

IN THE MATTER OF
JEFFERY A. RODKEY, P.D.
RESPONDENT
LICENSE NO.: 10073

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BEFORE THE
STATE BOARD
OF
PHARMACY

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ORDER FOR SUMMARY SUSPENSION OF LICENSE TO PRACTICE PHARMACY

Pursuant to Md. State Govt. Code Ann. § 10-226 (c) (1999 Repl Vol. & Supp. 2002), the State Board of Pharmacy (the "Board") hereby suspends the license to practice pharmacy in Maryland issued to **Jeffery A. Rodkey, License No. 10073, DOB: 10/15/1959** (the "Respondent"), under the Maryland Pharmacy Act (the "Act"), Md. Health Occ. Code Ann. §§ 12-101, et seq., (1999 Repl. Vol. & Supp 2002).

INVESTIGATIVE FINDINGS

The Board has reason to believe that the following facts are true:

1. At all times relevant hereto, the Respondent was licensed to practice pharmacy in Maryland. The Respondent was originally licensed on August 5, 1983.
2. At all times relevant hereto, the Respondent was employed as a full-time pharmacist at Peninsula Regional Medical Center located in Salisbury, Maryland. The Respondent was also employed as a part-time pharmacist at Rite Aid Pharmacy ("Rite Aid") located in Princess Anne, Maryland.
3. On or about September 24, 2002, the Respondent was charged in Worcester County, Maryland with one count of Manslaughter in violation of Md. Code Ann. art 27, § 387; one count of Reckless Endangerment in violation of Md. Code Ann. art. 27, § 12A2; one count of Distribution of a Controlled Dangerous Substance of Schedule III, to wit:

Vicodin, in violation of Md. Code Ann. art. 27, § 286 (a)(1); and one count of Distribution of a Controlled Dangerous Substance of Schedule III, to wit: Soma, in violation of Md. Code Ann. art. 27, § 286 (a) (1), (a copy of the Application for Charges and the Statement of Charges in *State Of Maryland v. Jeffery Lee Rodkey*, Case No. 004I00042900 dated September 24, 2002, are attached hereto and incorporated herein as Exhibit A).

4. The following facts pertain to the criminal charges filed against the Respondent in Worcester County, Maryland:

5. On September 4, 2002, Worcester County police were dispatched to Atlantic General Hospital in Berlin, Maryland to investigate a suspected drug overdose that resulted in the death of the Respondent's wife.

6. Subsequently, the Respondent was interviewed by the police. The Respondent reported to the police that he had stolen five (5) Vicodin 10 mg and three (3) Soma 350 mg, while working at Rite Aid, and gave the pills to his wife the evening of September 3, 2002.

7. The Respondent did not have a prescription from an authorized prescriber to dispense the drugs set forth in ¶ 6 above.

8. Based on the above investigative facts, the Board has cause to believe that the Respondent has violated Md. Health Occ. Code Ann. § 12-313(b)(14), which provides as follows:

(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, reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the applicant or licensee:

- (14) Dispenses any drug, device, or diagnostic for which a prescription is required without a written, oral, or electronically transmitted prescription from an authorized prescriber.

CONCLUSIONS OF LAW

Based on the foregoing, the Board concludes that the public health, safety or welfare imperatively requires emergency action, pursuant to Md. St. Gov't. Code Ann. § 10-226(c)(2)(i) (1999 Repl. Vol.).

ORDER

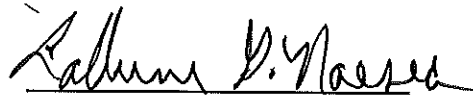
Based on the foregoing, it is therefore this 23 day of **October, 2002**, that a majority of the fully authorized membership of the State Board of Pharmacy:

ORDERED that pursuant to the authority vested by Md. St. Gov't. Code Ann. § 10-226(c)(2)(i) (1999 Repl. Vol.), Respondent's license to practice pharmacy in the State of Maryland, be and is hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED, that on presentation of this Order, the Respondent **SHALL SURRENDER** to the Board's Executive Director, the following items:

- (1) Respondent's original Maryland display license, number 10073;
- (2) Respondent's current wallet license, number 10073; and be it further

ORDERED, that this is a Final Order of the Board and, and as such is a **PUBLIC DOCUMENT** pursuant to Md. State Gov't Code Ann. §§ 10-611 et seq. (1999 Rep. Vol. & Suppl. 2002).



LaVerne G. Naesea
Executive Director
Board of Pharmacy

NOTICE OF HEARING

A Show Cause hearing to determine whether the Summary Suspension shall be lifted/terminated will be held on **Wednesday, November 20, 2002, at 1:00 p.m.** before the Board at 4201 Patterson Avenue, Baltimore, 21215.