

IN THE MATTER OF

*

BEFORE THE MARYLAND

MATTHEW J. VACCARI, R.Ph.

*

STATE BOARD OF

LICENSE NO. 16372

*

PHARMACY

* * * * *

ORDER LIFTING SUSPENSION

Background

The Maryland Board of Pharmacy (the "Board") is in receipt of a petition from Matthew J. Vaccari, License No. 16372, requesting to lift the suspension of his license as set forth in a Consent Order In Lieu of Continuing Summary Suspension, dated July 18, 2014. The Order provides that Mr. Vaccari may petition to lift the suspension after December 1, 2014, provided that he has fully complied with certain terms. Mr. Vaccari has submitted evidence of his compliance and cooperation with the terms of the above Consent Order. On January 21, 2015, the Board voted to lift the suspension and place Mr. Vaccari's license on immediate probation with terms as set forth below.

ORDER

Based on an affirmative vote of the Board, it is this 26th day of January, 2015, hereby,

ORDERED that the suspension of Mr. Vaccari's license is LIFTED; and be it further,

ORDERED that Mr. Vaccari's license be placed on immediate PROBATION for at least FIVE (5) YEARS; and be it further,

ORDERED that during the probationary period, Mr. Vaccari:

- (1) Shall submit to random, Board-ordered urine screenings on a weekly basis;
- (2) Continue individual therapy with a psychologist monthly;

- (3) Continue medication management with a psychiatrist monthly;
- (4) Continue participation in the aftercare program at Kolmac Clinic, and submit monthly progress reports to the Board;
- (5) Attend NA/AA meetings at least 3 time a week;
- (6) For the first TWO (2) years of probation, shall practice only in a non-dispensing role;
- (7) After serving two (2) years of probation, may practice as a dispensing pharmacist, provided that Mr. Vaccari:
 - a. May not work more than 40 hours per week;
 - b. May not work night shifts;
 - c. May not work as a floater;
 - d. May not function as a pharmacy manager;
 - e. Shall insure that his pharmacist supervisor submits quarterly performance reports to the Board; and be it further,

ORDERED that all urine screens submitted under this Order shall be:

- (1) Submitted within 24 hours of the Board staff instructing him to submit a urine sample;
- (2) Submitted at a CLIA-certified laboratory;
- (3) Negative for any controlled dangerous substance, narcotics, cocaine, or other mood-altering substances or drugs with abuse potential, except as provided below; and be it further,

ORDERED that Mr. Vaccari shall abstain from the ingestion of controlled dangerous substances, narcotics, cocaine, or other mood-altering substances or drugs with abuse potential, except that Mr. Vaccari may only ingest such substances as prescribed for legitimate medical reasons under the following conditions:

(1) Mr. Vaccari must be a bona fide patient of a licensed Maryland prescriber who is aware of this Order;

(2) The medication must be lawfully prescribed by Mr. Vaccari's physician or other authorized medical practitioner;

(3) Mr. Vaccari 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 Mr. Vaccari from the prescriber to the Board; and be it further,

ORDERED that Mr. Vaccari'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 Mr. Vaccari to the Board in complying with the terms and conditions set forth herein. Further, Mr. Vaccari agrees and consents to the release by the Board of any information or data produced in relation to this Order to any treatment provider; and be it further,

ORDERED that after one (1) year of probation, Mr. Vaccari may petition the Board to modify his probationary terms provided that he has fully complied with the terms of probation and does not have any pending complaints filed against him; and be it further,

ORDERED that after five (5) years of probation, Mr. Vaccari may petition to terminate the probation provided that he has fully complied with the probationary terms and has no pending complaints against him; and be it further,

ORDERED that Mr. Vaccari shall at all times cooperate with the Board in the monitoring, supervision, and investigation of his compliance with the terms and conditions of this Order; and be it further,

ORDERED that Mr. Vaccari shall provide the Board with written notification in advance of any period of time during which he may be unreachable due to travel or other reason; and be it further,

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

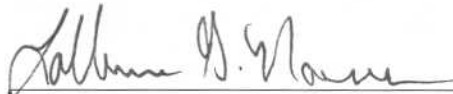
ORDERED that in the event the Board finds for any good faith reason that Mr. Vaccari has violated any of the conditions of probation herein, or in the event that the Board finds for any good faith reason that Mr. Vaccari has committed a violation of Title 12 of the Health Occupations Article or regulations adopted thereunder, or has relapsed, the Board may immediately summarily suspend Mr. Vaccari's license prior to a hearing, provided that Mr. Vaccari is given the opportunity for a show cause hearing within a reasonable time of such action; and be it further,

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

ORDERED that this document constitutes a formal disciplinary action of the Maryland 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.

Date

1/26/15



LaVerne G. Naesea, Executive Director
For Lenna Israbian-Jamgochian, Pharm.D.
President, Board of Pharmacy