

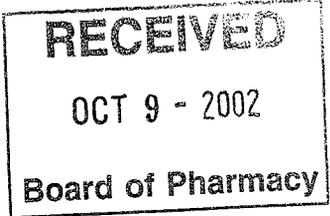
IN THE MATTER OF
DENVER A. DEHAVEN, P.D.
LICENSE NO. 07156

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BEFORE THE MARYLAND
STATE BOARD OF
PHARMACY

* * * * *

CONSENT ORDER



Background

On July 19, 2002, Mr. DeHaven submitted a timely renewal application to the Board of Pharmacy (the "Board") for renewal of his license to practice pharmacy. In Mr. DeHaven's renewal application, he answered affirmatively to the question that asked whether another State licensing board had taken action against his license.

Mr. DeHaven explained that the West Virginia Board of Pharmacy suspended his license for 90 days in addition to placing him on probation for 5 years. The West Virginia Board disciplined Mr. DeHaven for self-prescribing and dispensing Schedule III medication under the forged signature of his daughter, a physician. Mr. DeHaven states that he realizes the gravity of his professional misjudgment and has ceased taking any controlled substances even though he has since been legitimately prescribed such medication by a physician to treat his disease. In an effort to demonstrate his sincerity, Mr. DeHaven has entered into a contract with Maryland's Pharmacists Education and Assistance Committee ("PEAC") which requires, among other things, random urine screenings. All urine screens have been clean to date.

FINDINGS OF FACT

1. Mr. DeHaven submitted a timely renewal application to the Maryland Board of Pharmacy on July 19, 2002.
2. Mr. DeHaven disclosed on the renewal application that he had been disciplined by the West Virginia Board of Pharmacy. The West Virginia Board of Pharmacy suspended Mr. DeHaven's license for 90 days and placed him on probation for five years during which time Mr.

DeHaven must comply with the terms of his PEAC contract and insure that monthly PEAC reports, including drug screens, are sent to the West Virginia board.

3. Mr. DeHaven has, to date, complied with his PEAC contract.

CONCLUSIONS OF LAW

Denver A. DeHaven has been disciplined by the West Virginia Board of Pharmacy for conduct that is grounds for disciplinary action by the Board. Md. Code Ann., Health Occ. §12-313(23); *see also* Md. Code Ann., Health Occ. § 12-313(6), (14) and (24).

ORDER

Based on agreement of the parties, it is this 16th day of Oct., 2002, by an affirmative vote of a quorum of the Board, hereby

ORDERED that Mr. DeHaven's license to practice pharmacy be issued and immediately placed on **PROBATION** for a period of at least five (5) years under the following conditions:

1. Mr. DeHaven shall continue his contract with PEAC and comply with all terms and conditions therein.
2. Mr. DeHaven shall provide PEAC with a copy of this Consent Order.
3. Mr. DeHaven shall consent to release of information from PEAC to the Board.

And be it further,

ORDERED that Mr. DeHaven's failure to abide by the terms of his PEAC contract or his removal from or voluntary cessation of the PEAC program shall be deemed a violation of the conditions of probation set forth herein; and be it further,

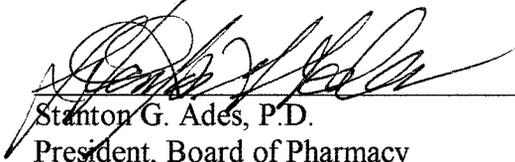
ORDERED that in the event the Board finds for any good faith reason that Mr. DeHaven has violated any of the conditions of probation herein, or in the event that the Board finds for any good faith reason that Mr. DeHaven has committed a violation of Title 12 of the Health Occupations Article or regulations adopted thereunder, the Board may immediately suspend Mr. DeHaven's license prior to a hearing; and be it further,

ORDERED that Mr. DeHaven may petition the Board for release from probation after five (5) years provided that he has been in compliance with all of the terms of probation; and be it further,

ORDERED that this is a final 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).

Date

10/16/02


Stanton G. Ades, P.D.

President, Board of Pharmacy

CONSENT

By signing this Consent, I hereby admit to the truth of the foregoing Findings of Fact and Conclusions of Law, and agree to be bound by the foregoing Consent Order and its conditions.

1. By this Consent, I submit to the foregoing Consent Order as a resolution of this matter. By signing this Consent, I waive any rights I may have had to contest the findings of fact and conclusions of law contained in this Consent Order.

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

3. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.

4. I acknowledge that, by entering into this Consent Order, I am waiving my right to appeal any adverse ruling of the Board that might have followed an evidentiary hearing.

5. I sign this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. I fully understand the language, meaning, and effect of this Consent Order.

10/8/02
Date

Denver A. DeHaven P.D.
Denver A. DeHaven, P.D.

STATE OF MARYLAND
COUNTY/CITY OF Washington:

I hereby certify that on this 8th day of October, 2002, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared Denver A. DeHaven, P.D., and made an oath in due form that the foregoing Consent was his voluntary act and deed.

Judith A. Lowman
Notary Public
My commission expires: 9/1/05