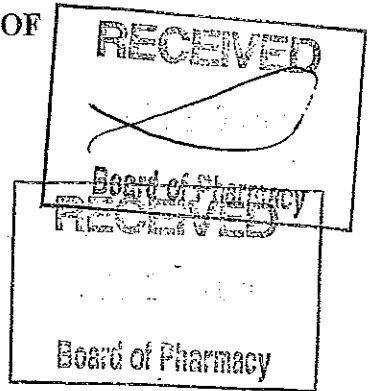


IN THE MATTER OF
ADEBISI OLA, P.D.
LICENSE NO. 15402

Respondent

* * * * *

BEFORE THE MARYLAND
STATE BOARD OF
PHARMACY
Case No. 10-058



CONSENT ORDER TERMINATING
SUMMARY SUSPENSION

Background

Based on information received and a subsequent investigation by the Maryland Board of Pharmacy (the "Board"), and subject to the Maryland Pharmacy Act (the "Act"), Md. Code Ann., Health Occ. §§ 12-101, *et seq.*, (2009 Repl. Vol.), and the Maryland Administrative Procedure Act, Md. Code Ann., State Gov't §§ 10-201 *et seq.*, the Board issued an Order for Summary Suspension dated February 26, 2010, in which it summarily suspended the pharmacist's license held by Adebisi Ola, P.D. (the "Respondent"). Specifically, the Board found reliable evidence demonstrated that the public health, safety or welfare imperatively required emergency action, pursuant to Md. Code Ann., State Gov't §10-226(c)(2)(2004 Repl. Vol.).

On May 12, 2010, the Board held a hearing before a quorum of the Board to allow the Respondent the opportunity to show cause why the Respondent did not pose an imminent threat to the health, safety and welfare of the public. In lieu of a continued summary suspension, the Respondent and the Board agreed to resolve the matter by way of this Consent Order with the terms contained herein.

FINDINGS OF FACT

1. At all times relevant hereto, the Respondent was licensed to practice pharmacy in Maryland. The Respondent was first licensed on June 16, 1999. The Respondent's license expires on November 20, 2010.

2. At all times relevant herein, the Respondent was employed as a dispensing pharmacist at Wal*Mart Pharmacy in California, Maryland.

3. The Board was notified by Wal*Mart's Director of Pharmacy Regulatory Affairs that the Respondent's employment had been terminated due to theft. The Respondent was terminated on November 24, 2009, for theft of Phentermine, which he admitted in a written statement.

4. By letter dated January 4, 2010, the Board was notified by the Division of Drug Control that it had received a DEA Form 106, Report of Theft or Loss of Controlled Substances. The Report indicated that the Respondent had stolen from Wal*Mart approximately 300 capsules of Phentermine.

5. As a result of this incident, the Report stated that Wal*Mart instituted various security measures to prevent future thefts or losses.

6. The Respondent voluntarily submitted to a substance abuse evaluation which indicated that the Respondent does not appear to suffer from addiction and is not in need of substance abuse treatment.

7. The Respondent asserts that he diverted the Phentermine to self-medicate for his weight management issues.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board finds that the Respondent violated Md. Code Ann., Health Occ. §§ 12-313(b)(15),(21) and (25), and COMAR 10.34.10.01A(1).

ORDER

Based on agreement of the parties, it is this 7th day of July, 2010, by an affirmative vote of the Board, hereby

ORDERED that the Respondent's license be SUSPENDED for SIX (6) MONTHS, with THREE (3) MONTHS STAYED, beginning May 12, 2010; and be it further,

ORDERED that during the suspension period, the Respondent:

- (1) Shall take and pass the Multistate Pharmacy Jurisprudence Examination ("MPJE");
- (2) Shall submit to monthly random Board-ordered urinalysis;
- (3) May not work as a technician, or in any other capacity, in a pharmacy or other setting that stores, distributes or dispenses pharmaceuticals; and,
- (4) Shall comply with any licensure renewal requirements; and be it further,

ORDERED that after three (3) months of active suspension, the Respondent may petition to lift the suspension of his license provided that the Respondent has fully complied with all terms of suspension and there are no pending complaints against the Respondent; and be it further,

ORDERED that upon the lifting of the suspension, the Respondent shall be placed on immediate PROBATION for at least THREE (3) YEARS, during which time the Respondent:

(1) Shall successfully complete a Board-approved college-level course on healthcare ethics by July 1, 2011;

(2) May not function as a pharmacy manager;

(3) May not be a floater or work for a staffing agency;

(4) During the first 3 months of probation, shall submit to random weekly Board-ordered urinalysis. If all urine screenings are negative, for the remainder of the probationary period, the Respondent shall submit to the random urine screenings twice per month;

