

IN THE MATTER OF * **BEFORE THE MARYLAND**
PARVIN OSSAREH, R.Ph. * **STATE BOARD OF**
LICENSE NO. 16232 * **PHARMACY**

* * * * *

CONSENT ORDER

Background

Based on credible information received and a subsequent investigation by the Maryland Board of Pharmacy (the “Board”), and subject to the Maryland Pharmacy Act (the “Act”), Md. Code Ann., Health Occ. §§ 12-101, *et seq.*, the Board held a pre-charge case resolution conference (“CRC”) with Parvin Ossareh, R.Ph., the Respondent, to resolve certain violations of the Act as well as outstanding concerns regarding the Respondent’s fitness to practice pharmacy. In lieu of formal proceedings, the Respondent and the Board agreed to resolve this matter by way of this Consent Order with the terms contained herein.

FINDINGS OF FACT

1. At all times relevant hereto, the Respondent was licensed to practice pharmacy in Maryland. The Respondent was first licensed on August 18, 2001.
2. At all times relevant herein, the Respondent was employed at a community pharmacy in Bethesda, Maryland, in Montgomery County (“Pharmacy A”).
3. In or around June 2014, Pharmacy A conducted an internal investigation and detected a shortage of approximately 7,300 Hydrocodone APAP tablets. Pharmacy A determined that the Respondent was responsible for the shortage and, as a result, terminated her employment on July 28, 2014. The Respondent has not practiced pharmacy since that time.
4. The Respondent was criminally charged in Montgomery County District Court with

theft, under \$1,000. On January 20, 2015, the Respondent pled guilty and received probation before judgment, restitution of \$2,500 and community service. On December 1, 2015, the Respondent's probation was terminated.

5. Since the Respondent's termination from employment, the Respondent has been actively engaged in rehabilitation and treatment for substance use disorder and has been sober since August 2014.

6. The Respondent's recovery efforts include the following:

- a. Completed inpatient treatment program at Father Martin's Ashley;
- b. Entered rehabilitation contract with the Pharmacists Education and Advocacy Council ("PEAC") which includes random urine screenings and a pharmacist monitor;
- c. Attends NA/AA support group meetings 3 times per week; and
- d. Is engaged in individual therapy and medication management.

7. The Board has received reports from the Respondent's providers and PEAC that indicate she has been fully compliant with the terms of her treatment and rehabilitation contract, respectively.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board finds that the Respondent is subject to disciplinary action pursuant to Md. Code Ann., Health Occ. §§ 12-313(b)(21) and (25), and COMAR 10.34.10.01A(1) and B(3).

ORDER

Based on agreement of the parties, it is this 15th day of June, 2016, by an affirmative vote of the Board, hereby

ORDERED that the Respondent's license be **SUSPENDED** for one (1) year, **ALL STAYED**; and be it further,

ORDERED that the Respondent's license be placed on immediate **PROBATION** for **THREE (3) YEARS**, during which time the Respondent:

- a. May not practice as a dispensing pharmacist more than 40 hours per week;
- b. May not practice as a dispensing pharmacist alone during any shift;
- c. May not be a pharmacy manager;
- d. Shall provide a copy of this consent order to the Respondent's pharmacy employer;
- e. Shall ensure that the Respondent's pharmacist supervisor submit quarterly reports to the Board;
- f. Shall continue to receive and comply with individual therapy and medication management, and provide a copy of this consent order to the Respondent's providers of therapy and medication management;
- g. Shall continue to attend NA/AA support group meetings at least 3 times per week and submit documentation of attendance to the Board on a monthly basis;
- h. Shall submit to random, Board-ordered urine screenings:
 - (1) As a dispensing pharmacist, on a weekly basis and with immediate written notification to the Board prior to the Respondent commencing practice as a dispensing pharmacist; or
 - (2) As a non-dispensing pharmacist or in any other capacity, on a bi-weekly basis, or every other week;
- i. Shall submit a hair sample for drug or alcohol analysis at the Board's discretion; and
- j. Shall provide the Board with written notification in advance of any period of time

during which she may be unreachable due to travel or other reason; and be it further,
ORDERED that all urine or hair screens under this Order shall be:

(1) Submitted by the Respondent within 24 hours of the Board staff instructing her to submit a sample;

