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IN THE MATTER OF
STEVEN L. SILVERMAN, P.D.

BEFORE THE
MARYLAND BOARD
OF PHARMACY

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ORDER FOR EMERGENCY SUSPENSION
OF PHARMACY LICENSE

Based on information received from the Virginia State Board of Pharmacy (the "Virginia Board") regarding the pharmacy practice of Steven L. Silverman, P.D. (the "Respondent") and further investigation by the Maryland Board of Pharmacy (the "Maryland Board"), the Maryland Board makes the following findings:

1. That Respondent took and passed the Virginia Board's licensure examination and was issued pharmacist license No. 4132 on November 15, 1967. See Exhibit A, at 4.
2. That by reciprocity, Respondent was issued pharmacist license No. 7844 on July 20, 1973 by the Maryland Board and is currently licensed as a pharmacist in Maryland.
3. That in an undated Notice of Hearing and Statement of Particulars, the Virginia Board alleged that Respondent had violated the following provisions of the Virginia Pharmacy Act:

COUNT 1

That Steven L. Silverman, R.Ph., has diverted controlled substances from pharmacies at which he was employed in the following approximate amounts and for the following approximate periods of time:

- | | |
|----------------------------|---|
| a. Percodan | approximately 60 tablets
per week for two years |
| b. Valium 5 mg. | approximately 70 tablets
per week for three years |
| c. Tylenol with
codeine | approximately 70 tablets
per week for three years |
| d. Doriden | approximately 15 tablets
over the last eight years |

- e. Fiorinal approximately 100 tablets over the last eight years

Said drugs were diverted for personal and unauthorized use. Such diversion forms the basis for disciplinary action against the licensee pursuant to § 54-524.22:1(i) of the Code.

COUNT II

That Steven L. Silverman, R.Ph., has engaged in or attempted to defraud or deceive the Board in that during an informal conference of the Board held on June 24, 1983, Mr. Silverman denied having diverted drugs from Crystal City Drug Fair, where he was then employed, when he had in fact diverted large quantities of drugs from said pharmacy. Such conduct forms the basis of disciplinary action against the licensee pursuant to § 54-524.22:1(g) of the Code.

COUNT III

That Steven L. Silverman, R.Ph., is incompetent or unable to practice pharmacy; or is unfit for the performance of his professional obligations and duties by virtue of drug use or addiction. Such drug use or addiction forms the basis for disciplinary action against the licensee pursuant to §§ 54-524.22:1(d) and (e).

See Exhibit B, at 2-3.

4. That the Virginia Board scheduled a hearing on these charges for June 26, 1984. See Exhibit B, at 1.

5. That by Order of Summary Suspension dated June 7, 1984, the Virginia Board alleged the following:

1. That Steven L. Silverman, R.Ph., a pharmacist licensed by the Board, had signed a statement admitting to the diversion of the following drugs from pharmacies at which he was employed:

- a. Percodan approximately 60 tablets per week for two years
- b. Valium 5 mg. approximately 70 tablets per week for three years
- c. Tylenol with codeine approximately 70 tablets per week for three years
- d. Doriden approximately 15 tablets over the last eight years

e. Fiorinal approximately 100 tablets over the last eight years

2. That the foregoing drugs were diverted for the personal and unauthorized use of Mr. Silverman.

3. That according to his own admissions, Mr. Silverman self-administered Valium and Tylenol with codeine while on duty as a pharmacist. By his own estimate, Mr. Silverman self-administered approximately 6-8 mg. Tylenol with codeine tablets and 10 Valium 5 mg. tablets each day while on duty.

4. That on or about May 1, 1984, Mr. Silverman arrived at work at the Crystal City Drug Fair, where he was employed as a relief pharmacist, in an impaired state as a result of drug use. He was admitted on that day to the National Orthopaedic Hospital, Arlington, Virginia, intensive care unit via the emergency room for "acute alteration of mental status" and was subsequently transferred to Sibley Hospital in Washington, D.C., for drug detoxification and treatment.

5. That Mr. Silverman was hospitalized at Sibley Hospital for drug treatment until May 21, 1984.

See Exhibit C, at 1-2

6. That the allegations contained in Count I of the Virginia Board's Notice of Hearing and Statement of Particulars and Paragraphs 1, 2, and 3 of the Order of Summary Suspension are substantiated by a handwritten statement made by Respondent on May 21, 1984 before Robert Shemeld, Loss Prevention Officer, from the Loss Prevention Department at Gray Drug Fair, Inc. See Exhibit D.

