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IN THE MATTER OF	*	BEFORE THE
JEFFREY FARACE, P.D.	*	MARYLAND STATE
License No.: 9800	*	BOARD OF PHARMACY
* * * * *	*	* * * * *

FINAL CONSENT ORDER

Based on information received and a subsequent investigation by the State Board of Pharmacy (the "Board"), and subject to Health Occupations Article, §12-315, Annotated Code of Maryland (the "Act"), the Board charged Jeffrey Farace, (the "Respondent") with violations of §12-313(b) of the Act. Specifically,

(4) Provides professional services while:

(i) Using any narcotic or controlled dangerous substance, as defined in Article 27 or other drug that is in excess of therapeutic amounts or without valid medical indication.

(14) Without first having received a written or oral prescription for the drug from an authorized prescriber, dispenses any drug for which a prescription is required;

The Respondent was given notice of the charges and the issues underlying those charges by letter and charging documents sent to Respondent on May 20, 1991.¹ A prehearing conference on all charges was held on October 23, 1991 and was attended by Ralph Small, P.D., Secretary of the Board, and Roslyn Scheer, Executive Director of the Board. Also in attendance were the

¹ Respondent was also served with an emergency suspension on that date and turned over all pharmacy licenses to the Board's agent at that time. Respondent has, in fact, been suspended from practice since May 20, 1991 and agreed to consolidate a hearing on the summary suspension and the charges.

himself with a syringe. During the day, Respondent was pale and sweating profusely.

5. At one point during that day, Respondent attempted to fill a prescription for Glucotrol for a patient with high blood pressure. Instead, he filled the prescription with Navane but caught his error before giving the medication to the patient.

6. On April 10, 1991, Respondent contacted the owner of Riverside Pharmacy, Frederick Batie, by phone and told Mr. Batie that he (Respondent) took Valium, Demerol and Sublimace from the pharmacy, that he was sorry for what had happened, and that he did not sell the drugs but was using them himself.

7. The Board finds that Respondent signed a contract with the Pharmacists Rehabilitation Committee. (Rehab Committee) on April 29, 1991. A copy of that contract is hereby attached and incorporated as part of this Order.

8. The Board finds that Respondent underwent detoxification at Peninsula General Hospital in Salisbury Maryland from April 11, 1991 through April 16, 1991 and completed inpatient detoxification from April 18, 1991 through May 16, 1991 at New Beginnings (Warwick Manor) in East New Market, Maryland. The Board further finds that, pursuant to the requirements of the Rehab Contract, Respondent has been compliant with outpatient therapy to date.

9. On June 4, 1991, Respondent was charged with a 24 count indictment by the State's Attorney's Office for Wicomico County for charges which included felony and misdemeanor theft, and

perform 100 hours of community service in each of the 1st 3 years of probation and participate in drug or alcohol counseling as directed. Sentencing on the felony theft charge was deferred until November 6, 1991 at which time Judge Warren struck the finding of guilt on the felony theft charge and granted Respondent Probation Before Judgement on that charge.² The docket entries detailing the above are incorporated herein and attached hereto.

CONCLUSION OF LAW

Based on the foregoing the Board concludes that Respondent violated §§12-313(b)(4) and (14).

ORDER

Based on the foregoing Findings of Fact, Conclusions of Law and agreement of the parties, it is this 15 day of Jan, 1992, by a majority of a quorum of the Board,

ORDERED that the license of Respondent to practice Pharmacy remain SUSPENDED until the Board grants Respondent's petition for reinstatement: the conditions for submitting the Petition are detailed herein after; and be it further

²By pleading guilty to a felony, Respondent violated §12-313(b)(21); by being convicted of and sanctioned for the above-described charges, Respondent violated §12-313(b)(23). The Board has opted not to file supplemental charges due to these subsequent violations of the Act but to incorporate these factors into the Order.

and be in the area of substance abuse education or involvement;
and be it further

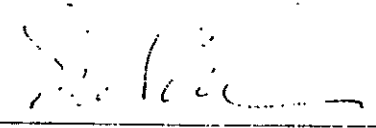
ORDERED that, as an option, Respondent write an article
(which may be anonymous) for the Maryland Pharmacists Association
Journal on the perils of drug abuse from a personal perspective;
and be it further

ORDERED that if the Board determines that Respondent has
failed to comply with any of the aforesaid conditions during the
period of suspension, the Board will revoke Respondent's license
immediately without a hearing, subject to the Respondent's
subsequent right to request a hearing on the Board's action.

ORDERED that Respondent may petition the Board for
reinstatement when the therapist, the Rehab Committee and
Respondent make a determination that Respondent is ready to
resume practice. The Petition is to contain an evaluation
performed by a substance abuse expert approved of by the Rehab
Committee that contains a recommendation on monitoring conditions
or special circumstances necessary for Respondent to resume the
practice of pharmacy: said evaluation must be performed within 30
days of the submission of the Petition; and be it further

ORDERED that this is a Final Order and as such is a public
document pursuant to §10-611 et seq. of the State Government
Article, Annotated Code of Maryland.

Date, Jan 15 1992



Steven Cohen, P.D.
President
Board of Pharmacy

STATE OF MARYLAND
CITY/COUNTY OF: WICOMICO

I HEREBY CERTIFY that on this 7th day of January,
1992 a Notary Public of the State and City/County aforesaid,
personally appeared Jeffrey Farace, License No. 9800, and made
oath in due form of law that signing the foregoing Consent Order
was his voluntary act and deed, and the statements made herein
are true and correct.

AS WITNESSETH my hand and notarial seal.

Betty L. Warwick
Notary Public

My Commission Expires:
July 1, 1995