

IN THE MATTER OF
MATTHEW VACCARI, P.D.
License No.: 16372
Respondent

* BEFORE THE
* STATE BOARD
* OF
* PHARMACY
* Case No. 14-032

* * * * *

ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. State Govt. Code Ann. §10-226 (c) (2) (2009 Repl. Vol. and 2013 Supp.), the State Board of Pharmacy (the "Board") hereby suspends the license to practice pharmacy in Maryland issued to Matthew Vaccari, P.D. (the "Respondent"), under the Maryland Pharmacy Act (the "Act"), Md. Health Occ. Code Ann. §§ 12-101, et seq., (2009 Repl. Vol. and 2013 Supp.). This Order is based on the following investigative findings, which the Board has reason to believe are true:

INVESTIGATIVE FINDINGS

1. At all times relevant hereto, the Respondent was licensed to practice pharmacy in Maryland. The Respondent was first licensed on July 1, 2002. The Respondent's license expires on April 30, 2014.
2. At all times relevant hereto, the Respondent was employed as a "floater" pharmacist¹ at pharmacies within a large retail establishment.
3. On or about November 11, 2013, a Detective from the Baltimore County Police Department's Pharmaceutical Division Team was called to the store where the Respondent had last worked. The Detective met with the retail establishment's Loss

Prevention Manager who advised the Detective that the Loss Prevention Officer had found that the Respondent had stolen considerable quantities of Hydrocodone from several pharmacies where he worked within the retail establishment, as follows:

A. Between 1/2/13 and 11/6/13, the retail establishment discovered a large shortage in Hydrocodone²;

B. The Loss Prevention Officer determined that, during that time, 2468 Hydrocodone tablets were diverted by the Respondent. These were valued at \$9896.68;

C. When the Loss Prevention Officer confronted the Respondent, he admitted, orally and in writing, that he stole the Hydrocodone for his own use.

4. As a result of the theft, the Respondent was terminated from his employment.

CONCLUSIONS OF LAW

Based on the foregoing, the Board finds that the public health, safety or welfare imperatively requires emergency action, pursuant to Md. St. Gov't. Code Ann. § 10-226(c) (2) (2009 Repl. Vol.).

ORDER

Based on the foregoing, it is therefore this 30th day of January, 2014, by a majority vote of a quorum of the State Board of Pharmacy, by authority granted by the Board by Md. St. Gov't. Code Ann. §10-226(c) (2) (2009 Repl. Vol.) the license held by the Respondent to practice pharmacy in Maryland, License No. 16372, is hereby SUMMARILY

¹A floater is a pharmacist who is not assigned to any one store but fills in wherever and whenever needed.

SUSPENDED; and be it further

ORDERED that, upon the Board's receipt of a written request from the Respondent, a Show Cause Hearing shall be scheduled within a reasonable time of said request, at which the Respondent will be given an opportunity to be heard as to whether the Summary Suspension should be continued, regarding the Respondent's fitness to practice pharmacy and the danger to the public; and be it further

ORDERED, that the Respondent shall immediately turn over to the Board his wall certificate issued by the Board; and be it further

ORDERED that this document constitutes a Final Order of the Board and is, therefore, a public document for purposes of public disclosure, as required by Md. State Gov't Code Ann. §10-617(h) (2009 Repl. Vol.).



LaVerne G. Naesea, Executive Director
Board of Pharmacy

NOTICE OF HEARING

A Show Cause hearing to determine whether the Summary Suspension shall be continued will be held before the Board at 4201 Patterson Avenue, Baltimore, 21215 following a written request by the Respondent for same.

²Hydrocodone is a semi-synthetic opioid derived from codeine.