

IN THE MATTER OF                   \*           BEFORE THE MARYLAND STATE  
   \*  
JULIAN FRIEDMAN, P.D.           \*           BOARD OF PHARMACY  
   \*

CONSENT ORDER

This Consent Order is entered into by and between the Maryland State Board of Pharmacy and Julian Friedman, P.D.

BACKGROUND AND FINDINGS OF FACT

By letter dated March 23, 1987, the Maryland Board of Pharmacy (the Board) charged Julian Friedman (the Respondent) with violation of 12-311(b)(2)(20), (21) and (23) of the Pharmacy Act, codified in the Health Occupation Article, Annotated Code of Maryland. The basis of the charge was that on July 24, 1985, the Respondent was indicted for violation of Title 21, Sections 846 and 841 (a)(1), conspiracy to distribute and possess with intent to distribute controlled substances.

On February 20, 1986, the Respondent pleaded "Guilty" to the charge, and was given a five (5) year suspended sentence with three (3) years probation, a five thousand dollar (\$5,000.00) fine, and ordered to perform two hundred (200) hours of community work.

A prehearing conference was scheduled and held on April 27, 1987, to determine if the matter could be settled without an evidentiary hearing. The Respondent was represented by Counsel, Stewart A. Davis, and the Board was represented by Paul Freeman, Secretary Treasurer, and Roslyn Scheer, Executive Director. After discussion the following was concluded:

1. That Respondent is and at all time pertinent to the charge was a pharmacist licensed and practicing in Maryland, and subject to the Jurisdiction of the Board.
2. That the Respondent stated that out of desperation, due to a changing business community which resulted in the failing of his Pharmacy, (business has been liquidated as of December 1986) he wrongfully and illegally sold controlled substances to only one individual who approached and enticed him to make the transactions; the first transaction being under the pretext that he had forgotten the prescription and would bring it in later. During the following four years Respondent continued illegally selling controlled substances to this individual.

3. That the Respondent expressed extreme remorse over his conduct and his lack of professional responsibility.
  
4. Since there had been no prior infractions during the Respondent's long practice of pharmacy and his sincere regret over his conduct, the parties negotiated and agreed to the following Consent Order.

CONCLUSION OF LAW

The Board hereby concludes as a matter of law that the Respondent has violated 12-311 (b) (2) (20) (21) (23) of the Pharmacy Act.

ORDER

Based upon the foregoing, it is this 1<sup>ST</sup> day of JULY 1987, by the unanimous vote of those members of the Board considering this case:

ORDERED that the Respondent's license is hereby SUSPENDED  
~~for one (1) year from the date of this Order and be it further~~

*Per RCP*

ORDERED, that Respondent consents to the following  
conditions of the suspension:

1. That within one year of the date of this Order, Respondent shall successfully complete thirty (30) credit hours of Board approved continuing education in pharmacy, of which 15 hours are to be in Drug abuse or controlled substance management.
2. That the Respondent shall perform two hundred (200) hours of community service for a Board approved drug abuse prevention program.
3. That commencing thirty (30) days from the date of this Order, Respondent shall send written quarterly reports to the Board describing his progress in his continuing education and community service.
4. That commencing thirty (30) days from the date of this Order, Respondent shall give a copy of this Consent Order to his probation officer and have him provide written verification that he has received the

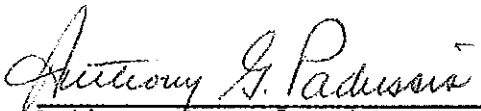
same and that he will provide quarterly reports on the Respondent's progress under the terms and condition of his probation.

5. That the Respondent shall notify the Board, in writing, of any change in his address and telephone number.
6. That Respondent shall refrain from engaging in the conduct which led to his suspension of the practice of pharmacy,
7. During the period of this suspension, Respondent shall not be employed at a pharmacy or any other establishment that sells, stores, manufacturers or distributes controlled substances, and be it further

ORDERED that if Respondent violates any of the foregoing conditions of suspension, the Board, after notification, an opportunity for a hearing, and a determination of violation, in accordance with Health Occupation, §§12-311 and §12-312 and with State Government Article, §10-201 et seq., Annotated Code of Maryland, may impose further appropriate disciplinary action, and be it further

ORDERED that one (1) year from the date of this Consent Order, the Respondent shall have the right to file a petition with the Board for reinstatement of his privilege to practice pharmacy. In its review, the Board will consider whether the Respondent successfully complied with and completed the above cited conditions of suspension.

ORDERED that the conditions of this Consent Order BE, and the same hereby are EFFECTIVE, as of this date.

  
Anthony G. Padussis, P.D.  
President, Maryland Board  
of Pharmacy

CONSENT

By this consent, knowingly and voluntarily executed by me, I hereby consent and submit to the foregoing Order and its conditions. I do not admit the truth of the charges but acknowledge the validity of the Order as if made after a hearing at which I would have had the right to counsel, to

confront witnesses, to give testimony, and to call witnesses on my behalf and to all other substantive and procedural protections provided by law. By this Consent, I waive all such rights. I acknowledge that if I fail to abide by the conditions set forth in the Order, I may after an opportunity for a hearing suffer further disciplinary action against my license to practice pharmacy in the State of Maryland.

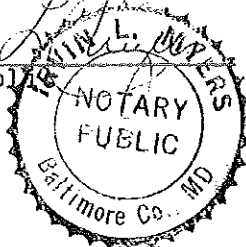
*Julian M. Friedman*  
Julian Friedman, P.D.

STATE OF MARYLAND )  
CITY/COUNTY OF BALTIMORE )

ss:

I HEREBY CERTIFY that on this 22 day of June, 1987 before me, a Notary Public of the State and City aforesaid, personally appeared Julian Friedman, P.D., and he made oath in due form of law that the foregoing Consent Order is a voluntary act and deed.

AS WITNESS my hand and notarial seal.

*David L. Myers*  
Notary Public  


My Commission Expires

2/1/90