

IN THE MATTER OF	*	BEFORE THE
CVS PHARMACY #1881	*	MARYLAND STATE
PERMIT NO. P05299	*	BOARD OF PHARMACY
	*	Case No. PI-16-061

* * * * *

PRE-CHARGE CONSENT ORDER

Background

The Maryland Board of Pharmacy (the "Board") received a self-report from CVS Corporate disclosing that it had discovered that a staff pharmacist (T.W.) at CVS Pharmacy #1881 (the "Pharmacy") had practiced on an expired license.

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

FINDINGS OF FACT

1. On or about April 16, 2010, CVS Pharmacy #1881 was issued a permit to operate a pharmacy in Maryland. The Pharmacy's permit is active and will expire on May 31, 2020.
2. At all times relevant, the Pharmacy provided community pharmacy services at its establishment location in Dunkirk, Maryland.
3. On or about September 18, 2015, the Board received a self-report from the CVS Corporate office indicating that a staff pharmacist (T.W.) practiced at the CVS #1881 location on an expired license.
4. The Board's investigation determined that the staff pharmacist practiced at CVS #1881 on an expired license from approximately April 1, 2015 to September 8, 2015.

5. Upon discovery, the Pharmacy immediately removed the pharmacist from duty.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that CVS Pharmacy #1881, Permit No. P05299, is subject to discipline in accordance with Md. Code Ann., Health Occ. §§ 12-403(e)(1) and 12-301.

ORDER

Based upon an affirmative vote of the Board under the authority of Md. Code Ann., Health Occ. Art. § 12-410, it this 18th day of June, 2019, hereby,


ORDERED that CVS Pharmacy #1881, Permit No. 05299, shall be pay a FINE in the amount of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) payable to the Maryland Board of Pharmacy within sixty (60) days, and sent to:

Wells Fargo Bank
Attn: State of Maryland -- Board of Pharmacy
Lockbox 2051
7175 Columbia Gateway Drive
Columbia, Maryland 21046
(Please include the Case Number PI-16-061 to ensure proper assignment.)

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 §4-101 et seq.

6-18-19
Date


Deena Speights Napata,
Executive Director, for:

Kevin Morgan, Pharm.D.
Board President

CONSENT

1. By executing this Consent, CVS Pharmacy #1881 (the "Pharmacy") submits to the foregoing Consent Order as a resolution of this matter and agrees to be bound by its terms and conditions.

2. The Pharmacy acknowledges the validity of this Consent Order as if it were made after a hearing in which the Pharmacy would have had the right to counsel, to confront witnesses, and to all other substantial procedural protections provided by law.

3. The Pharmacy acknowledges that, by entering into this Consent Order, it is waiving its right to appeal any adverse ruling of the Board that might have followed such an evidentiary hearing.


4. The Pharmacy acknowledges the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.

5. The Pharmacy acknowledges that this Consent Order is a public document under the Maryland Public Information Act, Gen. Provisions Art. § 4-101, *et seq.*, and shall be reported in accordance with State and federal laws.

6. The Pharmacy signs this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. The Pharmacy fully understands the language, meaning, and effect of this Consent Order.

7. The undersigned corporate official has the authority to execute this Consent Order on the Pharmacy's behalf and bind the Pharmacy to the terms and conditions contained herein.

12/13/2018
Date


Name: Leo LACIVIERE
Title: D. Color Registering Officer