



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

Maryland Board of Pharmacy
Deena Speights-Napata, M.A.
Executive Director
4201 Patterson Avenue
Baltimore, MD 21215

July 23, 2020

BY REGULAR & CERTIFIED MAIL
RETURN RECEIPT REQUESTED
ARTICLE #7017 1450 0002 3456 9715

Brookville Pharmacy
7025 Brookville Road
Chevy Chase, MD 20815
Attn: Sean Park, R.Ph., Pharmacy Manager

Re: Permit No. P00923
Case No. 20-081
Finding of Deficiencies and Imposition of Civil Monetary Penalty
By Consent

Dear Pharmacy Manager:

On July 9, 2019, the Board of Pharmacy (the "Board") conducted an annual inspection of Brookville Pharmacy (the "Pharmacy") for compliance with statutes and regulations governing the operation of a pharmacy. The Board's inspection of the Pharmacy revealed that a staff pharmacist (S.P.) who was registered to administer vaccines obtained CPR certification through an online course rather than through in-person classroom instruction as required. The Board subsequently received documentation indicating that the pharmacist administered approximately 20 vaccinations without the proper CPR certification, including 2 vaccinations after the Board's inspection noting the deficiency.

The Pharmacy timely requested a hearing on the matter. The Board convened a case resolution conference resulting in an agreement to resolve the findings of deficiencies as set forth herein.

I. FINDINGS AND CONCLUSION

The Board finds that the Pharmacy permitted a pharmacist (S.P.) to administer vaccinations without proper CPR certification obtained through in-person classroom instruction as required in order to administer vaccinations under the authority of a pharmacist's license, including two vaccinations that were administered after the Board's inspection noting the deficiency.

Based upon deficiencies at the Pharmacy, the Board finds that the Pharmacy is in violation of the Maryland Pharmacy Act and the regulations adopted thereunder. Specifically, the Board finds the Pharmacy in violation of Health Occ. Art. § 12-403(c)(1) and § 12-508(b)(2).

The Pharmacy makes no admission with respect to the Board's findings but agrees to resolve this matter as set forth herein for settlement purposes only.

II. CIVIL MONETARY PENALTY

Under Maryland Health Occupations Article § 12-410 and COMAR 10.34.11, the Board of Pharmacy has the authority to impose a civil monetary penalty based upon violations of the Maryland Pharmacy Act.

Based upon the deficiencies reported at the Pharmacy, the Board hereby imposes a **civil monetary penalty of \$1,000.00**. The deficiencies upon which the civil monetary penalty is based are set forth in the findings above and the Inspection Report, dated July 9, 2019.

In determining the recommended civil monetary penalty, the Board took into consideration the aggregating and mitigating factors outlined in COMAR 10.34.11.08.

III. FOLLOW-UP INSPECTION

Please be advised that the Board of Pharmacy may perform a follow-up inspection of the Pharmacy to ensure that the deficiencies noted in the Inspection Report have been addressed and corrected. Should the follow-up inspection indicate that the Pharmacy has further deficiencies, the Board may pursue further disciplinary action against the Pharmacy that may result in the imposition of sanctions such as suspension, revocation or additional monetary penalties.

IV. PAYMENT OF MONETARY PENALTY

The Pharmacy has agreed to pay the recommended civil monetary penalty **within six (6) months** of the date of this Finding, in the form of a certified check or money order made payable to the Maryland Board of Pharmacy.

Please mail the check or money order to:

Wells Fargo Bank
Attn: State of MD - Board of Pharmacy
Lockbox 2051
7175 Columbia Gateway Drive
Columbia, MD 21046

NOTE: Please include the case number, 20-081, on your check or money order to ensure proper assignment to your case.

Upon the Pharmacy's payment of the civil monetary penalty, this Finding will constitute the Board's final action with respect to this case regarding the deficiencies related to inspection of July 9, 2019, and shall be a final order and public document under the Maryland Public Information Act., Md. Code Ann., General Provisions Art. § 4-101 *et seq.*, and posted and reported in accordance with State and federal laws.

If you have any questions concerning the instructions contained in this letter, please contact Donna Goldberg, R.Ph., J.D., at 410-764-3768.

Sincerely,



Deena Speights-Napata, M.A.
Executive Director

cc: Linda Bethman, AAG, Board Counsel
