

IN THE MATTER OF
JOY V. WEBB, P.D.
LICENSE NO. 10869



BEFORE THE MARYLAND
STATE BOARD OF
PHARMACY

* * * * *

CONSENT ORDER

HISTORY

On or about July 2, 2012, the Maryland Board of Pharmacy (the "Board") received credible information indicating that Joy V. Webb, License Number 10869, had been terminated from her position as a pharmacist at a chain pharmacy due to dispensing medication without a valid prescription. The Board's investigation into this matter revealed that on two occasions, Ms. Webb dispensed medication to a non-pharmacist co-worker without a valid prescription.

In lieu of instituting formal proceedings against Ms. Webb, in accordance with the Maryland Pharmacy Act, Md. Code Ann., Health Occ. § 12-313, and Board regulations, COMAR 10.34.01, a Pre-charge Case Resolution Conference ("CRC") was held with members of the Board, Board Counsel, Ms. Webb, and her counsel on April 3, 2013. Thereafter, the Board and Ms. Webb agreed to resolve this matter as set forth in this Consent Order.

FINDINGS OF FACT

1. At all times relevant hereto, Ms. Webb was a licensed pharmacist with the Board, Pharmacist License No. 10869. She was originally licensed by the Board on July 31, 1986.
2. On or about July 2, 2012, the Board received notification from Ms. Webb's pharmacy employer that it had fired Ms. Webb for dispensing prescription medications to a patient without a prescriber's authorization.

3. Ms. Webb's employer attached a table showing that on two occasions – April 10, 2012, and June 7, 2012 – Ms. Webb dispensed Hydrocodone/APAP 7.5-750 to a single patient without a valid prescription. Ms. Webb's employer also provided copies of prescriptions purportedly for the medication in question that were confirmed by the physician's office to be fraudulent and a letter in which Ms. Webb apologized for her actions.
4. On April 3, 2013, a Pre-Charge CRC was held with two Board members, Board counsel, Ms. Webb, and her counsel, to determine if the matter could be resolved without the need to initiate formal proceedings.
5. At the CRC, Ms. Webb told the panel that the patient, a non-pharmacist co-worker, was in obvious pain and repeatedly asked Ms. Webb to give her something to help the effects of oral surgery. Ms. Webb suggested alternate, over-the-counter treatments to the patient, and suggested that she see a doctor or go to the emergency room; however, Ms. Webb did eventually give the patient prescription medications without a valid prescription.
6. At the CRC, Ms. Webb stated that she acted solely out of a desire to provide comfort to the patient, that she did not act for any compensation, and that she seriously regretted her actions. Ms. Webb also mentioned that a particularly hectic work environment contributed to her actions.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Ms. Webb is subject to discipline pursuant to Md. Code Ann., Health Occ. §§ 12-313(b)(15) and (25).

ORDER

It is this 10th day of June, 2013, by an affirmative vote of the Maryland Board of Pharmacy, hereby:

ORDERED that Ms. Webb's license be placed on immediate PROBATION for at least ONE (1) YEAR; and be it further,

ORDERED that during her probationary period, Ms. Webb shall earn six (6) additional continuing education credits in pharmacy law and ethics that shall not count towards the 30 credits required for license renewal; and be it further,

ORDERED that upon completion of the six (6) additional continuing education credits in pharmacy law and ethics, Ms. Webb shall provide evidence of completion to the Board; and be it further,

ORDERED that after one (1) year of probation, Ms. Webb may petition the Board to terminate probation, provided that she has been fully compliant with the terms of probation and does not have any pending complaints filed against her; and be it further,

ORDERED that Ms. Webb shall bear the expenses associated with this Order; and be it further,

ORDERED that this is a formal order of the Maryland Board of Pharmacy and as such is a public document pursuant to the Maryland Annotated Code, State Government Article, Section 10-617(h).

Date

6/10/13



LaVerne Naesea, Executive Director

For

Michael Souranis, P.D.

President, Board of Pharmacy

CONSENT

1. By signing this Consent, I hereby affirm the findings of fact contained herein and agree to be bound by the foregoing Consent Order and its conditions.
2. By this Consent, I submit to the foregoing Consent Order as a resolution of this matter. By signing this Consent, I waive any rights I may have had to contest the findings and determinations contained in this Consent Order.
3. I acknowledge that this is a formal order of the Board and as such is a public document.
4. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.
5. I sign this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. I fully understand the language, meaning, and effect of this Consent Order.

5/17/13
Date

Jay V. Webb, P.D.
Joy V. Webb, P.D.

STATE OF MARYLAND
COUNTY/CITY OF Anne Arundel

I hereby certify that on this 17th day of May, 2013, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared JOY V. WEBB, and made an oath in due form that the foregoing Consent was her voluntary act and deed.

TINA GIBBONS
Notary Public
Anne Arundel County
Maryland
My Commission Expires Jan. 12, 2017

Tina Gibbons
Notary Public
My commission expires: 01/12/17