

<b>IN THE MATTER OF</b>	*	<b>BEFORE THE</b>
<b>WALGREENS PHARMACY #11064</b>	*	<b>MARYLAND STATE</b>
<b>PERMIT NO. P04511</b>	*	<b>BOARD OF PHARMACY</b>
	*	<b>Case No. 18-062</b>
* * * * *		

**PRE-CHARGE CONSENT ORDER**

**Background**

The Maryland Board of Pharmacy (the “Board”) received a complaint, dated October 27, 2017, from a patient alleging that she was dispensed the wrong medication from Walgreens Pharmacy #11064 (the “Pharmacy”) on December 8, 2014, and the patient suffered an adverse reaction as a result.

In lieu of instituting formal proceedings against the Pharmacy, in accordance with the Maryland Pharmacy Act, Md. Code Ann., Health Occ. § 12-101 *et seq.*, the Board and the Pharmacy have agreed to resolve this matter as set forth in this Consent Order.

**FINDINGS OF FACT**

1. On or about November 29, 2006, Walgreens Pharmacy #11064 was issued a permit to operate a pharmacy in Maryland. The Pharmacy’s permit is active and will expire on May 31, 2020.
2. At all times relevant, the Pharmacy provided community pharmacy services at its establishment location in Rock Hall, Maryland.
3. On or about December 8, 2014, a staff pharmacist (Pharmacist A) at the Pharmacy erroneously dispensed Primidone 250 mg to a patient instead of the Propafenone 150 mg as prescribed.
4. The patient, who resided in an assisted living facility, alleges that she experienced

severe adverse reactions as a result of the medication error.

5. The Pharmacy indicated that the above medication error may have occurred because the two medications were “look alike/sound alike”, or staff’s failure to follow dispensing procedures.
6. Pharmacist A failed to identify the error in performing the final check of the medication.

### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes that Walgreens Pharmacy #11064, Permit No. P04511, is subject to discipline in accordance with Md. Code Ann., Health Occ. §§ 12-403(c)(9), 12-313(b)(25) and COMAR 10.34.10.01B.

### **ORDER**

Based upon an affirmative vote of the Board under the authority of Md. Code Ann., Health Occ. Art. § 12-410, it this 23<sup>rd</sup> day of October, 2018, hereby,

ORDERED that Walgreens Pharmacy #11064, Permit No. 04511, shall be pay a FINE in the amount of ONE THOUSAND DOLLARS (\$1,000.00) payable to the Maryland Board of Pharmacy within sixty (60) days, 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 18-062 to ensure proper assignment.)*

and be it further,

ORDERED that Walgreens Pharmacy #11064 shall submit to the Board within thirty (30) days, a corrective action plan that minimizes the risk of reoccurrence of another medication error resulting from the same or similar cause; 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.

10-23-18

Date



Deena Speights-Napata,  
Executive Director for:

Kevin Morgan, Pharm.D.  
Board President

**CONSENT**

1. By executing this Consent, Walgreens Pharmacy #11064 (the "Pharmacy") submits to the foregoing Consent Order as a resolution of this matter and agrees to be bound by its terms and conditions.
2. The Pharmacy acknowledges the validity of this Consent Order as if it were made after a hearing in which the Pharmacy would have had the right to counsel, to confront witnesses, and to all other substantial procedural protections provided by law.
3. The Pharmacy acknowledges that, by entering into this Consent Order, it is waiving its right to appeal any adverse ruling of the Board that might have followed such an evidentiary hearing.

4. The Pharmacy acknowledges the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.

5. The Pharmacy acknowledges that this Consent Order is a public document under the Maryland Public Information Act, Gen. Provisions Art., § 4-101,, *et seq.*, and shall be reported to the National Practitioner Databank and the National Boards of Pharmacy, and posted on the Board's website in accordance with Health Occ. Art. § 1-607.

6. The Pharmacy signs this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. The Pharmacy fully understands the language, meaning, and effect of this Consent Order.

7. The undersigned corporate official has the authority to execute this Consent Order on the Pharmacy's behalf and bind the Pharmacy to the terms and conditions contained herein.

10/15/2018  
Date

  
Name: RINA SHAH

Title: VP, Pharmacy operations

STATE OF MARYLAND,  
COUNTY/CITY OF \_\_\_\_\_:

I hereby certify that on this 15<sup>th</sup> day of October, 2018, before me, a Notary Public of the State of Illinois and County/City aforesaid, personally appeared Rina Shah, and made an oath in due form that the foregoing Consent was his/her voluntary act and deed.



Adam L. Wolf  
Notary Public  
My commission expires: 2/8/2022