

IN THE MATTER OF
GERALD FREEDENBERG
LICENSE NO. 06162

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BEFORE THE MARYLAND
STATE BOARD OF PHARMACY

CONSENT ORDER OF REINSTATEMENT

Background

On July 21, 1993, Gerald Freedenberg, License No. 06162 (the "Respondent"), entered into a Consent Order with the Maryland Board of Pharmacy (the "Board") (attached as Exhibit A and incorporated herein), in which he agreed to a suspension of his pharmacist's license for a period of at least six years due to his convictions for Felony Theft and Medicaid Fraud. On January 27, 2000, the Respondent filed a petition for reinstatement. He then addressed the Board at its meeting on February 16, 2000. The Respondent and the Board subsequently agreed to the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. The Respondent was suspended for a period of at least six years by the Board in 1993 pursuant to the Board's Consent Order due to his convictions for Felony Theft and Medicaid Fraud.

2. The Respondent has met all the conditions set forth in the Consent Order that permitted him to petition for reinstatement of his license. He has successfully completed three college-level ethics courses approved by the Board, taken the required continuing education credits, met the reinstatement standards and requirements for pharmacists out of practice as set forth in the Board's regulations, and been evaluated by a therapist approved by the Board, Paul Giannandra, M.D. Dr. Giannandra concluded that Respondent did not suffer from a psychiatric

disturbance and does not need treatment.

3. The United States Department of Health and Human Services (the "HHS") has prohibited the Respondent from dispensing prescription medications to Medicaid patients.

CONCLUSIONS OF LAW

The Respondent has met all the prerequisite conditions for reinstatement and may practice pharmacy under conditions of probation set forth in this Consent Order of Reinstatement.

ORDER

Based on agreement of the parties, it is this 15 day of MARCH, 2000, by a majority of a quorum of the Board, hereby

ORDERED that the Respondent's license be reinstated and placed on **PROBATION** for a period of one year, subject to the following conditions:

1. The Respondent may not have an ownership interest in a pharmacy.
2. The Respondent shall notify his employer of the restrictions placed upon him by the HHS.
3. The Respondent shall notify his employer that his license is on probation and that the employer must provide the Board with quarterly reports regarding his progress. The Respondent is solely responsible to insure that the employer submits these reports to the Board on a timely basis. The Respondent shall provide the employer with a copy of this Consent Order of Reinstatement and shall insure that the employer notifies the Board that the Consent Order has been received by the employer.
4. The Respondent shall immediately notify the Board of any change in his mailing address.

ORDERED that in the event that the Board finds for any good faith reason that the Respondent has violated any of the conditions of probation herein, or in the event that the Board finds for any good faith reason that the Respondent has committed a violation of Title 12 of the Health Occupations Article or regulations adopted thereunder, the Board may charge the Respondent with violating this Consent Order , and following a hearing held in accordance with the Maryland Pharmacy Act, Health Occ. Art., Section 12-315 and the Maryland Administrative Procedure Act, State Gov't Art., Sections 10-201 *et seq.*, may reprimand, suspend, revoke, or fine the Respondent, or place additional conditions of probation on his license. And be it further

ORDERED that one year following the date this Consent Order has been executed by the Board, the conditions of probation shall cease and the Respondent's license shall be reinstated without further restrictions provided that the Respondent has abided by all the conditions of this Consent Order of Reinstatement. And be it further

ORDERED that this is a final order of the State Board of Pharmacy and as such is a Public Document pursuant to the Maryland Annotated Code, State Government Article, Section 10-617(h).

3/15/00
Date

W. Irving Lottier, Jr.
W. Irving Lottier, Jr.
Secretary, State 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 of Reinstatement and its conditions. I acknowledge the validity of the Order as if made after a 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 substantive and procedural protections provided by law. I understand that by signing this Consent I waive my right to appeal any adverse ruling that might have followed such a hearing.

I, Gerald Freedenberg, have read this Consent Order in its entirety. I have been given the opportunity to consult an attorney of my choosing to review each and every part of this Consent Order. I understand this Consent Order and voluntarily and without reservation agree to sign it with full comprehension of its meaning and effect.

March 20, 2004
Date


Gerald Freedenberg, P.D.

NOTARY

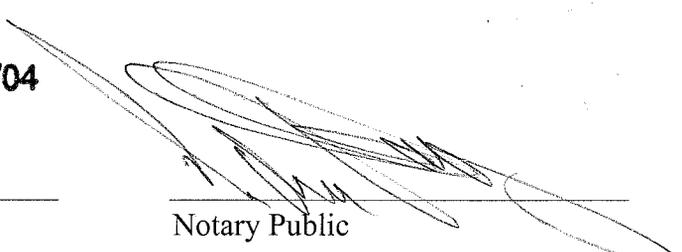
STATE OF MARYLAND

COUNTY/CITY OF Anne Arundel

I hereby certify that on this 20th day of March, 2000, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared Gerald Freedenberg, P.D., and made an oath in due form that the foregoing Consent was his voluntary act and deed.

My Commission Expires 01/01/04

My Commission expires: _____



Notary Public