7. That in its Order of Summary Suspension, the Virginia Board determined that "the continued practice of pharmacy by Steven L. Silverman, R.Ph., poses an imminent danger to the public health or safety warranting summary suspension." See Exhibit C, at 2.

8. That in its Order of Summary Suspension, the Virginia Board summarily suspended Respondent's license to practice pharmacy in Virginia and directed Respondent to cease

immediately from engaging in the practice of pharmacy in that State.

9. That until May 21, 1984, Respondent had been employed since the early part of 1984 by Gray Drug Fair, Inc., Alexandria, Virginia, as a relief pharmacist at various Drug Fair stores located in Virginia, Maryland and the District of Columbia.

10. That based on the information received from the Virginia Board, the Maryland Board has reason to believe that Respondent's drug problem remains unresolved.

11. That based on the foregoing information, the Maryland Board has reason to believe that Respondent may have violated the following subsections of § 12-311(b) of the Health Occupations Article of the Annotated Code of Maryland:

(4) Provides professional services while:

* * *

(ii) Using any narcotic or controlled dangerous substance, as defined in Article 27 of the Code, or other drug that is in excess of therapeutic amounts or without valid medical indication;

* * *

(7) Willfully fails to file or record any record that is required by law;

* * *

(14) Without first having received a written or oral prescription for the drug from an authorized prescriber, dispenses any drug for which a prescription is required;

* * *

(20) Is professionally, physically, or mentally incompetent;

* * *

(23) Is disciplined by a licensing or disciplinary authority of any other state for an act that would be grounds for disciplinary action under the Board's disciplinary statutes.

12. That for the reasons set forth in the foregoing paragraphs; the Board concludes that emergency action is required in this case pursuant to Article 41, § 250A(c) of the Annotated Code of Maryland because Respondent's continued access to controlled dangerous substances as a practicing pharmacist poses an imminent and grave danger to the public health, safety and welfare and that that situation imperatively requires emergency action by the Board prior to its filing and considering charges against Respondent's license to practice pharmacy.

ORDER

IT IS THIS 29 day of June, 1984, by the Maryland Board of Pharmacy,

ORDERED that pursuant to the authority vested in the Board by Article 41, § 250A(c) of the Annotated Code of Maryland, Respondent's license to practice pharmacy is hereby SUMMARILY SUSPENDED; and be it further

ORDERED that on presentation of this Order, Respondent shall immediately deliver to the Board's investigator (1) his diploma-sized certificate of the Maryland Board of Pharmacy, (2) his current Department of Health and Mental Hygiene license renewal certificate, and (3) his current wallet-size license renewal card; and be it further

ORDERED that a hearing to consider this emergency suspension shall be held before the Board within ten (10) business days of the date on which the Board receives a written request for such a hearing from Respondent.



Roslyn Scheer

Executive Director
Maryland Board of Pharmacy

ENTIRE EXAMINATION (SPLIT)

Theoretical (Only): _____
 Practical (Only): _____

Name: Starrin Lynn Silverman (Last Name)
 Address: 103 Edd Hill Medical College of Virginia
Portsmouth, Virginia (City and State)
 Local address Unit May 19
 Permanent address _____

Being a U.S. citizen, 21 years of age, of good moral character, and having had the required practical pharmaceutical education, I am submitting the following information and supporting affidavits (relative to my birth, age, citizenship, character, education and practical experience) to establish my eligibility for examination and licensure as a pharmacist under the laws and regulations applicable thereto in this State.

Prepared: January 12, 1961 (Date)
Max Silverman (Parent's Name)
Ruby Silverman (Mother's Name)

HIGH SCHOOL EDUCATION COMPLETED

Name and location of school attended: _____
 Period of attendance (Years): _____
 1st year: Woodrow Wilson Portsmouth Sent. to June 57-58
 2nd year: Woodrow Wilson Portsmouth Sent. to June 58-59
 3rd year: Woodrow Wilson Portsmouth Sent. to June 59-60
 4th year: Woodrow Wilson Portsmouth Sent. to June 60-61

I was graduated from the Woodrow Wilson high school on the twelfth day of June, 1961

COLLEGE TRAINING COMPLETED (in chronological order)

Name and location of college attended: _____
 Period of attendance (Years): _____
 1st year: Old Dominion College Sent to June 61-62
 2nd year: Old Dominion College Sent to June 62-63
 3rd year: Old Dominion College Sent to June 63-64
 4th year: _____

I was granted a diploma of graduation from the Old Dominion College on the sixth day of June, 1965, the associate degree being thereby conferred.

