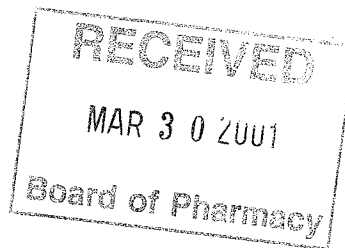
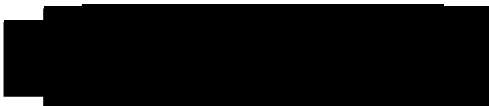


Melvin Chaiet, P.D.



Stanton G. Ades, P.D., Chair
Board of Pharmacy
4201 Patterson Avenue
Baltimore, Maryland 21215

Re: Surrender of Pharmacy License
License Number: 05958

Dear Mr. Ades and Members of the Board:

Please be advised that I have decided to surrender my (expired) license to practice pharmacy in the State of Maryland, License Number 05958. My pharmacy license has been expired since October 31, 2000. This Letter of Surrender shall become effective immediately upon the date of acceptance by the Board of Pharmacy (the "Board"). I understand that as of the effective date of this Letter of Surrender, I may not give pharmacy advice or prepare medications to any individual, with or without compensation, or otherwise engage in the practice of pharmacy in Maryland, as it is defined in the Maryland Pharmacy Practice Act (the "Act"), Md. Health Occ. (H.O.) Code Ann. §12-101, *et seq.* (2000 Repl. Vol.) I understand that this surrender of my license means that I am in the same position as an unlicensed individual. I also understand that this Letter of Surrender is a public document.

My decision to surrender my (expired) license to practice pharmacy in Maryland has been prompted by an investigation of my licensure by the Board. As a result of the Board's investigation, the Board, on February 19, 2001, charged me with the commission of the following prohibited acts under H.O. §§ 12-313:

- (a) "Convicted" defined---In this section, "convicted" includes a determination of guilt, a guilty plea, or a plea of nolo contendere followed by a sentence.
- (b) Subject to the hearing provisions of §12-315 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny

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a license to any applicant, reprimand any licensee, place any licensee on probation; or suspend or revoke a license if the applicant or licensee:

(21) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;

(23) Is disciplined by a licensing or disciplinary authority of any other state or county or convicted or disciplined by a court of any state or county for an act that would be grounds for disciplinary action under the Board's disciplinary statutes;

Grounds for disciplinary action under the Board's statutes would be under § 12-

313(b):

(7) Willfully fails to file or record any report that is required by law;

(20) Is professionally, physically, or mentally incompetent;

Those charges were based upon my guilty plea and the fact that on July 21, 2000, in the District Court for Prince George's County, Judge Platt found me guilty of one count of Conspiracy to Distribute Adulterated Medications, pursuant to Sections 21-216 and 21-256 of the Health General Article, Ann. Code of Maryland.¹ The

¹ 21-216 Adulterated drugs and devices.

(a) Application for section. For purposes of this subtitle, a drug or device is adulterated if the standards in this section apply.

(b) When drug or device is adulterated. A drug or device is adulterated if:

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(2) It was produced, prepared, packed, or held under unsanitary conditions that reasonably would be expected to have:

(ii) Caused it to be injurious to health

© Additional grounds of drug adulteration. In addition to the grounds specified in subsection (b) of this section, a drug is adulterated if:

(1) Any part of its container is composed of any poisonous or otherwise deleterious substance that reasonably would be expected to have caused the drug to be injurious to health;

(3) The mixing or packing of any substance with the drug has reduced the quality or strength of the drug;

(5) The methods, facilities, or controls used in the manufacture, processing, packing, or holding of the drug do not conform to, or are not administered in conformity to, good practice to assure that the drug:

(I) Meets the requirements of this subtitle as to safety; and
(ii) Has the identity, strength, quality, and purity that it purports to have;

(6) It is purported to be a drug the name of which is recognized in an official compendium and:

(I) The strength of the drug differs

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gravamen of those charges was that I mixed pills that were originally in multiple bubble packs and put same in bottles on which there were no expiration dates or in which pills of different strength were contained. Furthermore, as a result of those actions, I was debarred from participation in Medicare or any other Federally-funded program. The Charges are attached hereto and made a part hereof.

I affirm that I was served with a copy of the charges and have otherwise been advised of the Board's actions through communications with representatives of the Board, the Office of the Attorney General and my legal counsel.

I have decided to surrender my license to practice pharmacy in Maryland to avoid

from, or the quality or purity of the drug falls below, the standard set in the official compendium; and
(ii) The difference in strength, quality, or purity is not stated plainly on its label; or

21-256. Prohibited acts - General A person may not:

- (1) Manufacture or sell any food, drug, device, or cosmetic that is adulterated or misbranded;
- (2) Adulterate or misbrand any food, drug, device, or cosmetic;
- (3) Make a food, drug, device, or cosmetic become adulterated by altering, mutilating, destroying, obliterating, or removing any part of its labeling while the food, drug, device, or cosmetic is held for sale;

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further prosecution on the above-referenced charges. The basis for the charges against me include the findings of the investigation described above. I contend that, if I had gone to a hearing, I would have vigorously contested the charges under §§ 12-313 (7) and (20). By virtue of this surrender, I waive any right to a hearing on those charges.

I understand that the Board will advise the National Practitioners' Data Bank of this Letter of Surrender, and that I have surrendered my (expired) license to practice pharmacy, in lieu of disciplinary action under the Act, as resolution of the matters pending against me.

In the event that I apply for reinstatement of my Maryland license or for the issuance of a new Maryland pharmacy license, I understand that the Board may set terms and conditions that shall apply to my receiving a reinstated Maryland pharmacy license or a new Maryland pharmacy license. I also understand that, if I apply for reinstatement or for a new Maryland pharmacy license, I bear the burden of demonstrating to the Board that I am competent to practice pharmacy and possess good moral character, as specified in the Act.

Finally, I wish to make clear that I have consulted with an attorney before signing this letter surrendering my (expired) license to practice pharmacy in the State of Maryland. I understand both the nature of the Board's actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning, terms and effect of this Letter of Surrender. I make this decision knowingly and voluntarily.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melvin Chalet', with a long horizontal line extending to the right.

Melvin Chalet, P.D.

Stanton G. Ades, P.D., Chair and Members of the Board

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NOTARY

STATE OF Maryland

CITY/COUNTY OF Prince Georges

I HEREBY CERTIFY that on this 27 day of March, 2001,
before me a Notary Public of the State of Maryland and
Prince Georges City/County aforesaid, personally appeared Melvin Chalet, P.D.,
and declared and affirmed under the penalties of perjury that signing the foregoing Letter
of Surrender was his voluntary act and deed.



Notary Public

MICHAEL MATTIE

My Commission Expires: 11/1/2004

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ACCEPTANCE

ON BEHALF OF THE BOARD OF PHARMACY, on this 18 day of
April, 2001, I accept Melvin Chalet, P.D.'s, **PUBLIC Surrender** of his
license to practice pharmacy in the State of Maryland.



Stanton G. Ades, P.D., Chair
Board of Pharmacy