

IN THE MATTER OF  
NEIL PHILLIPS  
PHARMACY TECHNICIAN  
REGISTRATION NO. T03577

\* BEFORE THE  
\* MARYLAND STATE BOARD  
\* OF PHARMACY  
\*



\* \* \* \* \*

**CONSENT ORDER**

**Background**

On or about April 19, 2012, Neil Phillips submitted a pharmacy technician reinstatement application to the Maryland State Board of Pharmacy (the "Board"), in accordance with Md. Code Ann., Health Occ. § 12-6B-07(c), and COMAR 10.34.34.10. On his reinstatement application, Mr. Phillips answered "yes" to the question "Have you committed an offense involving alcohol or controlled dangerous substances to which you pled guilty or nolo contendere, or for which you were convicted or received probation before judgment?" Mr. Phillips admitted to having received probation before judgment for driving while impaired by alcohol during the renewal period

In lieu of instituting formal proceedings against Mr. Phillips's registration, in accordance with the Maryland Pharmacy Act, Md. Code Ann., Health Occ. § 12-6B-01 *et seq.*, the Board has offered Mr. Phillips the opportunity to resolve this matter by agreeing to the terms set forth in this Consent Order.

**FINDINGS OF FACT**

1. Mr. Phillips was initially registered as a pharmacy technician on December 11, 2008.
2. Mr. Phillips's pharmacy technician registration expired on February 28, 2012.

3. On or about April 19, 2012, Mr. Phillips applied for reinstatement of his pharmacy technician registration.
4. On his reinstatement application, Mr. Phillips answered "yes" to the question "Have you committed an offense involving alcohol or controlled dangerous substances to which you pled guilty or nolo contendere, or for which you were convicted or received probation before judgment?"
5. Mr. Phillips provided a detailed explanation regarding the circumstances surrounding the criminal charge.
6. Mr. Phillips admitted that on October 16, 2011, he was charged with driving while impaired by alcohol. Mr. Phillips also admitted that he received probation before judgment for the offense on February 28, 2012.
7. Mr. Phillips is scheduled to complete probation in 2014.

#### CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Mr. Phillips is subject to discipline pursuant to Md. Code Ann., Health Occ. §§ 12-6B-02(b)(1) and 12-6B-09(22).

#### ORDER

Based on an affirmative vote of the Board, it is this 26<sup>th</sup> day of June, 2012, hereby:

**ORDERED** that upon the next renewal of Mr. Phillips's pharmacy technician registration in 2014, he shall submit to a State criminal history records check; and be it further,

**ORDERED** that in the event Mr. Phillips's criminal history records check indicates further criminal activity, the Board may impose further disciplinary action against Mr. Phillips's registration, including suspension or revocation, after notice and an opportunity for a hearing; and be it further,

**ORDERED** that Mr. Phillips shall be responsible for all costs associated with this Consent Order; 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 Md. Code Ann., State Gov't, § 10-617(h).

Date

6/26/12



LaVerne Naesea, Executive Director  
for Michael Souranis, P.D., President  
Maryland Board of Pharmacy

CONSENT

1. By signing this Consent, I hereby affirm the findings of fact contained herein and agree to be bound by the foregoing Consent Order and its conditions.
2. I understand and agree that in the event the criminal history records check performed upon the 2014 renewal of my registration indicates further criminal activity, the Board may impose disciplinary action against me, including suspension or revocation of my pharmacy technician registration, after notice and an opportunity for a hearing.
3. By signing this Consent, I submit to the foregoing Consent Order as a resolution of this matter.
4. By signing this Consent, I waive any rights I may have had to contest the findings and determinations contained in this Consent Order.
5. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.
6. I sign this Consent Order freely and voluntarily, aware of my right to consult with counsel. I fully understand the language, meaning, and effect of this Consent Order.

6/1/12  
Date

  
Neil Phillips, Registered Pharmacy Technician

STATE OF MARYLAND  
COUNTY/CITY OF Baltimore:

I hereby certify that on this 15<sup>th</sup> day of June, 2012, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared NEIL PHILLIPS, and made an oath in due form that the foregoing Consent was his voluntary act and deed.

Angel Smith  
Notary Public  
My commission expires: July 17, 2013

