

**IN THE MATTER OF** \* **BEFORE THE MARYLAND**  
**THOMAS L. ROBINETTE, P.D.** \* **STATE BOARD OF PHARMACY**  
**RENEWAL APPLICANT** \*  
**LICENSE NO. 10383** \*

\* \* \* \* \*

**CONSENT ORDER**

**Findings of Fact**

On April 1, 2003, Thomas L. Robinette, P.D., License No. 10383 (the "Applicant") applied to the Maryland State Board of Pharmacy (the "Board") for renewal of his pharmacist's license. On his renewal application, the Applicant informed the Board that due to his substance abuse problem he had surrendered his West Virginia pharmacist's license on October 1, 2002. Subsequently, on March 13, 2003 he entered into a voluntary agreement with the West Virginia Board of Pharmacy (attached hereto as Exhibit A), in which agreement he agreed to restrictions on his West Virginia pharmacist's license for a period of three years. Among other restrictions, this Voluntary Agreement included the following restrictions on the Applicant's West Virginia pharmacist's license:

(1) The Applicant's promise to abstain from alcohol and drugs not prescribed by a physician for legitimate purposes;

(2) The Applicant's completion of a recognized and approved substance abuse treatment program followed by the Applicant's attendance at meetings of Alcoholics Anonymous or Narcotics Anonymous or a similar after care program;

(3) The Applicant's submission of random urinalysis and blood alcohol testing on demand by the West Virginia Board of Pharmacy;

(4) The submission of quarterly reports from his employer; and

(5) The requirement that the Applicant update the West Virginia Board regarding any changes to his address, phone numbers, or place of employment.

The Voluntary Agreement further provides that any violation of that agreement may result in disciplinary action to be taken by the West Virginia Board.

### **CONCLUSIONS OF LAW**

The Board finds, and Applicant agrees, that the surrender of his West Virginia license due to his substance abuse problem is a violation of Md. Code Ann., Health Occ. § 12-313(b)(20) (“Is professionally, physically, or mentally incompetent.”).

### **ORDER**

The Board ORDERS, and the Applicant agrees, to permit the Board to place his renewal license on PROBATION, subject to the following conditions:

1. The Applicant shall comply with all conditions set forth in the Voluntary Agreement he entered into with the West Virginia Board of Pharmacy (Exhibit A attached hereto);

2. The Applicant shall immediately notify the Board upon obtaining pharmacy employment in the State of Maryland, and notify the Board of all places of employment, addresses, phone numbers, and any subsequent changes thereto;

3. The Applicant shall continue to abide with all the conditions set forth in his Voluntary Agreement attached hereto as Exhibit A, **shall provide all reports to the Board that are required to be provided to the West Virginia Board under the Voluntary Agreement, and by entering into the Consent Order consents to share with the Board all information submitted to the West Virginia Board in accordance with the Voluntary Agreement;**

3. Upon obtaining employment in Maryland, the Applicant shall ensure that his current employer and any subsequent employers notify the Board that the employer has reviewed this Consent Order and understands its terms;

4. After obtaining pharmacy employment in the State of Maryland, the Applicant shall submit to random urinalysis and blood alcohol testing on demand of the Board and at the expense of the Applicant;

5. Three years following the date this Consent Order is signed by the Board officer, the Applicant may petition the Board for release from probation;

6. If the Board finds probable cause to believe that the Applicant has violated any terms of this Consent Order, the Applicant agrees that the Board may immediately suspend his pharmacist's license without a prior hearing, to be followed by an evidentiary hearing under the Maryland Administrative Procedure Act, State Government Article, §§ 10-201 *et seq.*, in which the Applicant would have the burden of showing compliance with the Consent Order; and

7. This Consent Order 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).

7/16/03  
Date

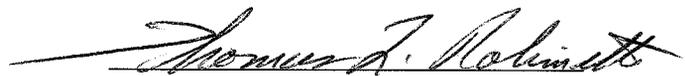
  
\_\_\_\_\_  
Stanton G. Ades, P.D.  
President, State Board of Pharmacy

**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 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 further waive any right to a hearing prior to the immediate suspension of my license should the Board receive unsatisfactory information and in good faith finds that there is probable cause that I have violated my probation.**

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

7-2-2003  
Date

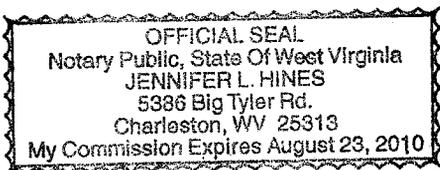
  
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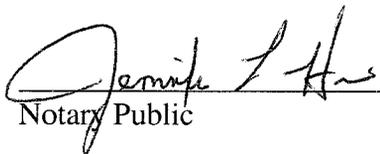
**NOTARY**

**STATE OF WEST VIRGINIA**

**COUNTY/CITY OF**

I hereby certify that on this 2 day of July, 2003, before me, a Notary Public of the State of West Virginia and County/City aforesaid, personally appeared Thomas L. Robinette, P.D., and made an oath in due form that the foregoing Consent was his voluntary act and deed.



