

IN THE MATTER OF	*	BEFORE THE
SCOTT COOPER, P.D.	*	MARYLAND STATE
License No. 10434	*	BOARD OF PHARMACY
Respondent	*	

* * * * *

ORDER CONTINUING SUMMARY SUSPENSION

Based on information giving the Board of Pharmacy (the "Board") probable cause to believe that the pharmacy practice of Scott Cooper, P.D., License No. 10434 (the "Respondent"), presented an imminent danger to the public health, safety, and welfare, the Board issued an order on September 20, 2002 summarily suspending the Respondent's license to practice pharmacy in accordance with Md. Code Ann., State Gov't §10-226. (See attached order).

The Board gave the Respondent an opportunity for a hearing to show cause why his license should not continue to be suspended. The Show Cause hearing was held on September 26, 2002, before a panel of Board members. The Respondent attended the show cause hearing without legal representation. The State's position was represented by Sherrai V. Hamm, Assistant Attorney General and Administrative Prosecutor. Jeanne Gilligan Furman, P.D., Board Member, presided. Other Board members in attendance were Melvin N. Rubin, P.D., Board Treasurer, Ramona McCarthy Hawkins, P.D., Board Member, and Reverend William E. Johnson, Sr., Consumer Board Member. After hearing from the Respondent and the Administrative Prosecutor, these four Board panel members consulted with two other Board members, W. Irving Lottier, Jr., P.D., and Donald K. Yee, P.D. This quorum of Board members then deliberated and decided to

continue in effect the order previously issued by the Board summarily suspending the Respondent's license.

At the hearing, the Respondent did not dispute the investigative findings that led to the summary suspension of his license. Instead, he expressed remorse for his actions and requested that the Board restrict his license so that he could only practice pharmacy in a setting where he would not have access to controlled dangerous substances. The Respondent expressed his confidence that no one was hurt by his dilution of morphine with water. The Respondent stated that he is active in a 12-step program and that he believes he has a sufficient social support network to prevent a relapse. He has entered into a contract with the Pharmacy Education and Assistance Committee ("PEAC") and claimed that his random weekly urine screens conducted in accordance with the PEAC contract have thus far been negative. The Respondent believes that despite his addiction he can still practice pharmacy in a competent manner.

The Administrative Prosecutor argued that the Respondent has had a long history of drug abuse and that he should not be given access to any drugs. The Administrative Prosecutor argued that the Respondent should not have access to any drugs until there is strong evidence that he had fully recovered from his addiction. The Administrative Prosecutor pointed out that relapses are often triggered by stressors and that the Respondent is under a great deal of stress at this time. Finally, the Administrative Prosecutor argued that the Respondent actions had placed patients at great risk of harm, that he had went to great lengths to hide the fact that he had diluted the morphine and that there is no way to be sure no one was hurt as Respondent claimed, and that he could not

be trusted to practice pharmacy safely given his long history of drug abuse compared to his short period of recovery.

The Board agrees with the Administrative Prosecutor that the Respondent cannot be trusted to practice pharmacy safely at this time. It appears that the Respondent indeed faces a long road to recovery. Granting him any access to drugs in light of his dangerous actions and addiction is simply too dangerous to the public health and safety. Given the deception that he engaged in to obtain morphine, the Respondent cannot be trusted to abide by restrictions on his license. The temptation to use his pharmacist's license to obtain controlled dangerous substances would simply be too great given the severity of his drug addiction and the lengths to which he has been willing to go to satisfy that drug addiction.

Given the foregoing, the Board hereby continues in effect the summary suspension order issued on September 20, 2002, and attached hereto. And be it further

ORDERED that this Order Continuing Summary Suspension is a PUBLIC order in accordance with the Maryland Public Information Act, Md. Code Ann., State Gov't §10-617(h).

10/2/02.
Date

Jeanne H. Furman, P.D.
Jeanne Gilligan Furman, P.D.
Presiding Board Member