

IN THE MATTER OF	*	BEFORE THE
BENJAMIN MYATT, R.Ph.	*	MARYLAND STATE
LICENSE NO. 22267	*	BOARD OF PHARMACY
	*	Case No. 18-022

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

CONSENT ORDER

Background

The Maryland Board of Pharmacy (the “Board”) received credible information indicating that Benjamin Myatt, R.Ph. (the “Respondent”), License Number 22267, had been disciplined by the Kentucky and Louisiana Boards of Pharmacy, based on failure to complete continuing education credits and failure to report disciplinary action, respectively. In addition, the Respondent failed to report the Louisiana disciplinary action to the 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 Consent Order.

FINDINGS OF FACT

1. On or about March 19, 2014, the Respondent was issued a license to practice pharmacy in Maryland. The Respondent’s license is active and will expire on September 30, 2019.
2. The Respondent is the designated Maryland licensed pharmacist for a non-resident pharmacy permit holder located in Tennessee in accordance with Md. Code Ann., Health Occ. Art. § 12-403(e).

3. On or about September 11, 2015, the Kentucky Board of Pharmacy entered into an Agreed Order with the Respondent in which he agreed to pay a fine of \$500. The Agreed Order was based on the Respondent's failure to complete the required continuing education credits for renewal.
4. On or about May 4, 2016, the Louisiana Board of Pharmacy entered into a Consent Agreement with the Respondent in which he was reprimanded and ordered to pay a fine of \$1,000 and reimburse the board \$250 for administrative costs. The Consent Order was based on the Respondent's failure to report the Kentucky Board disciplinary action as required.
5. On the Respondent's August 23, 2017 renewal application to the Board, he answered the question, "Has any state licensing or disciplinary board (including Maryland) or any similar agency in the Armed Forces, denied your application for registration, reinstatement or renewal, or taken any action against any registration or licensed held by you? Such actions include, but are not limited to, limitations on the registration, additional education, admonishment, reprimand, suspension or revocation," by reporting the Kentucky Board disciplinary action, but failed to report the disciplinary action imposed by the Louisiana Board.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Benjamin Myatt, R.Ph., License Number 22267, is subject to discipline in accordance with Md. Code Ann., Health Occ. § 12-313(b)(1) and (24).

ORDER

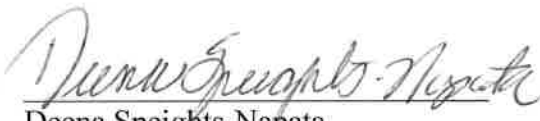
Based upon an affirmative vote of the Board under the authority of Md. Code Ann., Health Occ. Art. § 12-313, it this 26th day of February, 2018, hereby,

ORDERED that Respondent, License No. 22267, shall pay a FINE in the amount of \$250, within sixty (60) days of the date of the effective date of this Order, payable to the Maryland Board of Pharmacy and mailed to P.O. Box 2051, Baltimore, MD 21203-2051, with a reference to Case No. 18-022; 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, or the imposition of a civil fine, 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.

2-26-18
Date


Deena Speights-Napata,
Executive Director for:

Mitra Gavvani, 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.

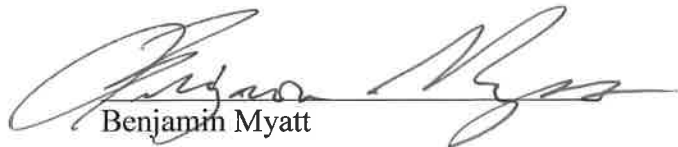
2. Respondent acknowledges the validity of this Consent Order as if it were made after a hearing in which Respondent would have had the right to counsel, to confront witnesses, and to all other substantial procedural protections provided by law.

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.

2/13/18
Date


Benjamin Myatt

STATE OF Tennessee
COUNTY/CITY OF Williamson

I hereby certify that on this 13th day of February, 2018, before me, a Notary Public of the State of Tennessee and County/City aforesaid, personally appeared BENJAMIN MYATT, and made an oath in due form that the foregoing Consent was his voluntary act and deed.



Naomi Capehart
Notary Public
My commission expires: April 6 2021