

IN THE MATTER OF  
SURINDER K. SINGAL, P.D.  
RESPONDENT  
LICENSE NO.: 00440

\* BEFORE THE  
\* MARYLAND STATE BOARD  
\* OF PHARMACY  
\*

\* \* \* \* \*

**CONSENT ORDER**

Based on information received and a subsequent investigation by the Maryland State Board of Pharmacy (the "Board") and subject to the Maryland Pharmacy Act (the "Act"), Md. Health Occ. Code Ann. §§ 12-101 et seq. (2000) ("H.O."), the Board charged **Surinder K. Singal, P.D. (the "Respondent")**, D.O.B. 09/11/47, License Number 08093.

Specifically, the Board charged the Respondent with violating the following:

H.O. § 12-313 provides:

- (b) Subject to the hearing provisions of § 12-315 of this subtitle, the Board may deny a license to any applicant, reprimand any licensee, place any licensee on probation, or suspend or revoke a license of any licensee, if the applicant or licensee:
  - (21) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have a conviction or plea set aside.

The Respondent was given notice of the charges and the issues underlying those charges by letter and document sent to the Respondent on or about May 18, 2001. A Case Resolution Conference ("CRC") on those charges was held on July 17, 2001, but the parties were unable to come to a resolution. The Respondent did not attend the CRC.

Prior to the rescheduled hearing date of January 7, 2002, the parties agreed to enter in to this agreement.

### **FINDINGS OF FACT**

The Board finds that:

1. At all times relevant to the charges herein, the Respondent was and is licensed to practice as a pharmacist in the State of Maryland. The Respondent was originally issued his license to practice as a pharmacist in the State of Maryland on December 4, 1979.
2. On or about November 29, 1999, the Respondent was indicted by the Grand Jury for the District of Maryland in the United States District Court in the case of United States of America v. Surinder Singal in Criminal Case No.: 99CR0532 in which the Respondent was charged with Conspiracy, in violation of 18 U.S.C. § 371; Wire Fraud, in violation of 18 U.S.C. § 1343; Selling Drug Samples, in violation of 21 U.S.C. §§ 331(t) and 333(b)(1); Altering and Causing Drugs to be Misbranded, in violation of 21 U.S.C. §§ 331(k) and 333(a)(2); and Aiding and Abetting, in violation of 18 U.S.C. § 2.
3. On or about February 9, 2000, the Respondent was issued a superseding Indictment by the Grand Jury in the case of United States of America v. Surinder Singal Criminal No. DKC 99-053. The Respondent was charged with Conspiracy, in violation of 18 U.S.C. § 371; Wire Fraud, in violation of 18 U.S.C. § 1343; Selling Drug Samples, in violation of 21 U.S.C. § 331(t) and 333(b)(1); Altering and Causing Drugs to be Misbranded, in violation of 21 U.S.C. §§ 331(k) and 333(a)(2); and Aiding and Abetting, in violation of 18 U.S.C. § 2.

4. On March 27, 2000, after a trial by jury, the Respondent was found guilty of Misbranding a Drug While Held for Sale After Travel in Interstate Commerce, in violation of 21 U.S.C. § 331 (t).

5. On July 21, 2000, the Respondent was sentenced by United States District Court Judge Deborah K. Chasanow to twelve (12) months imprisonment and was ordered to serve one (1) year of supervised release upon release from imprisonment. The Respondent was also required to pay a fine of \$5,000 (five thousand dollars), an assessment of \$25 (twenty-five dollars), abide by the statutory conditions of supervised release, and the standard conditions of supervisions.

6. Misbranding a drug while for sale after travel in interstate commerce is a crime involving moral turpitude.

#### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated H.O. § 12-313 (21).

#### **ORDER**

Based on the Foregoing Findings of Fact, Conclusions of Law, and agreement of the parties, it is hereby

**ORDERED** that the Respondent's license to practice pharmacy is hereby **SUSPENDED** for a minimum of one (1) year, with all but thirty (30) days **STAYED**; and be it further

**ORDERED** that at the end of the thirty (30) day suspension, the Respondent

shall be placed on **PROBATION** for a period of not less than three (3) years subject to the following conditions:

1. The Respondent shall pay a fine in the amount of one thousand dollars (\$1,000). The fine shall be paid by certified check or money order and made payable to the Maryland State Board of Pharmacy. The Respondent shall ensure that the fine is received by the Board no later than five (5) days from the date that this consent order is signed by the Board.

