

IN THE MATTER OF
Robert H. Brandon

* BEFORE THE MARYLAND STATE
* BOARD OF PHARMACY

* * * * *

CONSENT ORDER

On the basis of certain information regarding the pharmacy practice of Robert H. Brandon, P.D. ("Respondent"), the Maryland State Board of Pharmacy ("Board") makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

Based upon all of the information known and available to it, the Board hereby finds that:

1. Respondent is a pharmacist licensed by the Board to practice pharmacy in the State of Maryland (License No. 8070).
2. On December 15, 1987, the Virginia State Board of Pharmacy suspended Respondent's license to practice pharmacy in Virginia for two years; that suspension was stayed provided Respondent satisfied the conditions of the Virginia Order. A copy of the Virginia Order is attached and is incorporated by reference.
3. Based upon the foregoing facts, the Board has reason to believe that action by the Board against Respondent is warranted pursuant to Health Occupations Article, Sections 12-311(b)(14) and (23), Annotated Code of Maryland.

CONCLUSION OF LAW

Based on the foregoing Findings of Fact, the Board hereby concludes, as a matter of law, that action against Respondent is warranted pursuant to the following subsections of 12-311(b) of the Health Occupations Article of the Annotated Code of Maryland:

- (14) Without first having received a written or oral prescription for the drug from an authorized prescriber, dispenses any drug for which a prescription is required;

- (23) Is disciplined by a licensing or disciplinary authority of any other state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes.

ORDER

It is this 31st day of MAY, 1989 by the Maryland State Board of Pharmacy:
ORDERED that Respondent's license to practice pharmacy is hereby SUSPENDED;
ORDERED that said SUSPENSION is IMMEDIATELY STAYED and Respondent is placed on PROBATION subject to the conditions of the Virginia Order;
ORDERED that in the event the Maryland Board of Pharmacy receives an unsatisfactory report which it believes in good faith to be accurate, or in the event that

the Maryland Board of Pharmacy believes for any reason in good faith that Respondent has violated any provision of Title 12 of the Health Occupations Article or regulations thereunder, the Board may take immediate action, including but not limited to revocation or suspension, without first giving Respondent an opportunity for a hearing. However, Respondent shall have a right to a hearing in accordance with the Administrative Procedure Act, State Government Article, Section 10-201, et seq., within thirty (30) days after Respondent notifies the Board in writing of his desire for such a hearing regarding the Board's action; but the Board may, in its discretion, fail to entertain such notice if received more than ninety (90) days after its action;

ORDERED that the Board will entertain a petition for reinstatement of Respondent's license to practice pharmacy in Maryland without any conditions or restrictions after Respondent's license to practice pharmacy in Virginia has been reinstated without any conditions or restrictions;

ORDERED that upon petition for reinstatement, if the Board determines that termination of the conditions of probation of Respondent's license and complete reinstatement would not be appropriate at the time Respondent petitions, the Board may refuse complete reinstatement of Respondent's license and maintain any or all conditions of probation on his license that the Board deems appropriate;

ORDERED that a copy of this Order shall be filed with the Board of Pharmacy as part of Respondent's licensure file;

ORDERED that this is a Final Order and as such is a public document pursuant to Section 10-611 et seq. of the State Government Article, Annotated Code of Maryland.



Steven S. Cohen, P.D.
President
Maryland Board of Pharmacy

CONSENT

By this Consent, knowingly and voluntarily executed by me, I hereby consent and submit to the foregoing Order and its conditions. I acknowledge the validity of the Order as if made after a hearing at which I would have had the right to counsel, to confront witnesses, to give testimony and to call witnesses on my behalf and to all other substantive and procedural protections provided by law. I also recognize that I am waiving my rights to appeal any adverse ruling of the Maryland State Board of Pharmacy that might have followed such a hearing. By this Consent, I waive all such rights.

Robert H. Brandon, P.D.
Robert H. Brandon, P.D.

STATE OF Virginia-at-Large)
CITY/COUNTY OF _____)

I HEREBY CERTIFY that on this 17th day of May, 1989, before me, a Notary Public of the State and County aforesaid, personally appeared Robert H. Brandon, P.D. and he made oath in due form of law that the foregoing Consent was his voluntary act and deed.

AS WITNESS my hand and Notarial Seal.

Nancy A. Akers
Notary Public

My Commission Expires: July 11, 1989