(5) Shall insure that his pharmacy employer(s) submit to the Board quarterly performance reports; and

(6) Shall provide the Board with written notification in advance of any period of time during which the Respondent may be unreachable due to travel or other reason; and be it further,

ORDERED that after one (1) year of probation, the Respondent may petition the Board to modify his probationary terms provided that he has fully complied with the terms of probation and does not have any pending complaints filed against him; and be it further,

ORDERED that after three (3) years of probation, the Respondent may petition the Board to terminate probation provided that he has fully complied with the terms of probation and does not have any pending complaints filed against him; and be it further,

ORDERED that all urine screens ordered pursuant to this Consent Order shall be:

(1) Submitted by the Respondent within 24 hours of the Board staff instructing the Respondent to submit a urine sample;

(2) Submitted at a CLIA-certified laboratory; and

(3) Negative for any controlled dangerous substance, narcotics, cocaine, or other mood-altering substance, except as provided below; and be it further,

ORDERED that the Respondent shall abstain from the ingestion of controlled dangerous substances, narcotics, cocaine, or other mood-altering substances, except that the Respondent may only ingest prescribed controlled dangerous substances for legitimate medical reasons under the following conditions:

- (1) The Respondent must be a bona fide patient of a licensed Maryland prescriber who is aware of this Order;
- (2) The medication must be lawfully prescribed by the Respondent's physician or other authorized medical practitioner;
- (3) The Respondent must provide the Board, in writing, within seventy-two (72) hours of receiving the medication: (a) the name and address of the prescriber; (b) the illness or medical condition diagnosed; (c) the type, strength, amount and dosage of the medication; (d) and a signed statement consenting to the release of all medical information about the Respondent from the prescriber to the Board; and be it further,

ORDERED that the Respondent's execution of this Consent Order shall constitute a release of any and all medical records, substance abuse treatment records, and psychological/psychiatric records pertaining to the Respondent to the Board in complying with the terms and conditions set forth herein. Further, the Respondent agrees and consents to the release by the Board of any information or data produced in relation to this Consent Order to any treatment provider; and be it further,

ORDERED that the Respondent shall at all times cooperate with the Board in the monitoring, supervision, and investigation of the Respondent's compliance with the terms and conditions of this Consent Order; and be it further,

ORDERED that the Respondent's failure to fully cooperate with the Board shall be

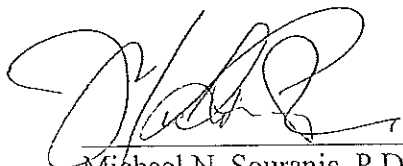
deemed a violation of the probationary terms and a violation of this Consent Order; and be it further,

ORDERED that in the event the Board finds for any good faith reason that the Respondent has violated any of the conditions of suspension herein, or in the event that the Board finds for any good faith reason that the Respondent has committed a violation of Title 12 of the Health Occupations Article or regulations adopted thereunder, the Board may take further disciplinary action against the Respondent, after notice and an opportunity for a hearing; and be it further,

ORDERED that the Respondent shall bear the expenses associated with this Order; and be it further,

ORDERED that this document constitutes a formal disciplinary action of the Maryland Board of Pharmacy and is therefore a public document for purposes of public disclosure, pursuant to the Public Information Act., State Gov't § 10-611 *et seq.*

July 7, 2010
Date



Michael N. Souranis, P.D.
President, Board of Pharmacy

CONSENT

By signing this Consent, I hereby consent to the foregoing Findings of Fact and Conclusions of Law, and agree to be bound by the foregoing Consent Order and its conditions.

1. By this Consent, I submit to the foregoing Consent Order as a resolution of this matter. By signing this Consent, I waive any rights I may have had to contest the findings of fact and conclusions of law contained in this Consent Order.

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

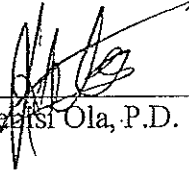
3. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.

4. I acknowledge that, by entering into this Consent Order, I am waiving my right to appeal any adverse ruling of the Board that might have followed an evidentiary hearing.

5. I sign this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. I fully understand the language, meaning, and effect of this Consent Order.

6/15/2010

Date



Adenisi Ola, P.D.

STATE OF MARYLAND
COUNTY/CITY OF GREENBELT:

I hereby certify that on this 25th day of JUNE, 2010, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared Adebisi Ola, and made an oath in due form that the foregoing Consent was his voluntary act and deed.

Marilyn Ifeoma
Notary Public
My commission expires: JULY 16, 2013

MARILYN IFEOMA MBA
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July 16, 2013