

<b>IN THE MATTER OF</b>	*	<b>BEFORE THE</b>
<b>TAILOR MADE COMPOUNDING</b>	*	<b>MARYLAND STATE</b>
<b>PERMIT NO. P07527</b>	*	<b>BOARD OF PHARMACY</b>
	*	<b>Case No. PI-17-245</b>
* * * * *		

**PRE-CHARGE CONSENT ORDER**

**Background**

The Maryland Board of Pharmacy (the “Board”) received information from the Kentucky Board of Pharmacy indicating that Tailor Made Compounding, a pharmacy located and licensed in Kentucky, had dispensed prescription drugs to a patient in Maryland without a non-resident pharmacy permit from the Board.

In lieu of instituting formal proceedings against Tailor Made Compounding (the “Pharmacy”) in accordance with the Maryland Pharmacy Act, Md. Code Ann., Health Occ. § 12-101 *et seq.*, the Board and Tailor Made Compounding have agreed to resolve this matter as set forth in this Pre-Charge Consent Order.

**FINDINGS OF FACT**

1. Tailor Made Compounding is a pharmacy located and licensed in Nicholasville, Kentucky under Kentucky Permit Number P07728.
2. Tailor Made Compounding’s pharmacy permit in Kentucky is active and in good standing.
3. On or about April 4, 2017, the Board received credible information from the Kentucky Board of Pharmacy that Tailor Made Compounding had dispensed prescription drugs to a patient in Maryland without a Maryland pharmacy permit.
4. The Board further received documentation from the Kentucky Board of Pharmacy

and Tailor Made Compounding evidencing that the Pharmacy dispensed medications, including sterile preparations, to a patient in Maryland from approximately January to March 2017.

5. Tailor Made Compounding dispensed the above prescription drugs prior to applying for and obtaining a Maryland non-resident pharmacy permit.
6. Tailor Made Compounding submitted an application for a non-resident pharmacy permit to the Maryland Board on March 30, 2017. The Pharmacy's permit is active and will expire on May 31, 2018.

#### CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Tailor Made Compounding is subject to discipline in accordance with Md. Code Ann., Health Occ. §§ 12-401, 12-403(e), 12-703, and 12-707(e).

#### ORDER

Based upon an affirmative vote of the Maryland Board of Pharmacy under the authority of Md. Code Ann., Health Occ. § 12-101, *et seq.*, it this 24<sup>th</sup> day of October, 2017, hereby,

ORDERED that Tailor Made Compounding, Permit No. P07527, shall pay a FINE in the amount of \$1,000.00, payable to the Maryland Board of Pharmacy within ninety (90) days of the date of this Order, and mailed to:

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

*NOTE: Please include the case number, PI-17-245, on your check or money order to insure proper assignment to this case; and be it further,*


ORDERED that Tailor Made Compounding, shall comply with all laws and regulations governing the dispensing of prescription drugs and devices into the State of Maryland by non-resident pharmacies, and specifically, the Board's regulations governing sterile compounding; and be it further,

ORDERED that in the event that Tailor Made Compounding violates any of the terms above, the Board, after notice and an opportunity for a hearing, and a determination of a violation, may impose any disciplinary sanction it deems appropriate, including suspension, revocation, and fines, said violation being proven by a preponderance of the evidence; and be it further,

ORDERED that this is a formal order and as such is a public document pursuant to Md. Code Ann., General Provisions Article § 4-333.

10-24-17

Date



Deena Speights-Napata

Executive Director for:

Mitra Gavvani, Pharm.D.

Board President

**CONSENT**

1. By signing this Consent, Tailor Made Compounding submits to the foregoing Pre-Charge Consent Order as a resolution of this matter and agrees to be bound by its terms and conditions.


2. Tailor Made Compounding acknowledges the validity of this Pre-Charge Consent Order as if it were made after a hearing in which it would have had the right to counsel, to confront witnesses, and to all other substantial procedural protections provided by law.

3. Tailor Made Compounding acknowledges that, by entering into this Pre-Charge Consent Order, Tailor Made Compounding is waiving its right to appeal any adverse ruling of the Board that might have followed such an evidentiary hearing.

4. Tailor Made Compounding acknowledges the legal authority and the jurisdiction of the Board to enter and enforce this Pre-Charge Consent Order.

5. Tailor Made Compounding signs this Pre-Charge Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. Tailor Made Compounding fully understands the language, meaning, and effect of this Pre-Charge Consent Order.

11/13/17  
Date

  
Name: Jeremy Deik  
Title: CEO/owner

STATE OF KENTUCKY,  
COUNTY/CITY OF Fayette :

I hereby certify that on this 13 day of November 2017, before me, a Notary Public of the State of Kentucky, County/City aforesaid, personally appeared Jeremy Delk, and made an oath in due form that the foregoing Consent was his/her voluntary act and deed on behalf of Tailor Made Compounding.

Emily Fox #1548561  
Notary Public  
My commission expires: Jan 11, 2020