

Brenda Jackson, Pharm.D.



July 9th, 2008
Date

Donald Taylor, P.D., Chair, and members of the
Board of Pharmacy
4201 Patterson Avenue
Baltimore, Maryland 21215

Re: Surrender of Pharmacist License
License Number: 09955

Dear Mr. Taylor and Members of the Board:

Please be advised that I have decided to surrender my license to practice pharmacy in the State of Maryland, License Number 09955, (11/3/56). I understand that I may not give pharmacy advice or counseling to any individual, with or without supervision and/or compensation, cannot dispense medications or otherwise engage in the practice of pharmacy as it is defined in the Pharmacy Practice Act (the "Act"), Md. Health Occ. ("H.O.") Code Ann. § 12-101, *et seq*, (2005 Repl. Vol. and 2007 Supp.). In other words, as of the date of this letter, the effective date of this surrender, I understand that the surrender of my license means that I am in the same position as an unlicensed individual.

I understand that this Letter of Surrender is a **PUBLIC** document.

My decision to surrender my license to practice pharmacy in Maryland has been prompted by an investigation of my licensure by the Board.

Donald P. Taylor and Members of the Board

Re: Letter of Surrender

License Number:09955

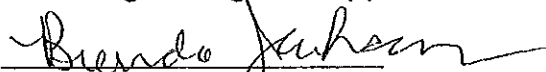
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The Board's investigation resulted in the issuance of a summary suspension of my license based upon my guilty pleas in the Circuit Court for Prince George's County on or about June 19, 2007, to one count of possession with intent to distribute¹ Phentermine² 30 mg; one count of possession with intent to distribute Flonase;³ possession with intent to distribute Lipitor;⁴ possession with intent to distribute Prevacid;⁵ and one count of aggregate theft over \$500.00 charges under the Act. As a result, the Board charged me with the commission of prohibited acts under H.O. § 12-313 of the Act as follows:

- (b) In general. – 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 . . . reprimand any licensee, place any licensee on probation, or suspend or revoke a license of a pharmacist if the . . . licensee:
- (22) 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 [;].

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

I have decided to surrender my license to practice pharmacy in Maryland to avoid further prosecution of the aforementioned charges. The basis for the charges against me include the findings of the investigations described above, and by virtue of this Letter of Surrender, I waive any right to contest those charges and findings. I wish to make it clear that I have voluntarily, knowingly and freely chosen to submit this Letter of Surrender. **I understand that by executing this Letter of Surrender, I am waiving any right to contest these findings in a formal evidentiary hearing at which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf and to all other substantive and procedural protections provided by law, including the right to appeal.**



1 A violation of Md. Criminal Law Article Code Ann. § 5-602(2). A person convicted of a violation of § 5-602 of the Criminal Law Article is guilty of a felony. See Md. Criminal Law Article Code Ann. § 5-607(a).

2 Phentermine is a Schedule IV Controlled Dangerous Substance ("CDS").

3 Flonase is a non-CDS prescription medication.

4 Lipitor is a non-CDS prescription medication.

5 Prevacid is a non-CDS prescription medication.

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I understand that the Board will advise any National Practitioners Data Bank of this Letter of Surrender, and in any response to inquiry, that I have surrendered my license in lieu of disciplinary action under the Act as resolution of the matters pending against me. I also understand that in the event I would apply for licensure in any form in any other state or jurisdiction, that this Letter of Surrender, and all underlying documents, may be released or published by the Board to the same extent as a final order that would result from disciplinary action pursuant to Md. State Gov't Code Ann; §10-611, *et seq.*, (2004 Repl. Vol.).

I further recognize and agree that, by agreeing to this Letter of Surrender, my license will remain surrendered until such time as I apply for reinstatement and comply with the terms and conditions set forth in this Letter and those determined by the Case Resolution Conference panel and/or the Board subsequent to my application for reinstatement. In the event that I apply for reinstatement of my Maryland license or for the issuance of a new Maryland pharmacist license, I understand that the Board may set terms and conditions that shall apply to my receiving a reinstated pharmacist's license or a new Maryland pharmacist license. I also understand that if I apply for reinstatement or for a new Maryland pharmacist license that I bear the burden of demonstrating to the Board that I am competent to practice pharmacy and possess good moral character, as specified in Md. Health Occ. Code Ann. § 12-302, and meet any requirements in effect at that time for reinstatement. I understand that, if I determine that if I would like once again to practice pharmacy in Maryland, I will approach the Board in the same posture as one whose license has been revoked on the above charges.

