

IN THE MATTER OF

PAUL O. OJEWOYE

RESPONDENT

LICENSE NUMBER: 13396

\* BEFORE THE STATE BOARD

\* OF PHARMACY

\* CASE NUMBER: 07- 093

\*

\* \* \* \* \*

**CONSENT ORDER**

The State Board of Pharmacy ("the Board") notified Paul O. Ojewoye, ("the Respondent"), d/o/b. 08/21/57, license number 13396, of the Board's intent to revoke his license to practice pharmacy under the Maryland Pharmacy Act (the "Act"), Md. Health Occ. Code Ann. ("H.O.") §§ 12-101 *et seq.* (Repl. Vol. 2005 & Supp.2007). The pertinent provisions state:

**H.O. § 12-313. Denials, reprimands, suspensions, and revocations.**

b) *In general.* - Subject to the hearing provisions of § 12-315 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a license to any applicant for a pharmacist's license, reprimand any licensee, place any licensee on probation, or suspend or revoke a license of a pharmacist if the applicant or licensee:

(22) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.

A case resolution conference was held on June 18, 2008. As a result of the case resolution conference, the parties agreed to enter into this Consent Order.

## FINDINGS OF FACT

The Board finds that:

1. On or about March 19, 1994, the Respondent was licensed to practice pharmacy in Maryland, having been issued license number 13396.
2. In or around June 26, 2006, the Respondent was charged by way of a criminal information in the Circuit Court for Baltimore City, with one count of felony Medicaid fraud, in violation of Md. Crim. L. §8-509 and one count of theft over \$500, in violation of Md. Crim. L. §7-104 (a copy of the Criminal Information in *State of Maryland v Paul O. Ojewoye*, Case Number: 106177020, is attached to and incorporated herein as **Exhibit A**).
3. On or about February 23, 2007, the Respondent pled guilty in the Circuit Court for Baltimore City to one count of felony Medicaid fraud, in violation of Md. Crim. L. § 8-509 (a copy of the Docket Entries in *State of Maryland v Paul O. Ojewoye*, Case Number: 106177020, is attached hereto and incorporated herein as **Exhibit B**).
4. On or about February 23, 2007, Circuit Court Judge John Glynn granted the Respondent probation before judgment. The Respondent was ordered to serve an unsupervised probationary period of one (1) year, to pay restitution in the amount of six thousand dollars (\$6000), and to pay court cost (a copy of the Probation/ Supervision Order, in *State of Maryland v Paul O. Ojewoye*, Case Number: 106177020, is attached hereto and incorporated herein as **Exhibit C**).
5. Felony Medicaid fraud is a felony and a crime involving moral turpitude.
6. By pleading guilty to a felony and a crime involving moral turpitude, the Respondent violated the Act.

## CONCLUSIONS

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated Md. Health Occ. Code Ann § 12-313 (22).

## ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 16<sup>th</sup> day of JULY 2008, that a majority of the Board hereby:

**ORDERED** that the Respondent's license to practice pharmacy in Maryland is hereby **SUSPENDED** for a period of three (3) years; and it is further

**ORDERED** that this Consent Order shall be effective on the date that it is signed by the Board; and it is further

**ORDERED** that upon presentation and receipt of this Consent Order, signed by the Board, the Respondent shall immediately deliver to the Board his display license and wallet-sized license to practice pharmacy in the State of Maryland previously issued by the Board; and it is further

**ORDERED** that during the period of his active suspension:

1. The Respondent shall enroll in and successfully complete a Board-approved ethics tutorial with a Board-approved supervisor;
2. Upon completion of the tutorial, the ethics supervisor shall submit a report to the Board;
3. The Respondent shall consent to the release of the Board's investigative files to the ethics supervisor for use in developing an appropriate tutorial;
4. The Respondent shall comply with all licensure renewal requirements; and it is further

**ORDERED** that upon completion of his suspension period, the Respondent may file a written petition to for termination of the suspension of his license; and it is