PHARMACY COLLEGE TRAINING COMPLETED (in chronological order)

Name and location of college attended: _____
 Period of attendance (Years): _____
 1st year: Medical College of Virginia Sent to May 64-65
 2nd year: Medical College of Virginia Sent to May 65-66
 3rd year: Medical College of Virginia Sent to May 66-67
 4th year: _____
 5th year: _____
 6th year: _____

I was granted a diploma of graduation from the Medical College of Virginia on the third day of June, 1967, the BS in Pharmacy being thereby conferred.

Application for Registration issued by the Virginia Board of Pharmacy, Date of Issue June 22, 1967

PREVIOUS EXAMINATION RECORD

If applicant has previously taken Board examination for Registered Pharmacist license in this or other state he must show place, date and results in following space:

(Name of State) _____ (Date) _____ (Passed or failed) _____

PREVIOUS LICENSURE AS REGISTERED PHARMACIST

(Date required) _____ (License No.) _____ (In good standing) Yes No

RECORD OF CHARGES, CONVICTIONS AND FINES IMPOSED ON APPLICANT

Applicant must enter "No charges involving moral turpitude or violation of pharmacy, liquor or narcotic laws ever made or pending" or explain such charges. No charges involving moral turpitude or violation of pharmacy, liquor or narcotic laws ever made or pending.

PROOF OF QUALIFICATIONS

To prove age and citizenship I enclose certified copy of:

Birth certificate

Naturalization papers

To substantiate character, education and practical experience claimed, I submit the necessary affidavits which form a part of this application. A recent 3 x 5 photograph is also submitted.

I, Steven Lynn Silverman, do solemnly swear and affirm that I have personally filled in this form, and that the information in the foregoing paragraphs is true and correct to the best of my knowledge and belief.

Subscribed and sworn to before me this 17 day of June 1967 by Steven Lynn Silverman A. D. 1967

My commission expires _____

COLLEGE AFFIDAVIT

This is to certify that Steven Lynn Silverman attended the _____

Medical College of Virginia College of Pharmacy

1st Year from September 17, 1964 to June 6, 1965

2nd Year from September 16, 1965 to June 4, 1966

3rd Year from September 15, 1966 to June 3, 1967

4th Year from _____ to _____

5th Year from _____ to _____

6th Year from _____ to _____

and on June 3, 1967 was graduated from the _____ year course with the degree of _____

B.S. in Pharmacy

Signed Steven Lynn Silverman

EXPERIENCE AS TO EXPERIENCE

I hereby certify that I have completed the practical experience requirements with a total number of 14 and 25 Prescriptions Filled
2 Weeks

supported by Affidavits of Experience attached hereto and/or that I have filed with the Secretary, Board of Pharmacy of
Virginia, as follows:

1. (Number) experience obtained in _____, certificate of registration number _____
under the direct supervision of _____, a total of _____ hours,
Experience dating from _____ to _____ a total of _____ weeks.
2. (Number) experience obtained in _____, certificate of registration number _____
under the direct supervision of _____, a total of _____ hours,
Experience dating from _____ to _____ a total of _____ weeks.
3. (Number) experience obtained in _____, certificate of registration number _____
under the direct supervision of _____, a total of _____ hours,
Experience dating from _____ to _____ a total of _____ weeks.
4. (Number) experience obtained in _____, certificate of registration number _____
under the direct supervision of _____, a total of _____ hours,
Experience dating from _____ to _____ a total of _____ weeks.
5. (Number) experience obtained in _____, certificate of registration number _____
under the direct supervision of _____, a total of _____ hours,
Experience dating from _____ to _____ a total of _____ weeks.
6. (Number) experience obtained in _____, certificate of registration number _____
under the direct supervision of _____, a total of _____ hours,
Experience dating from _____ to _____ a total of _____ weeks.
7. (Number) experience obtained in _____, certificate of registration number _____
under the direct supervision of _____, a total of _____ hours,
Experience dating from _____ to _____ a total of _____ weeks.

Name of Candidate: WALTER WILSON
 (Last Name, First Name)
 Address: 814 14th Street
 (Street No. and Name)
 City: NEWPORT NEWS VIRGINIA
 (City, State, and Name)
 State: NEWPORT NEWS VIRGINIA
 (City, State, and Name)

RECORD OF EXAMINATION

EXAMINATION DATE	PHARMACY	MATHEMATICS	CHEMISTRY	MATHEMATICS	JURIS PRUDENCE	PRACTICAL	GENERAL AVERAGE
March 6, 1967	81	76	77	96		87	84
Nov 14, 1967							

Issued Certificate of Registration No. 4132
 Declared Registered: Nov 15, 1967