I understand that, if I petition the Board for reinstatement of my license, the Board will review my case and determine my fitness to have my license reinstated. I understand that the Board can deny such application based solely on the allegations contained in the Summary Suspension Order/Notice of Intent to Revoke, dated November 6, 2007 and March 3, 2008, respectively, and/or any findings of the (criminal action) investigation by the Board. I understand that the Board will only consider my petition for reinstatement five years from the effective date herein, if I have first met the following conditions:

That I will neither work in a pharmacy, in any manner, nor apply for registration as a Pharmacy Technician during the time that my license is surrendered. Furthermore, that I must present an affidavit with my Petition for

Donald P. Taylor and Members of the Board

Re: Letter of Surrender

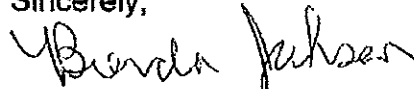
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Reinstatement or new licensure that I have not practiced pharmacy, as a pharmacist or pharmacy technician, or worked in any capacity in a dispensing pharmacy.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. Finally, I wish to make clear that I have consulted with an attorney before signing this Letter of Surrender. 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 and terms and effect of this Letter of Surrender. I make this decision knowingly and voluntarily.

Sincerely,



Brenda Jackson, Pharm. D.

Read and approved:



Lewyn Garrett, Esquire

Attorney for Brenda Jackson, Pharm. D

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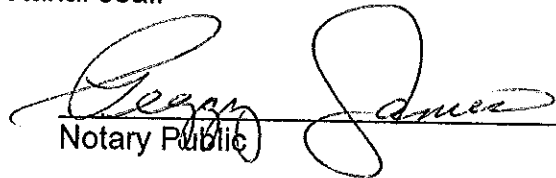
Attorney for the Respondent

NOTARY

STATE OF Maryland :
CITY/COUNTY OF Charles :

I HEREBY CERTIFY that on this 9 day of July, 2008,
before me, Peggy JAMES, a Notary Public of the State and City/County
(Print Name)
aforesaid, personally appeared Brenda L. Jackson, and declared and affirmed under
the penalties of perjury that signing the foregoing letter of surrender was her voluntary
act and deed.

AS WITNESS my hand and notarial seal.

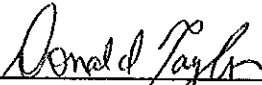

Notary Public

My Commission expires: 02/01/2009

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ACCEPTANCE

ON BEHALF OF THE BOARD OF PHARMACY, on this 16th day of
JULY, 2007, I accept Brenda Jackson's public Letter of Surrender of
her license to practice pharmacy in the State of Maryland.



Donald Taylor, P.D. Chair
Board of Pharmacy

cc: LaVerne Naesea, Executive Director
Board of Pharmacy

Roberta Gill, Assistant Attorney General
Administrative Prosecutor

Linda Bethman, Assistant Attorney General
Board Counsel

Mark Elliott Shamel, Esquire
Attorney for the Respondent

Timothy J. Paulus, Deputy Counsel

Dorcas A. Taylor, Pharm. D., J.D., Compliance Officer

To Ms. Roberta Gill and The Members of the Board of Pharmacy;

I would like to thank the members of the Board for working with me to resolve this horrible act I have done to tarnish the pharmacy profession and my professional reputation. Today I present myself to you and the board members in an effort to apologize for the disgraceful immoral professional conduct and for the embarrassment I have caused the pharmacy profession. I take full responsibility and accountability for my actions. I thoroughly realize there is no reason, which justifies my actions, and I must provide restitution for violating the law, the integrity of the pharmacy profession and tarnishing our positive public image. However I ask that you see me Brenda Jackson, as an individual and professional beyond the offenses that have landed me before the board.

I made horrible choices and I did wrong when I know the difference between right and wrong. I have violated the professional ethics, morals and values I practice my profession by for the past 25 years and lived my entire life by until this situation. I have always taken pride in pharmacy, the trust and respect the general public has for the profession. I was not raised to steal under any circumstances. However, I used justifications and rationalizations to convince myself to commit this wrongful act and disgrace my profession. I come from a loving and nurturing home with both my father and mother who are still married. I was taught to succeed in life with hard work, determination and goal setting.

I followed these parental guidelines and worked extremely hard to become a licensed professional working in a highly esteemed profession. I studied hard in school, set my sights high and overcame financial obstacles to achieve my goals. I am one of two kids from my working class family to graduate college. I pursued my professional goals with a vengeance and became a living example of the American Dream. For over 25 years I have been a licensed pharmacist working hard to achieve an enriched quality of life for my children, my parents and myself. I became a positive role model for my family, friends and extended family members.

