manager:

On August 12, 2022, the Board of Pharmacy (the "Board") conducted an annual inspection of Rehya Health Specifics, Inc., (the "Pharmacy") for compliance with statutes and regulations governing the operation of a pharmacy. The Board's inspection indicated that the Pharmacy was not compliant with laws governing security and access.

Specifically, the Board's inspector observed two (2) pharmacy technicians open the Pharmacy for business using keys and a security code, and then enter the pharmacy prescription area. The pharmacist did not arrive at the Pharmacy until approximately one (1) hour later. The Board's inspector advised the Pharmacy staff that pharmacy personnel may not have access to nor enter the Pharmacy without a pharmacist present.

## **I. FINDINGS AND CONCLUSION**

The Board finds that the Pharmacy permitted access to the Pharmacy, including the prescription area, to individuals other than a licensed pharmacist. In addition, the Board finds that the Pharmacy permitted staff to be present in the pharmacy, including the prescription area, without a licensed pharmacist on the premises.

Based upon deficiencies at the Pharmacy, 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(c)(1), (3) and (4) and COMAR 10.34.05.02B and .03A.

## **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 reported at the Pharmacy, the Board hereby recommends the imposition of a **civil monetary penalty of \$1,000.00**. The deficiencies upon which the civil monetary penalty is based are set forth in the findings above and the Inspection Report, dated August 12, 2022.

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 CORRECTIVE ACTION PLAN/FOLLOW-UP INSPECTION**

The Pharmacy shall **submit a corrective action plan to the Board within 30 days** that ensures access to the Pharmacy is granted solely to a licensed pharmacist, and that a licensed pharmacist is immediately available on the Pharmacy premises at all times the Pharmacy is open and operating.

Please be advised that the Board of Pharmacy may perform a follow-up inspection of the Pharmacy to ensure that the deficiencies noted in the Inspection Report have been addressed and corrected. Should the follow-up inspection indicate that the Pharmacy has further deficiencies, the Board may pursue further disciplinary action against the Pharmacy that may result in the imposition of sanctions such as suspension, revocation or additional monetary penalties.

## **IV. OPPORTUNITY FOR HEARING**

If the Pharmacy disputes the findings, conclusions or the recommended civil monetary penalty, the Pharmacy may request an evidentiary hearing. In the event that the Pharmacy requests 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 Donna Goldberg, R.Ph., J.D., Maryland Board of Pharmacy, 4201 Patterson Ave., 5th Floor, Baltimore, Maryland 21215, **no later than thirty (30) days from the date of this Notice.**

Please be advised that at the hearing the Pharmacy would have the following rights: to be represented by counsel, to subpoena witnesses, to call witnesses on its own behalf, to present evidence, to cross-examine witnesses, to testify, and to present summation and argument. Should the Board find the Pharmacy in violation of the Maryland Pharmacy Act, the Board may suspend or revoke the pharmacy permit, impose civil penalties, or both. If the Pharmacy requests a hearing but fails to appear, the Board may nevertheless hear and determine the matter in its 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:

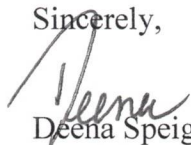
Wells Fargo Bank  
Attn: State of Maryland - Board of Pharmacy  
Lockbox 2051  
401 Market Street  
Philadelphia, PA 19106

***NOTE: Please include the case number, 23-175, on your check or money order to ensure proper assignment to your case.***

Upon the Pharmacy's payment of the civil monetary penalty and submission of the corrective action plan, this Notice will constitute the Board's final action with respect to the deficiencies from the inspection of August 12, 2022, and shall be a final order and public document and order under the Maryland Public Information Act, Md. Code Ann., General Provisions Art. § 4-101 *et seq.*, and posted and reported in accordance with State and federal laws.

If you have any questions concerning the instructions contained in this letter, please contact Donna Goldberg, R.Ph., J.D., at 410-764-3768.

Sincerely,



Deena Speights-Napata, M.A.  
Executive Director

cc: Linda Bethman, AAG, Board Counsel