

IN THE MATTER OF \* BEFORE THE STATE  
MICHAEL N. WEISBURGH, PD \* BOARD OF  
RESPONDENT \* PHARMACY  
LICENSE NO.: 16582 \* CASE NUMBER: 13-024

\* \* \* \* \*

### **ORDER FOR SUMMARY SUSPENSION**

Pursuant to Md. State Govt. Code Ann. §10-226 (c) (2009 Repl. Vol.), the State Board of Pharmacy (the "Board") hereby summarily suspends the license of Michael N. Weisburgh, d.o.b. 04/24/1975, License Number: 16582 (the "Respondent"), to practice pharmacy under the Maryland Pharmacy Act (the "Act"), Md. Health Occ. Code Ann. ("H. O.") §§12-101 *et seq.* (2009 Repl. Vol.) and Code Md. Regs. tit. 10, § 34.01.12. This Order is based on the following investigative findings, which the Board has reason to believe are true:<sup>1</sup>

### **INVESTIGATIVE FINDINGS**

1. At all times relevant hereto, the Respondent was and is licensed to practice pharmacy in the State of Maryland. The Respondent was originally licensed to practice pharmacy in Maryland on or about September 18, 2002.
2. The Respondent's license expires on April 30, 2014.

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<sup>1</sup> The statements regarding the Respondent's conduct are only intended to provide the Respondent with notice of the basis for the Board's action. They are not intended as, and do not necessarily represent a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in this matter.

3. At all times relevant hereto, the Respondent was employed as a pharmacist at Pharmacy A.<sup>2</sup>

4. Pharmacy A is located in Calvert County, Maryland

5. In around October 2012, the Board was notified by the Pharmacy Compliance Manager of Pharmacy A that the Respondent had stolen a controlled substance from Pharmacy A

6. The Pharmacy Compliance Manager reported to the Board that on October 5, 2012 and October 8, 2012, the Respondent was caught on a surveillance camera removing drugs from the pharmacy shelf and placing the drugs in this pocket.

7. The surveillance camera was placed in the pharmacy area, after recent audits showed shortages of Buprenorphine.

8. When confronted by the pharmacy supervisor, the Respondent admitted that he had taken Buprenorphine 8mgs, a controlled substance, from the pharmacy for his own use.

9. The Respondent took approximately \$1280 of Buprenorphine from Pharmacy A.

### **CONCLUSIONS OF LAW**

Based on the foregoing investigative findings, the Board concludes that the public health, safety, and welfare imperatively require emergency action, pursuant to Md. State Gov't. Code Ann. § 10-226(c) (2).

### **ORDER**

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<sup>2</sup> The name and location of Pharmacy A has not been disclosed in order to protect the confidentiality of the involved entity. The name and location of Pharmacy A is known to the Respondent.

Based on the foregoing Investigative Findings and Conclusions of Law, it is this 13<sup>th</sup> day of March 2013, by a majority of the Board, hereby:

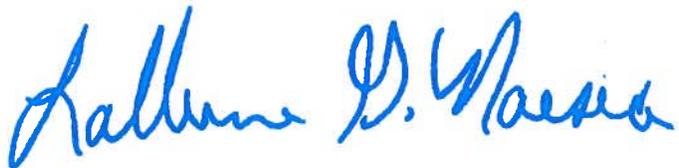
**ORDERED** that the license issued to the Respondent to practice as a pharmacist in the State of Maryland under license number: 16582 is hereby **SUMMARILY SUSPENDED**; and it is further

**ORDERED** that the Respondent is prohibited from practicing as a pharmacist in the State of Maryland; and it is further

**ORDERED** that the Respondent shall immediately return all licenses to the Board; and it is further

**ORDERED** that this **ORDER FOR SUMMARY SUSPENSION** is a **PUBLIC DOCUMENT** as defined in Md. State Gov't Code Ann. §§ 10-611 *et seq.* (2009 Repl. Vol. and 2012 Supp.).

3/13/13  
Date



LaVerne G. Naesea, Executive Director,  
State Board of Pharmacy