As a consequence of my actions, my whole world has changed. I have been shamed with being arrested at my job in front of my coworkers and peers; I have shade a negative light on the profession of pharmacy in the public's eye, I have become a disgrace among my peers. I have loss my sense of security and control in my personal and professional life. I am stressed over life details I use to take for granted and presently seeing a psychologist to try and deal with all of the guilt and shame. I have been embarrassed and hurt to tell my family and friends, especially my parents. I see the depths of disappointment in the eyes of those who used to look up to me professionally and personally, and I hear the tentative way people address me because they don't know what to say. I ruined my reputation, my integrity professionally and my peace of mind.

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I am deeply regretful of my choices. I jeopardized all that I worked for and I am extremely remorseful of my behavior. I wake up kicking myself every day. I am sure I will feel guilty about this until the day I die. I have never been such a disappointment to myself, and the profession of pharmacy. I will spend a lifetime trying to regain a modicum of the pride and respect I use to represent. I hate that I let down so many others and the many good pharmacist who work hard to earn the respect of the public and their peers. I realize that my actions have a negative impact on the profession, family and friends. Just as many who took pride in my achievements, many are shamed and devastated by my failure.

I cannot turn back the time so I must work to try and salvage any part of my dignity that I can. I know I am not a threat to society or any pharmacy I believe my testimony about my life can be used to enlighten others and help them by pass the type of pitfall I experienced. I do not fit the typical profile of someone with a felony. I come from a two parent, loving home, with an ethical and religious child rearing. I am a college graduate and licensed professional. These attributes make me very relatable to student and young professional striving to establish themselves in their chosen field of profession/study. Since my and during my incarceration I am doing community service, working with such young adults, as well as, assisting young adults in obtaining their GED.

I realize that I have to face all my problems head on and I cannot ever again stray from my core ethics, values and professional morals. In my 51 years, 25 of which I have been a pharmacist, I have lived a law abiding, ethical and moral life. I have put my family and my profession first and have never done anything that I am ashamed of. I have never been in trouble of any kind (not in school, not as a child, not ever) and I have always been the person whom others would come to for advice and guidance. My moral compass has always been without deviation.

This situation was not something I came up with or went into willingly. Yet, despite the rationalization that taking prescriptions for family members who could not afford their own medications was just that, rationalization. I rationalized what I knew to be wrong and violated the law and my own moral code. I came to a point in my life where the road had two choices and despite knowing the right choice, I chose the wrong path. I cannot justify or rationalize my terrible judgment and I know that I will be haunted by my choices for the rest of my life. I know that nothing I can say will make this ok. The first time I took something that did not belong to me, I knew it was wrong and I would give anything to go back to that moment and make the right decision.

There is no justification for my actions. Although the board is aware of the extent of my crime and the fact that I gave away the profits of my crime, the reality is that I did wrong and I know that. The fact that I did not steal drugs of addiction or live a lavish lifestyle are not excuses. There are no excuses and I know it. I know that nothing justifies my behavior. I am confronted by this every day when I talk to my own children, my friends and the many young people I have mentored and I am faced with the hypocrisy of my words and my actions being inconsistent. I am tortured by what this has done to my family, especially my

elderly parents, who were so proud of my accomplishments.

Truly, I have gone from being a shining example for my entire family and community to my current position as a convicted felon on probation. A reputation I have built over three decades has been tarnished and my personal life is in ruins. All that remains for me is to live for my children and those who count on me and try to do all I can to continue to provide for them.

I surrendered my license last year, knowing that I had to pay a price for my crimes. I have lost everything and will never get myself out of the financial hole I find myself in. I am more sorry for what I have done than I can ever express and if given only one wish, I would go back to the day before I violated my own personal code and tell myself never ever justify improper behavior.

I know right and wrong. I am a good person and have, on whole, a lifetime of conduct for which I am proud. I am so disappointed in my conduct and truly saddened to know that I have done so much to hurt those who love and count on me. I still have much to give in my life and I know that my story has already provided a strong incentive for the many young people in my life. I have swallowed what remains of my pride and made a personal decision to share my story with the world. I am going to see to it that my suffering and my punishment serve as a guide for others.

I am going to continue to work every day to rebuild my reputation and again reach the place where those who love me can be proud of me and I can once again look at myself in the mirror and be proud of the woman looking back. I pray that the Board will reevaluate my status at a point in the future and look at the entire person. The 50 years before my crime and the years after my crime will provide the view of the "real" Brenda Jackson. I am a person who can be trusted and who can continue to give something back to our community and society as a whole. I will forever wear the scarlet letter of Felon, but I hope to again call myself a pharmacist.

I know that I have a lot to do and I know that only time, deeds and real effort will put me in a position to reapply for my license that I hold so dear. I know that I must work hard to earn that privilege and I thank the Board for keeping this door open and giving me that chance.

I thank you for your time in reviewing my case and I truly appreciate your willingness to reevaluate me in the future. I will not fail again. Thank you.

Respectfully

Brenda L. Jackson

