

IN THE MATTER OF
WESTCHESTER
COMPOUNDING, INC.
Permit No. P08617

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BEFORE THE
MARYLAND STATE
BOARD OF PHARMACY
Case No. 23-339

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PRE-CHARGE CONSENT ORDER

Background

The Maryland Board of Pharmacy (the “Board”) received credible information indicating that Westchester Compounding, Inc., a pharmacy located and licensed in New York, had dispensed compounded prescription products to patients in Maryland prior to obtaining a non-resident pharmacy permit from the Board.

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

FINDINGS OF FACT

1. Westchester Compounding, Inc. is a pharmacy located and licensed in Eastchester, New York under Permit Number 032859.
2. Westchester Compounding, Inc.’s pharmacy permit in New York is currently active and in good standing.
3. Westchester Compounding, Inc., was originally issued a non-resident pharmacy permit by the Maryland Board of Pharmacy on July 13, 2022.
4. On or about February 24, 2022, the Board received a notice from National Association of Boards of Pharmacy (“NABP”) indicating that a recent FDA

inspection of Westchester Compounding, Inc., revealed that it was dispensing compounded products into certain states without having a permit to dispense into those states.

5. The Board's investigation of the matter indicated that Westchester Compounding, Inc., dispensed approximately 51 compounded products into Maryland between June 14, 2021, and February 24, 2022, prior to obtaining a non-resident pharmacy permit from the Board.
6. Westchester Compounding, Inc.'s non-resident pharmacy permit is currently active and will expire on May 31, 2024.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Westchester Compounding, Inc., 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 Board under the authority of Md. Code Ann., Health Occ. § 12-101 *et seq.*, it is this 15th day of August, 2023, hereby,

ORDERED that Westchester Compounding, Inc., Permit No. P08617, shall pay a FINE in the amount of \$5,000.00, payable to the Maryland Board of Pharmacy within thirty (30) days of the date of this Order, and mailed to:

Wells Fargo Bank
Attn: State of MD - Board of Pharmacy
Lockbox 2051
401 Market Street
Philadelphia, PA 19106


NOTE: Please include the case number, 23-339, on your check or money order to ensure proper assignment to this case; and be it further,

ORDERED that Westchester Compounding, Inc., shall comply with all laws and regulations governing the dispensing of prescription drugs, including compounded sterile products, into the State of Maryland by non-resident pharmacies; and be it further,

ORDERED that in the event that Westchester Compounding, Inc., 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 § 4-301 *et seq.*

8-15-23
Date


Deena Speights-Napata, M.A.
Executive Director for:

Neil Leikach, R.Ph., MSc.,
Board President

CONSENT

1. By signing this Consent, Westchester Compounding, Inc., 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. Westchester Compounding, Inc., 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. Westchester Compounding, Inc., acknowledges that, by entering into this Pre-Charge Consent Order, it is waiving its right to appeal any adverse ruling of the Board that might have followed such an evidentiary hearing.

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

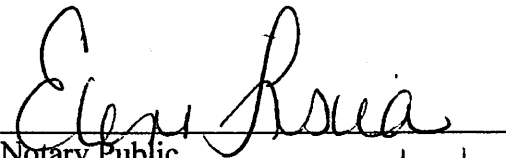
5. Westchester Compounding, Inc., signs this Pre-Charge Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. Westchester Compounding, Inc., fully understands the language, meaning, and effect of this Pre-Charge Consent Order.

8/2/2023
Date


Name: NICHOLAS TRIKONAKIS
Title: PRESIDENT

STATE OF New York
COUNTY/CITY OF Westchester :

I hereby certify that on this 2nd day of August, 2023, before me, a Notary Public of the State and County/City aforesaid, personally appeared NICHOLAS TRIKONAKIS, and made an oath in due form that the foregoing Consent was his/her voluntary act and deed on behalf of Westchester Compounding, Inc.


Notary Public
My commission expires: 03/28/2025
ELENI FRISCIA
Notary Public, State of New York
No. 01FR6124665
Qualified in Westchester County
Commission Expires March 28, 2025