

IN THE MATTER OF
JOHN RILEY, P.D.
LICENSE NO. 09173

*
*
*

BEFORE THE MARYLAND
STATE BOARD OF
PHARMACY

* * * * *

AMENDMENT ORDER

The Maryland Board of Pharmacy is in receipt of correspondence from Betsy F. Amey, LCSW-C, at The Resource Group, stating that Mr. Riley has met his treatment goals and that it is her professional opinion that Mr. Riley should be discharged from therapy. As a result, the Board of Pharmacy hereby amends its Consent Order of Modification, dated October 31, 2003, to discontinue the probationary requirement that Mr. Riley continue with therapy and submit quarterly therapist reports to the Board.

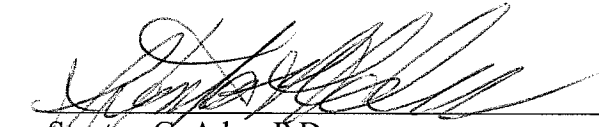
ORDER

It is this 17th day of Dec, 2003, by an affirmative vote of the Maryland Board of Pharmacy, hereby,

ORDERED that the Condition No. 10 in the Board's Consent Order of Modification, dated October 31, 2003, be deleted; and be it further,

ORDERED that this is a final 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).

12/17/03
Date



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

IN THE MATTER OF * BEFORE THE MARYLAND
JOHN RILEY, P.D. * STATE BOARD OF
LICENSE NO. 09173 * PHARMACY

* * * * *

CONSENT ORDER OF MODIFICATION

Background

On October 31, 2001, John F. Riley, P.D., License No. 09173 (the "Respondent"), entered into a Consent Order of Reinstatement with the Maryland Board of Pharmacy (the "Board"), in which he was placed on indefinite probation subject to numerous conditions. This Consent Order followed a period of suspension, which resulted from one of the Respondent's numerous relapses into substance abuse. One of the Respondent's probationary conditions restricted his pharmacy practice to non-dispensing functions. Pursuant to the Consent Order, the Respondent was permitted to petition the Board for modification of his probationary conditions after two years. On August 27, 2003, the Respondent filed a petition for modification. The Respondent and the Board subsequently agreed to the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. The Respondent has been compliant with his PEAC contract, as personally corroborated by his PEAC sponsor, Gil Cohen. The PEAC contract requires random urinalysis, participation in a 12-step program, monitoring, and therapy.
2. The Respondent has maintained consistent employment as a yardman and repairman for a rental equipment company for approximately three (3) years.
3. The Respondent is an active member of NA and AA groups and serves as a sponsor for another individual with substance abuse issues.

4. The Respondent has completed the requisite continuing education credits.

CONCLUSIONS OF LAW

The Respondent has been compliant with all of his probationary conditions and his PEAC contract and may practice pharmacy under conditions of probation set forth in this Consent Order of Modification.

ORDER

Based on agreement of the parties, it is on this 31st day of October, 2003, by an affirmative vote of the Board, hereby

ORDERED that the Respondent shall continue to be on **INDEFINITE PROBATION**, subject to the following conditions:

1. The Respondent shall practice pharmacy under direct supervision for the first 250 hours of pharmacy employment. Thereafter, the Respondent may practice under indirect supervision;
2. The Respondent is limited to working a maximum of 20 hours per week as a pharmacist;
3. The Respondent shall provide his employer with a copy of this Consent Order of Modification prior to beginning employment, and insure that the employer notifies the Board of his/her receipt and review of this Consent Order;
4. The Respondent may only practice in one pharmacy, and may not be employed as a floater.
5. The Respondent shall ensure that his employer submits quarterly employer reports to the Board;
6. The Respondent shall notify the Board of his place of employment and any change in employment prior to the change occurring;
7. The Respondent shall not be employed or supervised by another licensee who is on

probation by this Board;

8. The Respondent shall notify the Board of any change of address;

9. The Respondent shall submit quarterly self-reports to the Board;

10. The Respondent shall continue in therapy and insure that quarterly therapist reports are submitted to the Board;

11. The Respondent shall continue his PEAC contract, which contract shall include:

A. authorization for release of PEAC records, including therapy records, to the Board;

B. random urinalysis at least twice monthly;

C. continuation of therapy;

D. requirement of Board approval prior to any change or modification to the PEAC contract;

E. requirement that PEAC submit quarterly progress reports to the Board; and

F. requirement that PEAC notify the Board of any incident of non-compliance with the PEAC contract, this Consent Order, or treatment, within two (2) business days of the occurrence.

ORDERED that the Respondent's failure to abide by the terms of his PEAC contract or the Respondent's removal from or voluntary cessation of the PEAC program shall be deemed a violation of the conditions of probation set forth herein; and be it further,

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

ORDERED that the Respondent may petition the Board for release from probation on October 31, 2004, provided that the Respondent has complied with all of the probationary terms

and conditions; and be it further,

ORDERED any petition for modification of or release from probation must be accompanied by an endorsement from PEAC and include documentation of the Respondent's compliance with treatment and the PEAC contract for the entire period of probation and contract term, respectively; and be it further,

ORDERED that the Board shall provide PEAC with a copy of this Consent Order and all Board communications regarding this case; and be it further,

ORDERED that this is a final 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).

10/31/03
Date

Melvin Rubin, P.D.
Secretary, Board of Pharmacy

CONSENT

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

I, John F. Riley, P.D., have read this Consent Order in its entirety. I have been given the opportunity to consult an attorney of my choosing to review each and every part of this Consent Order. I understand this Consent Order and voluntarily and without reservation agree to sign it with full comprehension of its meaning and effect.

10/31/2003
Date

John F. Riley P.D.
John F. Riley, P.D.

STATE OF MARYLAND
COUNTY/CITY OF Maryland:

I hereby certify that on this 31st day of October, 2003, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared John F. Riley, P.D., and made an oath in due form that the foregoing Consent was his voluntary act and deed.

Bernadette Stata-Evans
Notary Public

My commission expires: _____

Bernadette Stata-Evans, Notary Public
State of Maryland - Baltimore County
My Commission Expires September 1, 2006