

IN THE MATTER OF
JEFFREY YANNELLO, P.D.
LICENSE NO. 10664

*
*
*

BEFORE THE MARYLAND
STATE BOARD OF
PHARMACY

* * * * *

ORDER LIFTING SUSPENSION

Background

On October 9, 2009, the Maryland Board of Pharmacy received a Petition for Reinstatement from Jeffrey Yannello (the "Respondent") requesting that the suspension of his pharmacist's license be lifted in accordance with the Board's February 15, 2007, Final Decision and Order.

On February 15, 2007, the Board issued a Final Decision and Order which suspended Mr. Yannello's license to practice pharmacy for at least three (3) years, with one year stayed. The Board's sanction was based upon Mr. Yannello's 1999 felony conviction for the illegal receipt and distribution of stolen drug samples while he was the owner of First Choice Pharmacy, Inc., in Philadelphia, Pennsylvania. Mr. Yannello was also excluded from Medicare and Medicaid participation for 10 years, and the Pennsylvania and Arizona Boards of Pharmacy similarly suspended Mr. Yannello's licenses in those states based on his criminal conviction. Based upon the terms of the 2007 Board Order, Mr. Yannello was permitted to petition the Board to lift his suspension no earlier than February 15, 2009, provided that he fully complied with the terms of suspension.

FINDINGS OF FACT

1. The Maryland Board of Pharmacy's Final Decision and Order, dated February 15, 2007, suspended Mr. Yannello's license for three (3) years with one (1) year stayed.
2. Mr. Yannello's suspended Maryland license expired on December 31, 2008.

3. On September 22, 2009, the Pennsylvania Board of Pharmacy reinstated Mr. Yannello's pharmacist's license under probation with certain conditions, including a prohibition against managing a pharmacy.
4. Mr. Yannello has satisfied the terms of the Board's February 15, 2007, Final Decision and Order.
5. Mr. Yannello has not practiced pharmacy since 2002.

CONCLUSIONS OF LAW

Mr. Yannello has successfully complied with the terms of the Board's Order, dated February 15, 2007, and has otherwise demonstrated that he is capable of practicing pharmacy, in a safe and ethical manner under the probationary conditions set forth below.

ORDER

Based on an affirmative vote of the Board, it is this 11th day of December, 2009, hereby:

ORDERED that the suspension of Mr. Yannello's license to practice pharmacy be LIFTED; and be it further,

ORDERED that Mr. Yannello's license shall be reinstated PROVIDED THAT MR. YANNELLO FIRST COMPLETE THE FOLLOWING:

1. Submit a reinstatement application and reinstatement fee to the Board;
2. Submit evidence of completion of 30 hours of continuing education completed in the last two-year period;
3. Successfully complete the Maryland Multistate Pharmacy Jurisprudence Examination ("MPJE"); and be it further,

ORDERED that upon reinstatement, Mr. Yannello's license shall be placed on immediate PROBATION for at least THREE (3) years, during which time Mr. Yannello:

1. Shall not own, in whole or in part, a pharmacy nor work for a pharmacy that is owned, in whole or in part, by a family member;
2. Shall not manage a pharmacy;
3. Within the first year of probation, shall successfully complete a Board-approved college-level healthcare ethics course and provide evidence of such completion to the Board; and,
4. Shall ensure that his pharmacy employer(s) submit to the Board quarterly employer performance reports;

ORDERED that Mr. Yannello may petition the Board for release from probation no earlier than three (3) years after the effective date of this Order provided that he has been compliant with all of the terms of probation and there are no outstanding complaints against Mr. Yannello; and be it further,

ORDERED that Mr. Yannello shall at all times cooperate with the Board in the monitoring, supervision, and investigation of Mr. Yannello's compliance with the terms and conditions of this Order; and be it further,

ORDERED that in the event the that Mr. Yannello violates any of the conditions of probation herein, or in the event that the Board finds for any good faith reason that Mr. Yannello has committed a violation of Title 12 of the Health Occupations Article or regulations adopted thereunder, the Board may impose further discipline against Mr. Yannello's license after notice and an opportunity for a hearing; and be it further,

ORDERED that Mr. Yannello is responsible for all costs associated with complying 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).

Dec. 11, 2009
Date

LaVerne G. Naesea
LaVerne G. Naesea, Executive Director
Board of Pharmacy