

IN THE MATTER OF

* BEFORE THE MARYLAND STATE

ALFRED M. LAWSON, P.D.

* BOARD OF PHARMACY

* * * * *

FINDING OF FACTS AND ORDER

PROCEDURAL BACKGROUND

(1) In September of 1981 the Maryland Board of Pharmacy (the "Board") charged Alfred M. Lawson, P.D. with violation of Health Occupations Article 12-311 et seq. The basis of the charges was the January, 1981 conviction of Respondent in the United States District Court for the District of Maryland of one (1) count of conspiracy to distribute unlawfully large quantities of Schedule II Narcotic and Non-Narcotic Drug Controlled Substances in Violation of 21 U.S.C. §846 and 21 C.F.R. §1306.04 (a) and eighteen (18) counts of unlawfully distributing quantities of Schedule II Narcotic and Non-Narcotic Drug Controlled Substances in violation of 21 U.S.C. §841 (a) (1) and 18 U.S.C. §2.

(2) Thereafter, on March 31, 1981, the aforementioned Court sentenced Dr. Lawson to five years imprisonment; however, all but 179 days of that sentence were suspended and he was placed on probation for a period of five years beginning upon his release from confinement.

(3) On January 20 and February 17, 1982 a hearing was held before the Board which is a matter of record herein. After hearing, the Board adjudicated Dr. Lawson Guilty of Violating Health Occupations Article § 12-311 et seq. On May 11, 1982, the Board, acting through its secretary, issued its Findings of Fact, Conclusions of Law and Order, which are incorporated herein by reference and which Ordered that his license to practice pharmacy in the State of Maryland be revoked.

(4) On July 25, 1985, Dr. Lawson petitioned the Board for reinstatement of his license to practice pharmacy and a hearing on such petition was held before the Board on October 16, 1985 at which time more than a quorum of the Board was present.

FINDINGS OF FACT AND ORDER

The Board finds:

(5) The findings of Fact of the Board in its Order of May 11, 1982 are true and correct as of the date of that Order, and are incorporated herein by reference as fully as if they had been set forth at length herein.

(6) Dr. Lawson served the period of incarceration imposed by the United States District Court, being released from confinement on June 20, 1983.

(7) Thereafter Dr. Lawson began a previously imposed five year period of supervised probation which was scheduled to expire on June 19, 1988. He volunteered his services to the Delaware Department of Health and Social Services by staffing the Hypertension Clinic at the Edward W. Pyle Service Center in Frankford, Delaware. Additionally, Dr. Lawson has volunteered one hundred eighty hours at the Holly Center in Salisbury, Maryland, an institution for the mentally retarded and developmentally disabled.

(8) Despite completing his three hundred hours of mandated community service in January of 1985, Dr. Lawson continues volunteer services at the Edward S. Pyle Center in Frankford, Delaware.

(9) The Board has received written correspondence from representatives of the respective institutions regarding the value of the services performed by the Dr. Lawson, together with many letters in support of him which are a matter of record herein.

(10) Dr. Lawson has acknowledged the absolute necessity of scrutinizing and verifying all prescriptions for controlled or dangerous drugs and of assuring the legitimacy of all orders to be filled by him or at his place of business.

(11) Dr. Lawson successfully completed approximately four credits of continuing pharmacy education while incarcerated in the Federal Correctional Facility in Danbury, Connecticut in 1983 and an additional ten (10) credits in 1985.

(12) On February 14, 1985 Dr. Lawson's Federal probation officer, Anthony DeCerbo, reported to the United States District Court that he had complied with all terms and conditions of his probation and was no longer in need of probation supervision. Accordingly, on the same date, the Hon. James R. Miller ordered that Dr. Lawson be discharged from probation and that all proceedings in the case be terminated. A copy of that Order was submitted at the hearing on October 16, 1985 and is a matter of record herein.

ORDER

Based on the foregoing Findings of Fact it is this 11 day of December, 1985, by at least a two-thirds majority of the members of the Board considering the case,

ORDERED, that the Petition of Alfred M. Lawson, P.D. for reinstatement of his license to practice pharmacy be, and the same hereby is Granted and his license is reinstated subject to the following terms and conditions:

(1) That prior to reinstatement, Dr. Lawson will read all laws governing the practice of Pharmacy in the State of Maryland and will provide the Board with an Affidavit stating that he has read and understands same;

(2) That prior to reinstatement and subsequent to the receipt by the Board of the aforementioned Affidavit, Dr. Lawson will take and pass the Maryland Law Exam prepared by the Board of Pharmacy;

(3) That commencing thirty (30) days from the effective date of this Order, Dr. Lawson shall send written quarterly reports to the Board describing the progress he feels he is making, what problems he presently faces and how he is coping with these problems;

(4) That Dr. Lawson shall immediately advise the Board of any change of address, telephone number or situs of employment;

(5) That Dr. Lawson shall practice pharmacy in accordance with all state and federal laws and in a competent manner.

(6) That in the event the Board receives an unsatisfactory report which it believes in good faith to be accurate, or in the event the Board believes for any reason in good faith that Dr. Lawson has violated Health Occupations Article §12-311 (b) (20), (21) or (33), or any provision of Title 12 of the aforementioned Article or regulations thereunder, the Board may take immediate action, including, but not limited to, Revocation or Suspension of his license, without first giving him an opportunity for a hearing. However, Dr. Lawson shall have a right to a hearing, in accordance with the Administrative Procedure Act, State Government Article § 10-201, et seq., within thirty (30) days after he notifies the Board in writing of his desire for such a hearing regarding the Board's action; but the Board may in its discretion fail to entertain such notice and request if received more than ninety (90) days after its action against him;

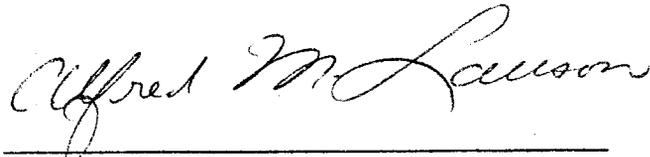
(7) That on or after May 11, 1987, the Board shall entertain a Petition for termination of his probationary status and rescission of the above terms and conditions. However, if Dr. Lawson fails to make any such petition, then his probationary status shall continue indefinitely, subject to the conditions set forth in this Order. If the Board determines that complete reinstatement would not be appropriate at that time, it may impose any conditions or restrictions on Dr. Lawson it deems appropriate.



PAUL FREIMAN, P.D., Secretary
Maryland Board of Pharmacy

ACKNOWLEDGMENT

I hereby acknowledge that I have read the foregoing Findings of Facts and Order and consent to the imposition of the conditions stated therein. I further acknowledge, after hearing and consultation with Counsel, that if subsequent to reinstatement, I fail to abide by the conditions set forth in the Order, I may suffer further disciplinary action against my license to practice pharmacy in the State of Maryland.



ALFRED M. LAWSON, P.D.