

IN THE MATTER OF	*	BEFORE THE
REBECCA A. HAYFORD, P.D.	*	MARYLAND STATE
LICENSE NO. 08648	*	BOARD OF PHARMACY
RESPONDENT	*	

* * * * *

CONSENT ORDER

BACKGROUND

Based on the information received and a subsequent investigation by the Maryland State Board of Pharmacy (the "Board") and subject to the Maryland Pharmacy Act, Maryland Pharmacy Act, Md. Code Ann., Health Occ. §12-101 et seq. (1994 Repl. Vol.), (the "Act"). The Board charged **Rebecca A. Hayford, P.D. License No. 08648** (the "Respondent"), with violation of certain provisions of §12-313. Specifically, the Board charged the Respondent with violation of the following provisions of §12-313 of the Act:

Subject to the hearing provisions of §12-315 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a license to any applicant, reprimand any license to any applicant, reprimand any licensee, place any licensee on probation; or suspend or revoke a license if the applicant or licensee:

- (23) 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 the conviction or plea set aside;

The Respondent was given notice of the charges and the issues underlying those charges, by letter and charging document sent to the Respondent on or about April 27, 1998. A case resolution conference was held on July 31, 1998. Board member Jeanne Furman, P.D. attended the case resolution conference; Paul Ballard, Assistant Attorney General and Counsel to the Board; Sherrai V. Hamm, Assistant Attorney General and Administrative Prosecutor; the Respondent, and Anthony

B. Covington, Esquire, Counsel for the Respondent. Because of discussions held at the case resolution conference, the parties agreed to enter into this final consent order.

FINDINGS OF FACT

The Board finds that:

1. At all times relevant to the charges herein, the Respondent was licensed to practice pharmacy in the State of Maryland.

2. On or about February 19, 1996, the Government charged the Respondent in United States of America v. Rebecca A. Hayford under case number 96-385C (United States District Court for the District of Maryland) with violating §18 USC 641 Larceny of Government Property. A certified copy of the violation Notice as filed in United States of America v Rebecca A. Hayford is attached and incorporated herein as Exhibit 1.

3. On or about December 11, 1996, the Respondent was found guilty by Donald E. Beachley, United States Magistrate Judge for one count of Larceny. The Respondent was placed on supervised probation for a term of twelve months and ordered to pay a \$300 fine. A certified copy of the Judgement in a Criminal Case dated December 11, 1996 is attached and incorporated here as Exhibit 2.

4. Larceny under §18 USC 641 is a crime involving moral turpitude under the Act.

CONCLUSIONS OF LAW

Based upon the Findings of Facts, the Board finds that the Respondent violated §12-313 (b) (20).

ORDER

Based upon the Findings of Facts, Conclusions of Law and agreement of the parties, it is this

21st day of Oct. 1998, by a majority of the quorum of the Board, it is hereby

ORDERED that the Respondent be hereby placed on **PROBATION** for one (1) year subject to the following conditions:

1. The Respondent shall undergo bimonthly urinalysis screening and submit the urinalysis test results to the Board. The Board requires that the Respondent undergo urinalysis screening for six (6) months. The Respondent shall send the Board results of her initial urinalysis no later than fourteen (14) days from the date of this Order.

2. The Respondent shall give her employer and any subsequent employer a copy of this order.

3. The Respondent's employer shall submit quarterly reports to the Board. The reports shall send the Board a status of the Respondent's competency and professional behavior. Said reports shall be due on December 15, 1998, March 15, 1999, June 15, 1999, September 15, 1999 and December 15, 1999.

4. The Respondent shall not work at more than one pharmacy location without prior approval from the Board.

5. The Respondent shall not own her own pharmacy; and be it further

ORDERED that if the State Board of Pharmacy receives an unsatisfactory report that it believes in good faith to be accurate, or if the State Board of Pharmacy finds for any reason, in good faith, that the Respondent has violated any provision of Title 12 of the Health Occupation article or regulations thereunder, or has violated the conditions of probation herein, the Board may take action against the Respondent's license, including but not limited to, revocation or suspension, after giving the Respondent notice of the charges and the opportunity for a hearing; and be it further

ORDERED that no earlier than one (1) year from the commencement date of the Respondent's probation, the Board shall entertain a written petition for termination of the Respondent's probationary status and full reinstatement of her license to practice as a pharmacist without probationary conditions. The board shall end the Respondent's probationary status and restore Respondent's license to practice as a Pharmacist without conditions or restrictions, only after the Respondent has shown tot he Board that she has complied with the terms of this Consent Order, and be it further

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

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

ORDERED that for purposes of public disclosure, as permitted by §10-617(h), Md. Code Ann., State Gov't Art. this document consists of the contents of the Background, Findings of Facts, Conclusions of Law and Order.



David Russo, P.D., MBA, President
Board of Pharmacy

CONSENT OF REBECCA A. HAYFORD, P.D.

I, Rebecca A. Hayford, P.D., by affixing my signature hereto, acknowledge that:

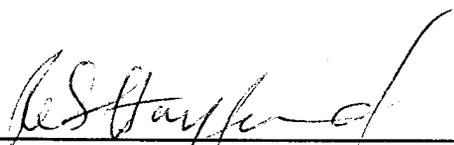
1. Anthony C. Covington, Esquire, represents me and I have had the opportunity to consult with counsel before signing this document;

2. I am aware that without my consent, my license to practice as a pharmacist in this State, cannot be limited except pursuant to the provisions of §13-316 of the Act, Md. Code Ann., State Gov't Art. (B) (201) et seq. and COMAR 10.34.18.02. (A) and (B).

3. I am aware that I am entitled to a formal evidentiary hearing before the Board.

By this Consent Order, I hereby consent and submit to the Findings of Fact, Conclusions of Law, and Order. By doing so, I waive my right to a formal hearing as set forth in §12-315 of the Act and Md. State Gov't Art. 10-201 et seq. I acknowledge that my failure to abide by the conditions set forth in this Order, is ground for disciplinary action, including revocation, against my license to practice as a pharmacist in the State of Maryland.

10/13/98
Date



Rebecca A. Hayford, P.D.

Read and Approved:

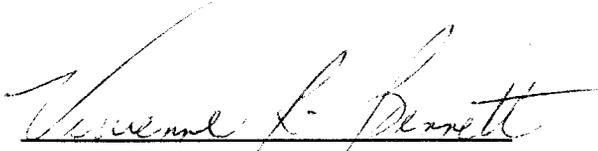


Anthony B. Covington, Esquire

STATE OF MARYLAND
CITY/COUNTY OF: Baltimore

I HEREBY CERTIFY that on this 13th day of October, 1998, a Notary Public of the State of Maryland and (City/County), Baltimore County, personally appeared Rebecca A. Hayford, P.D., License Number 08648, and made oath in due form of law that signing the Consent Order was her voluntary act and deed, and the statements made herein are true and correct.

AS WITNESS my hand and Notarial Seal.


Notary Public

My Commission Expires: June 23 2001