IN THE MATTER OF \* BEFORE THE

ROBERT KOCH \* MARYLAND BOARD

LICENSE NO. 17453 \* OF PHARMACY

\* \* \* \* \* \* \* \*

#### **CONSENT ORDER**

#### Background

The Maryland Board of Pharmacy (the "Board") received a complaint indicating that Robert Koch, a licensed pharmacist, License Number 17453, (the "Respondent") was involved in a medication error on February 22, 2013, in dispensing a prescription for Clonidine to a 5-year old patient.

In lieu of issuing Charges against the Respondent for violation of the Maryland Pharmacy Act, Md. Code Ann., Health Occ. § 12-101 et seq., the Board held a Pre-Charge Case Resolution Conference with the Respondent on October 9, 2013. As a result, the Board and the Respondent have agreed to resolve this matter as set forth in this Consent Order.

## FINDINGS OF FACT

- On February 22, 2013, an electronic prescription for Clonidine 0.1mg/5ml was transmitted to Pharmacy A. The prescription was written for a 5 year old patient, Patient A.
- 2. Patient A's prescription profile indicates that he had been dispensed the same Clonidine prescription from Pharmacy A several times since June 2011.
- 3. The data-entry for the prescription was performed by a pharmacy technician who incorrectly inputted the dosage as Clonidine 0.1mg/1ml.
- 4. The Respondent performed the quality assurance check of the prescription and approved the prescription with the incorrect dosage.

- 5. The patient ingested the medication.
- 6. The Respondent was a floater pharmacist at the time of this incident.
- The Respondent has implemented additional safeguards when verifying compounded prescriptions.

## **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes that the Respondent is subject to Board action under Md. Code Ann., Health Occ. §§ 12-313(b)(25) and COMAR 10.34.10.01B(1).

# <u>ORDER</u>

Based on an affirmative vote of the Board, it is this Aday of December, 2013, hereby:

**ORDERED** the Respondent shall successfully complete two (2) Board-approved continuing education credits focusing on pediatric dosing, within ninety (90) days of the date of this Order;

**ORDERED** that, within ninety (90) days of the date of this Order, the Respondent shall draft an anonymous newsletter article describing how new technology in pharmacy practice may contribute to the risk of a medication error; and be it further,

ORDERED that the Respondent shall at all times cooperate with the Board in its monitoring and enforcement of the terms and conditions of this Order; and be it further,

ORDERED that should the Respondent fail to fully comply with the terms of this Order, the Board may deem such failure unprofessional conduct and may initiate formal disciplinary

action against the Respondent based on his original violation; and be it further,

ORDERED that this is a formal order of the Maryland Board of Pharmacy and as such is a public document pursuant to the Maryland Annotated Code, State Government Article, Section 10-617(h).

Date 12/18/2013

Lenna Israbian Jamgochian, P.B.acm. O

Maryland Board of Pharmacy

#### **CONSENT**

- 1. By signing this Consent, I submit to the foregoing Consent Order as a resolution of this matter in lieu of formal charges, which process would have afforded me the right to a full evidentiary hearing. I consent and submit to the foregoing Findings of Fact, Conclusions of Law, and Order as if made after a full evidentiary hearing in which I would have 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.
  - 2. By signing this Consent, I waive any rights I may have had to contest the findings and determinations contained in this Consent Order.
  - 3. I acknowledge the legal authority and the jurisdiction of the Board to enter into and enforce this Consent Order.

| 4. I sign this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. I fully understand the language, meaning, and effect of this  |
|--|
| Consent Order.   |
| Date  Robert Koch License No. 17453  |
|  |
| STATE OF Delaware : COUNTY/CITY OF New Castle :  |
| I hereby certify that on this day of, 2013, before me, a Notary Public of the State and County/City aforesaid, personally appeared ROBERT KOCH and made an oath in due form that the foregoing Consent was his voluntary act and deed. |