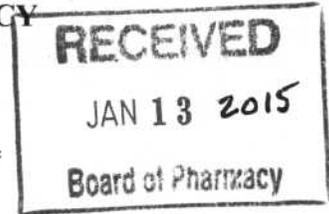


IN THE MATTER OF \*  
TWENTY-FOUR HOUR DEPENDABLE \*  
MEDICAL SUPPLIES, LLC \*

BEFORE THE  
MARYLAND BOARD  
OF PHARMACY

PERMIT NO. PW0379 \*

\* \* \* \* \*



**PRE-CHARGE CONSENT ORDER**

**Background**

The Maryland Board of Pharmacy (the "Board"), while conducting an annual inspection of Twenty-Four Hour Dependable Medical Supplies, LLC (the "Pharmacy") on September 12, 2014, discovered several deficiencies relating to general pharmacy operations.

In lieu of issuing Charges against the Pharmacy for violations of the Maryland Pharmacy Act, Md. Code Ann., Health Occ. § 12-101 *et seq.*, the Board held two (2) Pre-Charge Case Resolution Conferences with the Pharmacy permit holder on October 29 and November 12, 2014. As a result, the Pharmacy and the Board have agreed to resolve this matter as set forth in this Pre-Charge Consent Order.

**FINDINGS OF FACT**

1. The Pharmacy was originally issued a pharmacy waiver permit in April 2013 for the provision of nutritional supplements and durable medical equipment.
2. On its subsequent renewal application received by the Board on May 1, 2014, the Pharmacy expanded its waiver specialty to include "mail order" and "internet"; although the Pharmacy contends that it did not dispense any prescription drugs through mail order or internet.
3. On September 9, 2014, the Board attempted to conduct an annual inspection of the

Pharmacy to ensure compliance with laws and regulations regarding pharmacy operations. The Pharmacy was not open despite information in the Board's records indicating that its business hours were Monday – Friday, 10 a.m. to 5:00 p.m. The Board's inspector was advised that the Pharmacy was only open on Fridays, 10:00 a.m. to 5:00 p.m.

4. On Friday, September 12, 2014, the Board inspector returned to the Pharmacy at 10:00 a.m.; however, the Pharmacy did not open until 10:15 upon the arrival of the staff pharmacist.
5. At the time of inspection, the Pharmacy's inventory and records indicate that it only dispensed the prescription drugs insulin and albuterol. The Pharmacy's business focuses on dispensing durable medical equipment and nutritional supplements.
6. The Board reviewed prescription records of drugs dispensed and determined that the Pharmacy's prescription records did not comport with either the Pharmacy's drug usage report or pharmacist staffing records.
7. Subsequent to the Board's inspection and investigation, the Pharmacy ceased dispensing prescription drugs.

#### CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that 24 Hour Dependable Medical Supplies, Inc., is subject to discipline in accordance with Md. Code Ann., Health Occ. §§ 12-403(b)(1), (4), and (13) and 12-505(b).

#### ORDER

Based on an affirmative vote of the Board, it is this 21<sup>st</sup> day of January, 2017,  
hereby:

**ORDERED** that the pharmacy permit issued to Twenty-Four Hour Dependable Medical Supplies, LLC (Permit No. PW0379), is restricted to the dispensing of nutritional supplements

and durable medical equipment; that is, the Pharmacy is prohibited from dispensing any prescription drugs; and be it further,

**ORDERED** that the Pharmacy must otherwise comply with all laws regarding the operation of a pharmacy and dispensing of drugs; and be it further,

**ORDERED** that the Pharmacy shall accurately and timely notify the Board of its hours of operation and any subsequent changes to its hours of operation; and be it further,

**ORDERED** that, within thirty (30) days of this Order, the Pharmacy shall submit its policies and procedures regarding the dispensing of nutritional supplements, to include policies that address dispensing of nutritional supplements in the event of a dispensing system failure; and be it further,

**ORDERED** that the Board may inspect the Pharmacy at any time to ensure compliance with this Order and laws regarding pharmacy operations; and be it further,

**ORDERED** that this is a formal order of the Maryland Board of Pharmacy and as such is a public document pursuant to the Maryland Annotated Code, State Government Article, Section 10-617(h).

Date 1/21/2015

Lenna Israbian-Jamgochian, Pharm.D.  
President  
Maryland Board of Pharmacy

CONSENT

1. Twenty-Four Hour Dependable Medical Supply, LLC, consents to the foregoing Order as a resolution of this matter in lieu of formal charges, which process would have afforded the Pharmacy the right to a full evidentiary hearing in which the Pharmacy would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on its own behalf and to all other substantive and procedural protections provided by law.
2. Twenty-Four Hour Dependable Medical Supply, LLC, waives any rights it may have had to contest the findings and determinations contained in this Consent Order.
3. Twenty-Four Hour Dependable Medical Supply, LLC, acknowledges the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.
4. Twenty-Four Hour Dependable Medical Supply, LLC, executes this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. The Pharmacy fully understands the language, meaning, and effect of this Consent Order.

1/8/14  
Date

Cherylette Henderson  
Cherylette Henderson, Owner  
Twenty-Four Hour Dependable  
Medical Supply, LLC

STATE OF MARYLAND:  
COUNTY/CITY OF Baltimore:

I hereby certify that on this 8<sup>th</sup> day of January 2014, before me, a Notary Public of the State and County/City aforesaid, personally appeared CHERYLETTE HENDERSON, on behalf of Twenty-Four Hour Dependable Medical Supplies, LLC, and made an oath in due form that the foregoing Consent was her voluntary act and deed.



Arthur Cheslock  
Notary Public  
My commission expires: June 20, 2016