

**IN THE MATTER OF
ROY A. MARTIN, R.Ph.
LICENSE NO. 23895**

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**BEFORE THE
MARYLAND STATE
BOARD OF PHARMACY
Case No. 17-092**

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PRE-CHARGE CONSENT ORDER

Background

The Maryland Board of Pharmacy (the “Board”) received notice from the National Association of Boards of Pharmacy (“NABP) that Roy A. Martin, R.Ph., License Number 23895 (the “Respondent”), had been disciplined by the Oklahoma Board of Pharmacy as a result of various sterile compounding violations cited at Pharmacy A, for which he practices as the Pharmacist-in-Charge. The Respondent was subsequently disciplined by at least two other boards of pharmacy based on the Oklahoma Board’s discipline. The Respondent failed to disclose the aforementioned discipline on his renewal application to the Maryland Board.

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 Pre-Charge Consent Order.

FINDINGS OF FACT

1. On or about January 13, 2016, the Respondent was issued a license to practice pharmacy in Maryland. The Respondent’s license is active and will expire on December 31, 2019.
2. The Respondent resides and practices pharmacy in Oklahoma. The Respondent is

the Pharmacist-in-Charge for Pharmacy A.

3. The Respondent supervised the compounding and dispensing of patient-specific sterile compounded products, specifically, testosterone and estradiol pellets for subcutaneous implantation.
4. On or about May 16, 2014, the Oklahoma Board of Pharmacy performed a routine compounding inspection of Pharmacy A and noted several deficiencies relating to the clean room facility and equipment, proper garbing, cleaning procedures, lack of pharmacist verification, and proper beyond-use-dating.
5. The Oklahoma Board of Pharmacy entered into an Agreed Findings of Fact, Conclusions of Law and Final Order, dated on June 15, 2016, which placed the Respondent on probation for five (5) years until June 15, 2021, and imposed a fine in the amount of \$5,000.00.
6. Subsequently, the Louisiana Board of Pharmacy entered into a Consent Agreement with the Respondent on January 25, 2017, based on the Oklahoma Board's disciplinary action.
7. On February 16, 2017, the Colorado Board of Pharmacy issued a Stipulation and Final Agency Order based on the Oklahoma Board's disciplinary action.
8. On November 29, 2017, the Respondent renewed his pharmacist's license with the Board. On his renewal application, the Respondent improperly answered "no" to the following questions:
 1. Has any state licensing or disciplinary board (including Maryland) or any similar agency denied your application for registration, reinstatement or renewal, or taken any action against any registration or license held by you?
 2. Has any state licensing or disciplinary board (including Maryland) or similar agency in the Armed Forces, filed any complaints or charges against you or investigated you for any reason?

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Roy A. Martin, R.Ph., License Number 23895, is subject to discipline in accordance with Md. Code Ann., Health Occ. § 12-313(b)(1) and (24).

ORDER

Based upon an affirmative vote of the Board under the authority of Md. Code Ann., Health Occ. Art. § 12-313, it this 15th day of June, 2018, hereby,

ORDERED that Respondent, License No. 23895, shall be placed on PROBATION, until such time that the Respondent fully complies with the terms and conditions of the Oklahoma Board of Pharmacy Agreed Findings of Fact, Conclusions of Law and Final Order, dated June 15, 2016, and such probation is terminated; and be it further,

ORDERED that the Respondent shall immediately provide written notice to the Board of any complaint to or investigation by the Oklahoma Board of Pharmacy; and be it further,

ORDERED that the Respondent shall provide immediate written notice to the Board in the event that the Respondent relocates to the Maryland; 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 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 the Respondent may petition the Board for termination of probation provided that he has fully complied with all probationary terms contained herein; 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.

6-15-18
Date


Deena Speights-Napata,
Executive Director for:

Kevin Morgan, 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.

6-11-2018
Date

Roy A. Martin
Roy A. Martin
DH

STATE OF OKLAHOMA
COUNTY/CITY OF OKLAHOMA:

I hereby certify that on this 11 day of JUNE, 2018, before me, a Notary Public of the State of _____ and County/City aforesaid, personally appeared ROY A. MARTIN, and made an oath in due form that the foregoing Consent was his voluntary act and deed.



[Signature]
Notary Public
My commission expires: 11/9/20