**ORDERED** that upon termination of his suspension, the Respondent shall be placed on **Probation** for a period of **no less than three (3) years**. The terms and conditions of the Respondent's probation will to be determined at the time that he is placed on probation; and it is further

**ORDERED** that the Respondent shall comply with and practice within all statutes and regulations governing the practice of pharmacy in the State of Maryland; and it is further

**ORDERED** that any violation of the terms and conditions herein and any probationary terms set by the Board shall constitute a violation of probation; and it is further

**ORDERED** that after the Respondent has served a probationary period of **at least three (3) years**, the Respondent may file a written petition to the Board for termination of his probationary status and the removal of any conditions or restrictions that resulted from disciplinary action taken against his license, provided the Respondent has fulfilled all the terms and conditions set forth herein and any probationary terms set by the Board, and there are no outstanding complaints against the Respondent; and it is further

**ORDERED** that if the Respondent fails to make any such written petition, then his probationary period status shall continue indefinitely; and it is further

**ORDERED** that if the Respondent violates any of the terms of this Consent Order, the Board, after notice and a hearing, and a determination of violation, may impose any other disciplinary sanctions it deems appropriate, provided said violation has been being proved by a preponderance of evidence; and it is further

**ORDERED** that the Respondent shall be responsible for all costs incurred under this Consent Order; and it is further

**ORDERED** that for purposes of public disclosure and as permitted by Md. State Govt. Code Ann. § 10-617(h) (Repl. Vol. 2004 and Supp. 2007), this document consists of the contents of the foregoing findings of fact, conclusions of law, and order, and is reportable to any entity to whom the Board is obligated to report; and be it further

**ORDERED** that this Consent Order is a public document pursuant to Md. State Govt. Code Ann. §§ 10-601 *et seq.* (Repl. Vol.2004 & Supp. 2007).

July 16, 2008  
Date

Donald Taylor  
Donald Taylor, P.D.  
President  
State Board of Pharmacy

**CONSENT OF PAUL O. OJEWOYE**

I, Paul O. Ojewoye, by affixing my signature hereto, acknowledge that:

1. I have reviewed this Consent Order.
2. I am aware that I am entitled to a formal evidentiary hearing before the Board, pursuant to Md. Health Occ. Code Ann. §§ 12-101 *et seq.* and Md. St. Gov't Code Ann. §§ 10-201 *et seq.*
3. I acknowledge the validity and enforceability of this Consent Order as if entered after a formal evidentiary hearing in which I would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other procedural and substantive protections to which I am entitled by law. I am waiving those procedural and substantive protections.
4. I voluntarily enter into the foregoing Findings of Fact, Conclusions of Law and Order and agree to abide by the terms and conditions set-forth herein as a resolution of the Charges against me. I waive any right to contest the Findings of Fact and Conclusions of Law, and I waive my right to a full evidentiary hearing, as set forth above, and any right to appeal this Consent Order or any adverse ruling of the Board that might have followed any such ruling.
5. I acknowledge that by failing to abide by the conditions set forth in this Consent Order, I may be subject to disciplinary actions, which may include permanent revocation of my license to practice pharmacy.
6. I sign this Consent Order voluntarily, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

7/1/08  
Date

Paul O. Ojewoye  
Paul O. Ojewoye

DELAWARE  
STATE OF ~~MARYLAND~~

CITY/COUNTY OF NEW CASTLE :

I HEREBY CERTIFY that on this 1<sup>ST</sup> day of JULY, 2008, before me,  
EDWIN R. LUSHBAUGH SR Notary Public of the foregoing State and (City/County),

(Print Name)

personally appeared Paul O. Ojewoye, and made oath in due form of law that signing the foregoing Consent Order was his voluntary act and deed, and the statements made herein are true and correct.

AS WITNESSETH my hand and notarial seal.

Edwin R. Lushbaugh Sr  
Notary Public

My Commission Expires: 10/29/09