2. The Respondent shall agree not to dispense sample drugs.

3. The Respondent shall take and pass the MPJE (Multi-State Pharmacy Jurisprudence Examination) law examination

4. The Respondent shall have his pharmacy practice reviewed on a quarterly basis by a Board approved mentor. The Respondent shall cooperate with his Board approved mentor and the Respondent shall ensure that the mentor submits quarterly reports to the Board. The costs of monitoring shall be paid by the Respondent. After twelve (12) months and a satisfactory evaluation by the Board approved mentor, the Respondent may petition the Board to modify this condition.

5. The Respondent shall prepare and submit quarterly reports to the Board. The Respondent's quarterly reports to the Board will outline the Respondent's source of his prescription drug inventory, and the Respondent's drug purchasing habits; and be it further

**ORDERED** that the Respondent shall practice pharmacy in accordance with the Maryland Pharmacy Act, and in a competent manner; and be it further

**ORDERED** that the conditions of this Consent Order be, and the same is hereby, effective as of the date of this Order; and be it further

**ORDERED** that in the event the Board finds for any reason in good faith that the Respondent has violated any provision of Title 12 of the Health Occupation Article, Maryland Annotated Code or the regulations thereunder, the Board, after notification to the Respondent, and an opportunity for a hearing, may take immediate action and may impose any lawful disciplinary sanctions it deems appropriate, including but not limited to revocation or suspension of the Respondent's license to practice pharmacy; and be it further

**ORDERED** that only after the Respondent has completed a three (3) year period of probation, then the Respondent may petition the Board for termination of the Respondent's probationary status and full reinstatement of his license to practice as a pharmacist without probationary conditions. The Board shall terminate the Respondent's probationary status and restore Respondent's license to practice as a Pharmacist without conditions or restrictions, only after the Respondent has demonstrated to the Board that he has fully complied with the terms of this Consent Order; and be it further

**ORDERED** that the Respondent shall be responsible for all costs incurred under this Consent Order; and be it further

**ORDERED** that this is a **FINAL ORDER** and as such is a public document pursuant to Md. State Gov't. Code Ann. § 10-611 et seq. (1999).

1/11/02  
Date

W. Irving Lottier  
W. Irving Lottier, P.D.  
Secretary  
State Board of Pharmacy

**CONSENT OF SURINDER K. SINGAL, P.D.**

I, Surinder K. Singal, P.D., by affixing my signature hereto, acknowledge that:

1. I am represented by Anton J. S. Keating, Esquire and I have had the opportunity to consult with counsel before signing this document;
2. I am aware that I am entitled to a formal evidentiary hearing before the Board, pursuant to § 12-315 of the Act, Md. State Gov't. Code Ann. §§ 10-201 et seq. (1999) and Code Md. Regs. tit. 10 § 34.01.04.
3. I accept and submit to the foregoing Consent Order. I acknowledge the validity of this Consent Order as if entered after a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections provided by law.
4. I waive any right to contest the Findings of Fact and Conclusions of Law, and I waive my right to a full evidentiary hearing as set forth above, and any right to appeal this Order or as set forth in § 12-316 of the Act and Md. State Gov't. Code Ann. §§ 10-201 et seq. (1999).

**NOTARY**

STATE OF Maryland

CITY/COUNTY OF Anne Arundel

I HEREBY CERTIFY that on this 26 day of December, 2001,  
before me, a Notary Public of the State of and City/County aforesaid, personally  
appeared Surinder K. Singal, P.D. and declared and affirmed under the penalties of  
perjury that signing the foregoing Consent Order is his voluntary act and deed.

Michelle Lewis  
Notary Public

My Commission Expires: MICHELLE LEWIS  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires June 4, 2003