

<b>IN THE MATTER OF</b>	*	<b>BEFORE THE</b>
<b>WESTERN REGIONAL</b>	*	<b>MARYLAND STATE</b>
<b>OUTPATIENT PHARMACY</b>	*	<b>BOARD OF PHARMACY</b>
<b>Goodyear, AZ</b>	*	
<b>Unlicensed</b>	*	<b>Case No. PI-17-117</b>
* * * * *		* * * * *

**CONSENT ORDER**

**Background**

The Maryland Board of Pharmacy (the “Board”) received information from the Arizona Board of Pharmacy indicating that Western Regional Outpatient Pharmacy (the “Pharmacy”) dispensed prescription drugs into Maryland from its Arizona pharmacy establishment without a Maryland pharmacy permit. Upon receiving this information, the Board opened an investigation and confirmed the unauthorized dispensing of prescription drugs into Maryland by the Pharmacy.

In lieu of instituting formal proceedings against the Pharmacy, in accordance with the Maryland Pharmacy Act, Md. Code Ann., Health Occ. § 12-101 *et seq.*, the Board and the Pharmacy have agreed to resolve this matter as set forth in this Consent Order.

**FINDINGS OF FACT**

1. At all times relevant herein, the Pharmacy, located in Goodyear, Arizona, did not hold a non-resident pharmacy permit in Maryland and was therefore not authorized to dispense prescription drugs into Maryland.
2. On or about November 7, 2016, the Board received information from the Arizona Board of Pharmacy indicating that the Pharmacy had shipped drugs into Maryland without a permit. It further indicated that all shipments were patient-specific.
3. The Board’s investigation revealed that the Pharmacy’s unauthorized dispensing

involved one patient and was purportedly intended to avoid disruption in the patient's medication treatment regimen.

4. The Pharmacy dispensed 4 shipments of medications to one patient in Maryland from November 30, 2015 through September 6, 2016.
5. The medication at issue consisted primarily of specially ordered supplements and non-controlled prescription drugs.
6. The Pharmacy has since ceased all dispensing into Maryland.

### CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Western Regional Outpatient Pharmacy is subject to discipline in accordance with Md. Code Ann., Health Occ. §§ 12-401, 12-403(e), 12-701, 12-707.

### ORDER

Based upon an affirmative vote of the Board under the authority of Md. Code Ann., Health Occ. § 12-707(e), it this 7<sup>th</sup> day of March, 2017, hereby,

ORDERED that Western Regional Outpatient Pharmacy shall pay a CIVIL PENALTY in the amount of \$1,000.00, payable within sixty (60) days of the date of this Order and sent to:

Maryland Board of Pharmacy  
P.O. Box 2051  
Baltimore, Maryland 21203-2051  
(Reference Case No. PI-17-117)

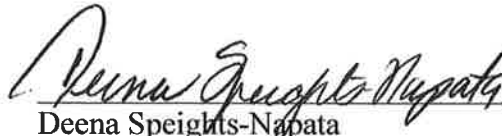
and be it further,

ORDERED that in the event Western Regional Outpatient Pharmacy dispenses and/or distributes prescription drugs or devices into, out of, and within the State of

Maryland, it shall fully comply with all Maryland statutes and regulations governing the dispensing and distribution of drugs and devices in this State; and be it further,

ORDERED that this is a formal order and as such is a public document pursuant to Md. Code Ann., General Provisions Art. § 4-333.

3/7/17  
Date

  
Deena Speights-Napata  
Executive Director for:

Mitra Gavvani, Pharm.D.  
Board President

**CONSENT**

1. By signing this Consent, Western Regional Outpatient Pharmacy submits to the foregoing Consent Order as a resolution of this matter and agree to be bound by its terms and conditions.

2. Western Regional Outpatient Pharmacy acknowledges the validity of this Consent Order as if it were made after a hearing in which it would have had the right to counsel, to confront witnesses, and to all other substantial procedural protections provided by law.

3. Western Regional Outpatient Pharmacy acknowledges that, by entering into this Consent Order, it is waiving its right to appeal any adverse ruling of the Board that might have followed such an evidentiary hearing.

4. Western Regional Outpatient Pharmacy acknowledges the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.


5. Western Regional Outpatient Pharmacy signs this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. Western Regional Outpatient Pharmacy fully understands the language, meaning, and effect of this Consent Order.

3/3/2017  
Date

  
Name: Cheney Kinemond  
Title: Rx Manager

STATE OF Arizona  
COUNTY/CITY OF Maricopa :

I hereby certify that on this 3 day of March, 2017, before me, a Notary Public of the State and County/City aforesaid, personally appeared Cheney Kinemond, and made an oath in due form that the foregoing Consent was his/her voluntary act and deed on behalf of Western Regional Outpatient Pharmacy.

  
Notary Public  
My commission expires: 10-27-2020