(2) Submitted at a CLIA-certified laboratory; and

(3) Negative for alcohol or any controlled dangerous substance, narcotics, cocaine, or other mood-altering substances, except as provided below; and be it further,

ORDERED that the Respondent shall abstain from the ingestion of alcohol or controlled dangerous substances, narcotics, cocaine, or other mood-altering substances, except that the Respondent may only ingest prescribed controlled dangerous substances for legitimate medical reasons under the following conditions:

- a. Respondent must be a bona fide patient of a licensed Maryland prescriber who is aware of this Order;
- b. The medication must be lawfully prescribed by Respondent's physician or other authorized medical practitioner;
- c. Respondent must provide the Board, in writing, within seventy-two (72) hours of receiving the medication: (a) the name and address of the prescriber; (b) the illness or medical condition diagnosed; (c) the type, strength, amount and dosage of the medication; (d) and a signed statement consenting to the release of all medical information about the Respondent from the prescriber to the Board; and be it further,

ORDERED that Respondent's execution of this Order shall constitute a release of any and all medical records, substance abuse treatment records, and psychological/psychiatric

records pertaining to Respondent to the Board in complying with the terms and conditions set forth herein. Further, Respondent agrees and consents to the release by the Board of any information or data produced in relation to this Order to any treatment provider for purposes of enforcing or monitoring the terms of this Order; and be it further,

ORDERED that Respondent shall at all times cooperate with the Board in the monitoring, supervision, and investigation of Respondent's compliance with the terms and conditions of this Order; and be it further,

ORDERED that Respondent's failure to fully cooperate with the Board shall be deemed a violation of the probationary terms and a violation of this Order; and be it further,

ORDERED that in the event the Board finds for any good faith reason that Respondent has relapsed, has violated any of the conditions of probation or the Order herein, or in the event that the Board finds for any good faith reason that Respondent has committed a violation of Title 12 of the Health Occupations Article or regulations adopted thereunder, the Board may immediately suspend Respondent's license prior to a hearing; and be it further,

ORDERED that Respondent may petition the Board for modification of the probationary terms herein after one (1) year provided that she has been fully compliant with all of the terms of probation and has no outstanding complaints against her; and be it further,

ORDERED that Respondent may petition the Board for early release from probation after two (2) years provided that she has been fully compliant with all of the terms of probation and has no outstanding complaints against her; and be it further,

ORDERED that Respondent may petition the Board for termination of probation after three (3) years provided that she has been fully compliant with all of the terms of probation and has no outstanding complaints against her; and be it further,

ORDERED that the Respondent shall bear the expenses associated with this Order; and be it further,

ORDERED that this document constitutes a formal order of the Maryland State Board of Pharmacy and is therefore a public document for purposes of public disclosure, pursuant to the Public Information Act., General Provisions Art. § 4-333.

June 15, 2016
Date

David Jones, R.Ph.
David Jones, R.Ph.
Secretary, Board of Pharmacy

CONSENT

By signing this Consent, I hereby consent to the foregoing Findings of Fact and Conclusions of Law, and agree to be bound by the foregoing Consent Order and its conditions.

1. By this Consent, I submit to the foregoing Consent Order as a resolution of this matter. By signing this Consent, I waive any rights I may have had to contest the findings of fact and conclusions of law contained in this Consent Order.


2. I acknowledge the validity of this Consent Order as if it were made after an evidentiary hearing in which I would have had the right to counsel, to confront witnesses on my own behalf, and to all other substantial procedural protections provided by law.

3. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.

4. I acknowledge that, by entering into this Consent Order, I am waiving my right to appeal any adverse ruling of the Board that might have followed an evidentiary hearing.

5. 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.

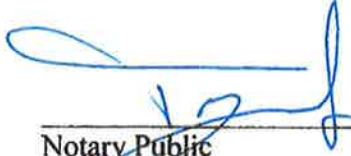
5/31/16
Date


Parvin Ossareh, R.Ph.

STATE OF MARYLAND
COUNTY/CITY OF Montgomery :

I hereby certify that on this 31st day of May, 2016, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared PARVIN OSSAREH, and made an oath in due form that the foregoing Consent was her voluntary act and deed.




Notary Public
My commission expires: March 1, 2020