

IN THE MATTER OF	*	BEFORE THE
KATHLEEN PELLITTIERI, R.PH.	*	MARYLAND BOARD
LICENSE NO. 23031	*	OF PHARMACY
	*	CASE NO. 19-033

* * * * *

CONSENT ORDER

Background

The Maryland Board of Pharmacy (the “Board”), in performing an annual inspection of a community pharmacy on July 17, 2018, discovered that the pharmacy manager on duty at that time, Kathleen Pellittieri (the “Respondent”) was practicing on a license that expired on April 30, 2018.

In lieu of issuing Charges against the Respondent for violation of the Maryland Pharmacy Act, Md. Code Ann., Health Occ. § 12-101 *et seq.*, the Board held a Pre-Charge Case Resolution Conference with the Respondent on August 22, 2018. As a result, the Board and the Respondent have agreed to resolve this matter as set forth in this Consent Order.

FINDINGS OF FACT

1. On July 17, 2018, the Board conducted an annual inspection of a community pharmacy (“Pharmacy A”) located in Bel Air, Maryland.
2. During the time of the inspection, the Respondent was the sole pharmacist on duty at Pharmacy A.
3. The Board’s inspector noted that the Respondent’s pharmacist’s license had expired on April 30, 2018.
4. The Respondent was directed to cease practicing at that time, but she continued to perform administrative functions at Pharmacy A.

5. The Board's inspector returned to Pharmacy A on August 7, 2018, and found the Respondent in the Pharmacy without another licensed pharmacist on the premises to supervise the operation of the Pharmacy.
6. The Respondent asserts that she submitted a renewal application to the Board prior to the expiration of her license but had checked "No" in answering the question about whether the Respondent had completed the required continuing education credits for renewal. The Respondent did not have documentation evidencing the completion of continuing education credits sufficient for renewal.
7. On July 26, 2018, the Respondent submitted to the Board an application for reinstatement with the requisite continuing education credits.
8. The Respondent practiced pharmacy on an expired license from approximately May 1, 2018, to July 17, 2018.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent is subject to Board action under Md. Code Ann., Health Occ. §§ 12-301 and 12-707 and COMAR 10.34.10.01B(3).

ORDER

Based on an affirmative vote of the Board, it is this 27th day of September, 2018, hereby:

ORDERED that the Respondent shall pay a FINE in the amount of FIVE THOUSAND DOLLARS (\$5,000) within sixty (60) days and made payable to the Maryland Board of Pharmacy with a certified check or money order and sent to:

Wells Fargo Bank
Attn: State of Maryland – Board of Pharmacy

Lockbox 2051
7175 Columbia Gateway Drive
Columbia, Maryland 21046
(Please include the Case Number 19-033 to ensure proper assignment.)

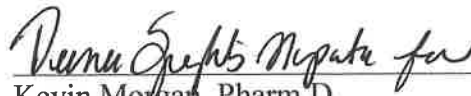
ORDERED that, within sixty (60) days of the date of this Order, the Respondent successfully complete eight (8) Board-approved continuing education credits focusing on pharmacy law and ethics; and be it further,

ORDERED that the Respondent shall be subject to a Board audit of continuing education credits on the Respondent's next pharmacist's license renewal application; and be it further,

ORDERED that should the Respondent fail to fully comply with the terms of this Order, the Board may deem such failure unprofessional conduct and may initiate formal disciplinary action against the Respondent; and be it further,

ORDERED that this is a formal order of the Maryland Board of Pharmacy and as such is a public document pursuant to the Maryland Annotated Code, General Provisions Article, Section 4-333.

9-27-18
Date

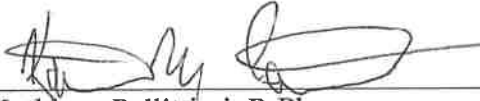


Kevin Morgan, Pharm.D.
President
Maryland Board of Pharmacy

CONSENT

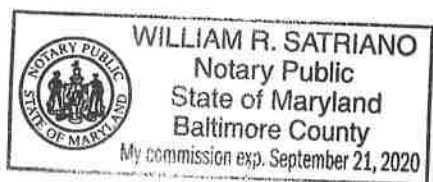
1. By signing this Consent, I submit to the foregoing Consent Order as a resolution of this matter in lieu of formal charges, which process would have afforded me the right to a full evidentiary hearing. I consent and submit to the foregoing Findings of Fact, Conclusions of Law, and Order as if made after a full evidentiary hearing in which I would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf and to all other substantive and procedural protections provided by law.
2. By signing this Consent, I waive any rights I may have had to contest the findings and determinations contained in this Consent Order.
3. I acknowledge the legal authority and the jurisdiction of the Board to enter into and enforce this Consent Order.
4. 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.

9/24/18
Date


Kathleen Pellittieri, R.Ph.
License No. 23031

STATE OF MARYLAND:
COUNTY/CITY OF BALTIMORE:

I hereby certify that on this 24th day of SEPTEMBER 2018, before me, a Notary Public of the State and County/City aforesaid, personally appeared KATHLEEN PELLITTIERI and made an oath in due form that the foregoing Consent was her voluntary act and deed.



William R. Satriano
Notary Public WILLIAM R. SATRIANO
My commission expires: 9-21-2020