

IN THE MATTER OF

*

BEFORE THE

DAVID KOTZIN, P.D.

*

MARYLAND STATE

LICENSE NO. 10932

*

BOARD OF PHARMACY

RESPONDENT

*

* * * * *

ORDER STAYING SUMMARY SUSPENSION

Pursuant to Md. Code Ann., State Gov't § 10-226(c) (2004 Repl. Vol.), the Board of Pharmacy (the "Board") issued an Order of Summary Suspension, dated August 21, 2006, which summarily suspended the pharmacist's license of David Kotzin, P.D ("Respondent"), based on allegations of theft of various pharmaceuticals, including certain controlled dangerous substances. The Board held a Show Cause hearing on September 27, 2006, during which the Respondent was given an opportunity to present oral argument as to why the summary suspension was improperly issued or to offer alternative measures that would allow him to practice without posing a danger to the public. Upon consideration of the arguments presented, the Board (the "Board") hereby stays the summary suspension of the license to practice pharmacy issued to David Kotzin, P.D., pending the resolution of the criminal proceedings currently filed against the Respondent in the Circuit Court for Anne Arundel County.

CONCLUSION OF LAW

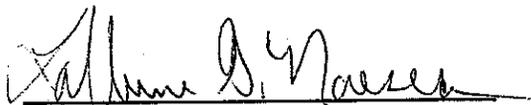
Based upon the foregoing, the Board concludes that, pending resolution of the criminal proceedings against the Respondent in the Circuit Court for Anne

ORDERED that in the event that Board receives credible information that the Respondent has violated any provision of the Maryland Pharmacy Act, the Board shall lift the stay of the summary suspension, providing that the Respondent be given the opportunity to request a show cause hearing within a reasonable time thereafter; and be it further,

ORDERED that the Respondent may submit a written request to the Board within thirty (30) days of the date of this Order for an evidentiary hearing to be held before the Board on the summary suspension, which hearing may be consolidated with a hearing on charges, should charges be issued; 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.

October 16, 2006
Date


LaVerne G. Naesea, Executive Director
for
Mark Levi, P.D.
President, Board of Pharmacy

Arundel County (Cases No. 02-K-06001823 and 02-K-06001805), the Respondent does not pose an imminent threat to the public health, safety or welfare to warrant summary suspension under Md. Code Ann., State Gov't § 10-226(c).

ORDER

Based on the foregoing, and after a Show Cause hearing was held in which the Respondent was given the opportunity to be heard as to whether the summary suspension should continue, on this 16th day of October, 2006, by an affirmative vote of majority of the Board, by authority granted to the Board by Md. Code Ann., State Gov't Art. § 10-226(c)(2), it is hereby,

ORDERED that the SUMMARY SUSPENSION of the Respondent's license to practice pharmacy in Maryland, License No. 10932, is STAYED; and be it further,

ORDERED that the Respondent may resume the practice of pharmacy until such time that one or both of the criminal proceedings against the Respondent (Cases No. 02-K-06001823 and 02-K-06001805) are resolved. The current trial date for these proceedings is November 16, 2006; and be it further;

ORDERED that the Board shall hold a subsequent show cause hearing after resolution of one or both of the criminal proceedings to offer the Respondent an opportunity to show cause why the Board should not lift the stay of the summary suspension; and be it further,