

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES
BOARD OF PHARMACY
DISCIPLINARY SUBCOMMITTEE

In the Matter of

Franklyn Seabrooks, M.D.
License No. 53-15-063002

Complaint No. 53-13-129056

CONSENT ORDER AND STIPULATION

CONSENT ORDER

An administrative complaint was filed with the Disciplinary Subcommittee of the Board of Pharmacy on October 3, 2014, charging Franklyn Seabrooks, M.D. (Respondent) with having violated sections 17745(1) and 17768(1) of the Public Health Code, 1978 PA 368, as amended, MCL 333.1101 *et seq.*

The parties have stipulated that the Disciplinary Subcommittee may enter this consent order. The Disciplinary Subcommittee has reviewed the stipulation contained in this document and agrees that the public interest is best served by resolution of the outstanding complaint. Therefore, the Disciplinary Subcommittee finds that the allegations of fact contained in the complaint are true and that Respondent has violated sections 17745(1) and 17768(1) of the Public Health Code.

Accordingly, for these violations, IT IS ORDERED:


Respondent is REPRIMANDED.

Respondent is FINED \$500.00 (Five Hundred Dollars) to be paid by check, money order or cashier's check made payable to the State of Michigan (with complaint number 53-13-129056 clearly indicated on the check or money order) within 60 days from the effective date of this order. The timely payment of the fine shall be Respondent's responsibility. Respondent shall mail the fine to: Sanction Monitoring, Bureau of Health Care Services, Enforcement Division, Department of Licensing and Regulatory Affairs, P.O. Box 30189, Lansing, Michigan 48909.

This order shall be effective on the date signed by the Chairperson of the Disciplinary Subcommittee or the Disciplinary Subcommittee's authorized representative, as set forth below.

Signed on 4/8/15

MICHIGAN BOARD OF PHARMACY

By 
Chairperson, Disciplinary Subcommittee

STIPULATION

The parties stipulate as follows:

1. Respondent does not contest the allegations of fact and law in the complaint. Respondent understands that, by pleading no contest, he does not admit

the truth of the allegations but agrees that the Disciplinary Subcommittee may treat the allegations as true for resolution of the complaint and may enter an order treating the allegations as true.

2. Respondent understands and intends that, by signing this stipulation, he is waiving the right under the Public Health Code, rules promulgated under the Public Health Code, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended, MCL 24.201 *et seq.*, to require the Department to prove the charges set forth in the complaint by presentation of evidence and legal authority, and to present a defense to the charges before the Disciplinary Subcommittee or its authorized representative. Should the Disciplinary Subcommittee reject the proposed consent order, the parties reserve the right to proceed to hearing.

3. The Disciplinary Subcommittee may enter the above Consent Order, supported by Board conferee Dhafer Almaklani, R.Ph. Mr. Almaklani or an attorney from the Licensing and Regulation Division may discuss this matter with the Disciplinary Subcommittee in order to recommend acceptance of this resolution.

4. Mr. Almaklani and the parties considered the following factors in reaching this agreement:

- A. There were no allegations involving the improper administration or dispensing of medications.
- B. Respondent obtained the proper facility license once informed he must do so by the Complainant's pharmacy inspector and the situation was rectified prior to the filing of this administrative action.

By signing this stipulation, the parties confirm that they have read, understand and agree with the terms of the consent order.

AGREED TO BY:

Kelly K. Elizondo
Kelly K. Elizondo
Assistant Attorney General
Attorney for Complainant
Dated: 1-20 2015

AGREED TO BY:

Franklyn Seabrooks M.D.
Franklyn Seabrooks, M.D.
Respondent
Dated: 1/13/2015

Patricia L. Carey
Patricia L. Carey
Attorney for Respondent
Dated: 1-13-2015