IN THE MATTER OF	*	**BEFORE THE**
TYLER M. TREHARNE, PHARM.D.	*	**MARYLAND STATE**
LICENSE NO. 23173	*	**BOARD OF PHARMACY**
	*	**Case No. PI-16-049**

* * * * * * * * * * * *

CONSENT ORDER

Background

The Maryland Board of Pharmacy (the "Board") received notice from Tyler M. Treharne, Pharm.D. (the "Respondent"), that the Respondent had been disciplined by the Oregon Board of Pharmacy as a result of violations of Oregon state law regarding the supervision of a pharmacy, and specifically, the supervision of compounding of human drugs.

In lieu of instituting formal proceedings against the Respondent, in accordance with the Maryland Pharmacy Act, Md. Code Ann., Health Occ. § 12-101 *et seq.*, the Board and Respondent, have agreed to resolve this matter as set forth in this Consent Order.

FINDINGS OF FACT

1. On or about March 6, 2015, the Respondent was issued a license to practice pharmacy in Maryland. The Respondent's license is active and will expire on November 30, 2016.
2. The Respondent is designated by Strohecker's Pharmacy, a non-resident pharmacy permit holder, as the Maryland licensed pharmacist on staff, in accordance with Md. Code Ann., Health Occ. Art. § 12-403(e).
3. The Respondent supervises the compounding and dispensing of, among other

things, patient-specific sterile compounded products, including testosterone cypionate.

4. On or about November 12, 2015, the Respondent entered into a Consent Order with the Oregon Board of Pharmacy. The Consent Order was based on various violations of the Oregon Annotations Revised related to the Respondent's supervision of the compounding of testosterone cypionate, Lot #T-1201S14. The Respondent disputed the allegations.
5. Specifically, the Oregon Board of Pharmacy found that Lot #T-1201S14 of testosterone cypionate was inadvertently mixed with estradiol valerate resulting in misbranded testosterone cypionate being dispensed to 351 patients in 35 states.
6. One Maryland physician administered the misbranded product to a patient.
7. The Oregon Board of Pharmacy imposed against the Respondent a civil penalty of $20,000, with $13,000 stayed pending compliance with the terms of the Oregon Consent Order and no similar violations for three (3) years.
8. On November 20, 2015, the Respondent duly notified the Board regarding the Oregon Board of Pharmacy action.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Tyler M. Treharne, Pharm.D., License Number 23173, is subject to discipline in accordance with Md. Code Ann., Health Occ. § 12-313(b)(24).

ORDER

Based upon an affirmative vote of the Board under the authority of Md. Code Ann., Health Occ. Art. § 12-313, it this 1st day of August, 2016, hereby,

ORDERED that Respondent, License No. 23173, shall be assessed a civil monetary penalty in the amount of $7,000, all of which is STAYED pending no further similar violations for three (3) years beginning November 12, 2015, and compliance with the terms of this Order; and be it further,

ORDERED that Respondent, shall ensure compliance with all laws and regulations governing the operation of a non-resident pharmacy licensed in the State of Maryland, to include Maryland laws governing compounding and dispensing of prescription drugs; and be it further,

ORDERED that Respondent shall fully comply with all terms and conditions imposed by the Oregon Board of Pharmacy in its Consent Order, effective November 12, 2015; and be it further,

ORDERED that in the event that Respondent violates any of the terms above, the Board, after notice and an opportunity for a hearing, and a determination of a violation, may lift the stay of the civil monetary penalty assessed above and impose any further disciplinary sanction it deems appropriate, including probation, suspension and revocation, said violation being proven by a preponderance of the evidence; and be it further,

ORDERED that this is a formal order and as such is a public document pursuant to Md. Code Ann., General Provisions Article § 4-333.

_____
Date

Deena Speights-Napata
Deena Speights-Napata,
Executive Director for:

Mitra Gavgani, Pharm.D.
Board President

CONSENT

1. By signing this Consent, Respondent submits to the foregoing Consent Order as a resolution of this matter and agrees to be bound by its terms and conditions.

2. Respondent acknowledges the validity of this Consent Order as if it were made after a hearing in which Respondent would have had the right to counsel, to confront witnesses, and to all other substantial procedural protections provided by law.

3. Respondent acknowledges that, by entering into this Consent Order, Respondent is waiving his right to appeal any adverse ruling of the Board that might have followed such an evidentiary hearing.

4. Respondent acknowledges the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.

5. Respondent signs this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. Respondent fully understands the language, meaning, and effect of this Consent Order.

7.27.16
Date

Tyler M. Trelharne

STATE OF Oregon
COUNTY/CITY OF Multnomah

I hereby certify that on this 27th day of July, 2016, before me, a Notary Public of the State of Oregon and County/City aforesaid, personally appeared TYLER M. TREHARNE, and made an oath in due form that the foregoing Consent was his voluntary act and deed.

OFFICIAL STAMP
KAREN AMIN
NOTARY PUBLIC-OREGON
COMMISSION NO. 941984
MY COMMISSION EXPIRES AUGUST 20, 2019

Notary Public
My commission expires: 08/20/19