

IN THE MATTER OF
CRAIG HOLSTON, P.D.
LICENSE NO. 09940
RESPONDENT

* BEFORE THE
* MARYLAND STATE
* BOARD OF PHARMACY
*

* * * * *

ORDER CONTINUING SUMMARY SUSPENSION

Pursuant to Md. Code Ann., State Gov't § 10-226(c) (2004 Repl. Vol.), and after a show cause hearing held on October 1, 2005, the State Board of Pharmacy (the "Board") hereby continues the summary suspension of the license to practice pharmacy issued to Craig Holston, P.D. (the "Respondent"), under the Maryland Pharmacy Act (the "Act"), Title 12, Health Occupations Article (2005 Repl. Vol.). This Order is based on the following investigative findings, which the Board has reason to believe are true:

Findings

1. At all times relevant hereto, the Respondent was licensed to practice pharmacy in Maryland. The Respondent was first licensed in Maryland on February 16, 1983.
2. On or about December 10, 1993, the Board summarily suspended the Respondent's license as a result of his arrest for possession of controlled dangerous substances ("CDS") paraphernalia, possession of cocaine, and possession of prescription drugs with intent to distribute. The Respondent pleaded guilty to possession of a controlled dangerous substance and was sentenced to probation.
3. On or about January 22, 1998, the Respondent requested a reinstatement hearing before the Board. In his reinstatement request, the Respondent indicated that he made a previous request for reinstatement in November 1996, and other than a brief

relapse, had been drug free since that time. The Board scheduled a reinstatement hearing, but the Respondent failed to appear.

4. On or about May 18, 1998, the Respondent submitted a request for another reinstatement hearing before the Board. The Board approved the reinstatement of the Respondent's license dependent upon his passage of the Multistate Pharmacy Jurisprudence Examination ("MPJE"), completion of a PEAC Contract, and performance of 1,000 hours of professional experience under the supervision of a licensed pharmacist.

5. The Board and the Respondent entered into a Consent Order for Reinstatement dated January 14, 2004, in which the Board concluded that the Respondent had successfully completed the terms of his PEAC Contract and had otherwise demonstrated that he was capable of practicing pharmacy in a safe and ethical manner.

6. The January 14, 2004, Consent Order provided that the Respondent's license was to be immediately placed on probation subject to certain terms, one of which was that the Respondent shall enter into a contract with PEAC and abide by all of its terms and condition. The Order further provided that if the Board found that the Respondent relapsed or violated any of the conditions of probation, it could immediately suspend the Respondent's license prior to a hearing.

7. On or about July 21, 2004, the Respondent became employed by Springfield Hospital Center as a pharmacist under the supervision of Pharmacist A. In July and August 2004, the Respondent was subject to random drug testing through PEAC.

8. On or about August 20, 2004, the Respondent was referred by Springfield Hospital Center for urine testing by Concentra Medical Centers.

9. On or about September 1, 2004, the Respondent informed his supervisor at Springfield Hospital Center that his prior drug test would show positive for illegal drugs. The Respondent failed to return to work at Springfield Hospital Center on September 2, 2004, and was terminated from Springfield Hospital Center on September 2, 2004.

10. On or about September 14, 2004, the Respondent informed his PEAC monitor that he had a relapse and no longer wished to practice pharmacy because the temptations were too great.

11. On or about September 14, 2004, the Board received documentation confirming that the Respondent had tested positive for illegal use of drugs pursuant to a sample collected on August 20, 2004, through Concentra Medical Centers.

12. The Respondent was treated at Montgomery General Hospital from September 23-28, 2004. The Respondent was then admitted to the Avery Road Treatment Center from October 1-28, 2004. The Respondent successfully completed the treatment program at Avery Road on October 26, 2005.

13. The Respondent currently resides at the Wells/Robertson House, which provides transitional housing for homeless addicts and alcoholics in recovery. Wells/Robertson provides a very structured environment to promote stable and independent living. The Respondent has been at Wells/Robertson since October 28, 2004, and may stay at the facility for up to two years.

14. The Respondent has re-entered his January 15, 2004, contract with PEAC, which has been extended to July 15, 2007, due to his relapse. Under the PEAC contract, the Respondent must undergo therapy, random weekly urine testing, and weekly contact with his PEAC monitor.

DISCUSSION

The Respondent has a long history of drug abuse, dating back to at least 1993. The Board reinstated the Respondent in 2004 based upon the Respondent's heartfelt assertions that he was in solid recovery and would be capable of practicing pharmacy in a safe and competent manner. After being reinstated, however, the Respondent practiced pharmacy for no more than one month before he failed a drug screen. At the time, the Respondent was under a PEAC contract, was undergoing therapy and had been sober for approximately 7 years prior.

While the Board commends the Respondent for his recovery efforts thus far, the Respondent will have demonstrate a much more substantial period of sobriety before the Board can trust that the Respondent will be able to practice pharmacy in a manner that will not pose a threat to the public health, safety, and welfare.

CONCLUSION OF LAW

Based upon the foregoing, the Board concludes that the public health, safety, and welfare imperatively require this emergency action to continue, pursuant to Md. Code Ann., State Gov't Article § 10-226(c)(2) (2004 Repl. Vol.).

ORDER

Based on the foregoing, on this 30 day of Nov, 2005, by a unanimous vote of a quorum of the Board, by authority granted to the Board by Md. Code Ann., State Gov't Art. § 10-226(c)(2) (2004 Repl. Vol.), it is hereby,

ORDERED that the SUSPENSION of the Respondent's license to practice pharmacy in Maryland, License No. 09940, is CONTINUED; and be it further.

ORDERED that the Respondent shall complete his contract with PEAC and abide by all of its terms, which shall include, at minimum:

- A. authorization for release of PEAC records, including therapy records, to the Board;
- B. random witnessed full urinalysis at least weekly;
- C. continuation of substance abuse therapy;
- D. requirement of Board approval prior to any change or modification to the PEAC contract;
- E. requirement that PEAC submit quarterly progress reports to the Board;
and
- G. requirement that PEAC notify the Board of any incident of non-compliance with the PEAC contract, this Consent Order, or treatment, within two (2) business days of the occurrence; and be it further,

ORDERED that the Respondent shall not work in a pharmacy prescription area as a technician; and be it further,

ORDERED that the Respondent may petition the Board for reinstatement upon successful completion of his PEAC contract, PROVIDED THAT:

1. The Respondent submits to the Board a satisfactory substance abuse evaluation by a Board-assigned evaluator, which evaluation has been conducted within thirty (30) days of the petition for reinstatement; and

2. The Respondent has complied with all conditions during the suspension period; and be it further,

ORDERED that the Board may impose any terms or conditions of probation upon any reinstatement of the Respondent's license; and be it further

ORDERED that the Respondent'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 suspension set forth herein; and be it further,

ORDERED that the Respondent shall bear the expenses associated with this Order; and be it further,

ORDERED that this document constitutes a formal disciplinary action of the Maryland State Board of Pharmacy and is therefore a public document for purposes of public disclosure, pursuant to the Public Information Act., State Gov't § 10-611 *et seq.* and COMAR 10.34.01.12.

November 30, 2005
Date

John Balch, P.D.
John Balch, P.D.
President, Board of Pharmacy