

IN THE MATTER OF * BEFORE THE
JEFFERY LEE. RODKEY, P.D. * STATE BOARD
RESPONDENT * OF PHARMACY
LICENSE NO.: 10073 *

* * * * *

**FINAL ORDER OF REVOCATION OF
PHARMACY LICENSE**

FINDINGS OF FACT

The Board finds that:

1. At all times relevant hereto, the Respondent was licensed to practice pharmacy in Maryland. The Respondent was originally licensed on August 5, 1983.
2. At all times relevant hereto, the Respondent was employed as a full-time pharmacist at Peninsula Regional Medical Center located in Salisbury, Maryland. The Respondent was also employed as a part-time pharmacist at Rite Aid Pharmacy ("Rite Aid") located in Princess Anne, Maryland.
3. On or about September 24, 2002, the Respondent was charged by criminal information in Worcester County, Maryland with one count of manslaughter in violation of Md. Code Ann. art 27, § 387; one count of reckless endangerment in violation of Md. Code Ann. art. 27, § 12A2; one count of distribution of a controlled dangerous substance of Schedule III, to wit: Vicodin, in violation of Md. Code Ann. art. 27, § 286 (a) (1); one count of distribution of a controlled dangerous substance of Schedule III, to wit: Soma, in violation of Md. Code Ann. art. 27, § 286 (a) (1); one count of dispensing a controlled dangerous substance of Schedule III, to wit: Vicodin, without a valid prescription form from

a duly authorized prescriber, in violation of Md. Code Ann, art. 27, § 285; and one count of dispensing a controlled dangerous substance of Schedule III, to wit: Soma, without a valid prescription form from a duly authorized prescriber, in violation of Md. Code Ann, art. 27, § 285 (a copy of the Criminal Information in *State Of Maryland v. Jeffery Lee Rodkey*, Case No. 23K021057 dated November 26, 2002, is attached hereto and incorporated herein as Exhibit A).

4. On July 1, 2003, the Respondent pled guilty in the Circuit Court for Worcester County Maryland, to one count of reckless endangerment, in violation of Md. Code Ann. art. 27, § 12A2 and one count of distribution of a controlled dangerous substance of Schedule III, to wit: Vicodin (a copy of the docket entries in *State Of Maryland v. Jeffery Lee Rodkey*, Case No. 23K021057, are attached hereto and incorporated herein as Exhibit B).

5. On July 1, 2003, the Respondent was also sentence by Judge Theodore R. Eschenburg, in the Circuit Court for Worcester County, Maryland to five (5) year with all but eighteen months (18) suspended. The Respondent was also ordered to serve three (3) years of supervised probation following his release from the Worcester County jail. In addition to the standard conditions of probation, the Respondent was also ordered by Judge Eschenburg, to enroll in and pay all costs for drug counseling and successfully complete treatment as directed by his supervising agent, complete one hundred and fifty (150) hours of community service; submit and pay for random urinalysis, and not possess or consume illegal drugs or prescription drugs not prescribed (a copy of the Probation/Supervision Order in *State Of Maryland v. Jeffery Lee Rodkey*, case No. 23K021057, are attached hereto and incorporated herein as Exhibit C).

6. Reckless Endangerment is a felony and a crime involving moral turpitude.
7. Distribution of a Controlled Dangerous Substance is a felony and a crime involving moral turpitude.
8. The allegations as set forth in the above paragraphs constitute grounds for revocation of the Respondent's license to practice pharmacy.

CONCLUSIONS

Based on the foregoing Findings of Fact, the Board concludes, as a matter of law, that the Respondent violated Md. Health Occ. Code Ann. §12-313(b) (21) (2000 Repl. Vol. and 2003 Supp.).

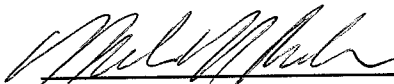
ORDER

ORDERED, that the license issued to Jeffery Lee Rodkey to practice pharmacy in the State of Maryland is hereby **REVOKED**; and it is further

ORDERED, that the Respondent is prohibited from practicing pharmacy in the State of Maryland; and it is further

ORDERED, that this Final Order is a public document pursuant to Md. State Govt. Code Ann. § 10-601 et seq. (2000 Repl. Vol. and 2003 Supp.).

September 15, 2004
Date



Melvin N. Rubin, P.D.,
President
Maryland Board of Pharmacy

NOTICE OF RIGHT TO APPEAL

Pursuant to Md. Health Occ. Code Ann. § 12-316 (2000 Repl. Vol. and 2003 Supp.), you have a right to take a direct judicial appeal. A Petition for Judicial Review must be filed within thirty (30) days of your receipt of the Order Revoking License to Practice Pharmacy shall be made as provided for judicial review of a final decision in the Md. State Govt. Code Ann. §§ 10-201 et seq. (2000 Repl. Vol. and 2003 Supp.), and Title 7, Chapter 200 of the Maryland Rules.