

IN THE MATTER OF

EARL MADISON TOWERS, JR.

LICENSE # 7010

* BEFORE THE
* MARYLAND BOARD
* OF PHARMACY

* * * * *

ORDER FOR EMERGENCY SUSPENSION

Based on information received and reviewed by the State Board of Pharmacy (the "Board") regarding the practice of EARL MADISON TOWERS, JR. (the "Respondent"), the Board finds that a summary suspension of the Respondent's license under Annotated Code of Maryland, State Government Article, §10-405(b) is necessary for the following reasons:

REASONS IN SUPPORT OF EMERGENCY ACTION

Based upon information known and available to it, the Board has reason to believe:

1. Respondent was and is licensed to practice pharmacy in the State of Maryland during all times relevant to the facts stated herein.

2. On or about October 1, 1990 at Towers' Pharmacy, located at Rt. 3, Box 5E, South Fifth Avenue, Denton, Maryland 21629, which the Respondent owns and operates, the Respondent dispensed prescription drugs, including Dilaudid, (Schedule II) Percocet (Schedule II), Percodan (Schedule III), Fastin (Schedule IV), Tylox (Schedule II) Seconal (Schedule II), Demerol (Schedule II), and Emprin III (Schedule III) to the following persons

without a prescription: George Perakis, Greg Sammons and Michael Besser.

3. According to information relayed by Respondent to the Maryland State Police, this activity had been taking place for approximately 5 years, one to 3 times per week with a payment for said controlled dangerous substances of approximately \$1,200 to \$2,000 per week.

4. Section 12-311(b)(14) of Title 12, Health Occupations Article, Annotated Code of Maryland, prohibits a pharmacist from dispensing any drug for which a prescription is required without first having received a written or oral prescription for the drug from an authorized prescriber.

FINDING IN SUPPORT OF EMERGENCY ACTION

Based upon the foregoing reasons, the Board finds that the standards for emergency action set forth by State Government Article §10-405(b) have been met and further finds that the public health, safety and welfare imperatively require that the Board take the emergency action of summarily suspending the Respondent's license to practice as a pharmacist pursuant to State Government Article, §10-405(b), Annotated Code of Maryland.

ORDER

It is this 9 day of October, 1990, by the Board of Pharmacy

ORDERED that pursuant to the authority vested in the Board by State Government Article, §10-405 of the Annotated Code of Maryland, that the license of EARL MADISON TOWERS, JR. (Respondent) to be a pharmacist in the State of Maryland is hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED that on presentation of this Order, Respondent shall immediately deliver to the Investigator of the Investigative Unit of the Department of Health and Mental Hygiene of Maryland (1) his diploma-sized Certificate of the Board of Pharmacy; (2) his current Department of Health and Mental Hygiene License Renewal Certificate; (3) his current wallet-sized license renewal card; and be it further

ORDERED that, pursuant to State Government Article, §10-405(b), an expedited hearing to consider this Order for Emergency Suspension shall be held before the Board, if requested, on October 17, 1990, in Room 109 at 4201 Patterson Avenue, Baltimore, Maryland 21215; otherwise, the hearing schedule will be as set forth in the enclosed "Charges Under the Pharmacy Practice Act."

Oct 9, 1990
Date

Roslyn Scheer
Roslyn Scheer
Executive Director
Board of Pharmacy

(Schedule II), Percodan (Schedule III), Fastin (Schedule IV) and Emprin III (Schedule III) to the following persons without a prescription: George Perakis, Greg Sammons and Michael Besser.

3. The above actions were in violation of the Act.

NOTICE OF POSSIBLE SANCTIONS

If, after a hearing, the Board finds cause to take action under §12-311 and 12.311.1, the Board may impose disciplinary sanctions against Respondent's license, including revocation, suspension or reprimand, and may fine or place the Respondent on probation.

NOTICE OF HEARING AND PREHEARING CONFERENCE

A hearing in this matter has been scheduled for November 21, 1990 at 1:00 p.m. in Room 109, 4201 Patterson Avenue, Baltimore, Maryland 21215.

In addition, a prehearing conference in this matter has been scheduled for October 24, 1990 at 9:00 a.m. in Room 301, 4201 Patterson Avenue, Baltimore, Maryland 21215. The nature and

purpose of the prehearing conference is described in the attached letter to Respondent.

Oct 9, 1990
Date

Roslyn Scheer
Roslyn Scheer
Executive Director
Board of Pharmacy