  
Notary Public

My Commission expires: 8-23-10

BEFORE THE WEST VIRGINIA BOARD OF PHARMACY

RECEIVED  
MAR 21 2003  
BOARD OF PHARMACY

IN THE MATTER OF: THOMAS L. ROBINETTE

VOLUNTARY AGREEMENT

Come now, Thomas L. Robinette (hereinafter "Mr. Robinette"), and the West Virginia Board of Pharmacy (hereinafter "the Board"), by counsel, William T. Douglass, Jr., for the purpose of agreeing to action taken regarding the alcohol or chemical dependency of Mr. Robinette. As reflected in this document, the parties have reached an agreement concerning the proper disposition of this matter, and the Board, approving such an agreement, does hereby find and Order as follows:

FINDINGS OF FACT

1. The Board is a state entity created by West Virginia Code § 30-5-1, et seq., and is empowered to regulate the practice of the profession of pharmacy.
2. The Board may enter into a voluntary agreement with a pharmacist who is reporting his or her alcohol or chemical dependency impairment to the Board and seeking treatment for his or her dependency according to W. Va. Code § 30-5-7b.
3. Mr. Robinette held license #2822 issued by the Board to practice pharmacy in the State of West Virginia.
4. Mr. Robinette was employed at River Park Hospital in Huntington, WV, and was terminated on September 11, 2002. Mr. Robinette took controlled substances from the pharmacy at River Park Hospital while working as a pharmacist.

5. Mr. Robinette admitted to taking amphetamines from the pharmacy without a prescription and to alcohol addiction and entered into a therapy program with a certified drug and alcohol addiction counselor at Cassis Therapy Associates. Mr. Robinette has successfully completed the 12 week program of group therapy and continues to receive follow-up therapy and attends meeting of Alcoholics Anonymous.

6. Mr. Robinette voluntarily surrendered his license on October 1, 2002 and appeared before the Board in Charleston, WV on March 10, 2003 to seek reinstatement of his license.

#### **CONCLUSIONS OF LAW**

1. The West Virginia Board of Pharmacy concludes that the Findings of Fact support the resolution of this matter by voluntary agreement pursuant to W. Va. Code § 30-5-7b

#### **CONSENT**

Thomas L. Robinette and the Board, by affixing their signatures hereon, agree to the following:

1. The parties acknowledge that they are aware of their option to pursue this matter through administrative forums and/or court channels, but intelligently and voluntarily waives their right to do so.

2. Mr. Robinette agrees to the imposition of the following restrictions affecting his license to practice pharmacy in the State of West Virginia.

## RESTRICTIONS

On the basis of the foregoing, the Board agrees that the license to practice pharmacy in the State of West Virginia issued to Thomas L. Robinette be reinstated and restricted upon the following terms and conditions for a period of three (3) years from and after the date of entry of this **Order**.

During said three (3) year period, the following conditions shall be met:

1. If, to date, Mr. Robinette has not participated in a recognized and approved substance abuse treatment program, he shall enter into such a program.
2. Mr. Robinette shall cause his treatment counselor to submit a report to the Board, verifying completion of the program and outlining his progress in compliance with said program.
3. Mr. Robinette shall attend meetings of Alcoholic's Anonymous or Narcotic's Anonymous or a similar after care program at least three (3) times a week with the written evidence of his participation in the aforementioned meetings shown by the signature of a witness and submitted to the Board on or before the first day of each month.
4. For a period of one (1) year from and after the date of entry of this agreement, Mr. Robinette may not be designated as pharmacist-in-charge at any pharmacy in the state of West Virginia.
5. Mr. Robinette shall submit to random urinalysis testing and blood alcohol testing on demand of the Board and at the expense of Mr. Robinette. All reports of such tests shall be submitted to the Board for the Board's review. In addition, Mr. Robinette shall submit to random

on-the-spot Breathalyzer examinations on demand of the Board at either the workplace or the home of Mr. Robinette.

6. Mr. Robinette shall report in writing to the Board, any change in residential address or of his place of employment or employer, and shall keep the Board advised of his residential and work telephone numbers in writing. Mr. Robinette shall cause his employer or immediate supervisor to submit quarterly reports on his job performance, attendance, attitude, and professional demeanor.

7. Mr. Robinette shall abstain from the use of alcohol and limit his use of drugs to those prescribed by a duly licensed physician for legitimate purposes.

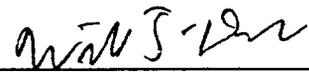
8. If, during the period of the restrictions of his license to practice pharmacy, the Board is presented with a laboratory report or Breathalyzer reading indicating the presence within the system of Mr. Robinette of alcohol or any drug not legally prescribed for him by his treating physician, or with evidence from any reliable source, proving or tending to prove that Mr. Robinette is not in compliance with one or more terms of this agreement, the Board shall immediately notify Mr. Robinette, in writing, delivered by certified mail, at his last known residential address of the manner in which it is alleged that he has violated the terms of this agreement, and disciplinary proceedings pursuant to W. Va. Code § 30-5-7, shall be instituted.

9. If, at the end of three (3) years from and after the entry of this Order, the Board has not initiated the hearing process provided under Paragraph 8 hereunder, the above restrictions on the license of Mr. Robinette to practice pharmacy in the State of West Virginia, shall expire and shall be deemed to be of no force and affect without any further action by any party.

10. This Voluntary Agreement shall be confidential and not available for public information, discovery or court subpoena nor for introduction into evidence in any professional liability action, however, the Board may cooperate with and provide documentation of this Agreement to licensing boards in other jurisdictions as may be appropriate.

ENTERED this 13<sup>th</sup> day of March, 2023.

  
THOMAS L. ROBINETTE

  
WILLIAM T. DOUGLASS, JR.  
EXECUTIVE DIRECTOR AND GENERAL  
COUNSEL FOR THE BOARD

  
GEORGE KAROS  
PRESIDENT OF THE BOARD