



MARYLAND

Department of Health

Larry Hogan, Governor • Boyd Rutherford, Lt. Governor • Robert R. Neall, Secretary

MARYLAND BOARD OF PHARMACY

4201 Patterson Avenue, Baltimore, Maryland 21215-2299

Kevin M. Morgan, Board President • Deena Speights-Napata, Executive Director

May 29, 2018

VIA REGULAR AND CERTIFIED MAIL RETURN RECEIPT REQUESTED
ARTICLE # 7016 0750 0001 0746 8084

Sinu Refuah Pharmacy
211 Reisterstown Road
Pikesville, Maryland 21208
Attn: Mehran Behnamfard, R.Ph.

Re: Permit No. P04471
Case No. PI-18-008
Finding of Deficiencies and Imposition of Civil Monetary Penalty
By Consent

Dear Mr. Behnamfard:

On June 15, 2017, the Board of Pharmacy (the "Board") conducted an annual inspection of Sinu Refuah Pharmacy (the "Pharmacy") to ensure compliance with statutes and regulations governing the operation of a pharmacy. The Board's inspection indicated several deficiencies regarding medication inventory. Specifically, the Board's inspector conducted a spot check of the medication inventory and found approximately three (3) expired medications. The Board's records indicate the Pharmacy previously paid a civil monetary penalty for expired drugs found during its January 2016 inspection, and also had expired drugs in its inventory during its September 2014 and July 2013 inspections. Furthermore, the Pharmacy had a significant deficiency in its CDS inventory, which it was unable to timely reconcile.

I. FINDINGS AND CONCLUSION

The Board adopts the findings of deficiencies as set forth in the Pharmacy Inspection Report dated June 15, 2017, and attached as Exhibit A.

Based upon the above deficiencies, 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) and (12).

II. 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 noted at the Pharmacy, and the subsequent mitigating factors presented by the Pharmacy, the Board hereby imposes and the Pharmacy agrees to pay a **civil monetary penalty of \$2,500.00**. The deficiencies upon which the civil monetary penalty is based are set forth above in this Notice.

In determining the recommended civil monetary penalty, the Board took into consideration the aggregating and mitigating factors outlined in COMAR 10.34.11.08.

The civil monetary penalty is **due within six (6) months** of the date of this letter, in the form of a check 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
Columbia, MD 21046

NOTE: Please include the Case Number 18-008, on your check or money order to ensure proper assignment to your case.

Upon your payment of the civil monetary penalty, this Finding will constitute the Board's final action with respect to the Board's inspection on June 15, 2017, and shall be a public order in accordance with the Maryland Public Information Act, Md. Code Ann., General Provisions § 4-101 *et seq.*

III. FOLLOW-UP ACTIONS

Please be advised that the Board of Pharmacy may perform a follow-up inspection

of the Pharmacy to ensure that the deficiencies noted herein 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.

The Pharmacy shall re-train pharmacy staff on the Pharmacy's inventory control policies and procedures to ensure that expired medications are appropriately removed from active inventory. The Pharmacy shall also provide the Board with a reconciliation of its CDS shortages within seven (7) days of the date of this Finding.

If you have any questions concerning the information or instructions contained in this letter, please contact Lisa Sanderoff, R.Ph., Investigations Supervisor, at 410-764-4686.

Sincerely,

A handwritten signature in black ink, appearing to read "Deena", written in a cursive style.

Deena Speights-Napata
Executive Director

cc: Linda M. Bethman, AAG, Board Counsel