

**IN THE MATTER OF
PATRICK DONOHUE, R.Ph.
LICENSE NO. 21664
RESPONDENT**

*** BEFORE THE
* MARYLAND BOARD
* OF PHARMACY
* Case No. 24-340**

* * * * *

CONSENT ORDER

Procedural Background

Based on information received and a subsequent investigation by the Maryland Board of Pharmacy (the “Board”), and subject to the Maryland Pharmacy Act (the “Act”), Md. Code Ann., Health Occ. §§ 12-101, *et seq.*, and the Maryland Administrative Procedure Act, Md. Code Ann., State Gov’t §§ 10-201 *et seq.*, the Board issued a Notice of Intent to Summarily Suspend License to Practice Pharmacy, dated June 26, 2024, in which it notified Patrick Donohue (the “Respondent”) of its intent to summarily suspend his pharmacist’s license. Specifically, the Board found reliable evidence demonstrated that the public health, safety or welfare imperatively required emergency action, pursuant to Md. Code Ann., State Gov’t §10-226(c)(2).

On July 24, 2024, the Board held a remote hearing before a quorum of the Board to allow the Respondent the opportunity to show cause why the Respondent did not pose an imminent threat to the health, safety and welfare of the public. In lieu of the issuance of an Order for Summary Suspension, the Respondent and the Board agreed to resolve the matter by way of this Consent Order with the terms contained herein.

FINDINGS OF FACT

1. At all times relevant hereto, the Respondent was licensed to practice as a pharmacist in the State of Maryland under License Number 21664.
2. The Respondent was initially issued a license to practice pharmacy in Maryland on or about July 10, 2013. The Respondent's license is set to expire on November 20, 2024, subject to renewal.
3. At all times relevant hereto, the Respondent was employed as a pharmacist at a pharmacy ("Pharmacy A") located in Baltimore, Maryland.
4. On or about May 8, 2024, the Board received a complaint from the Pharmacy reporting that on April 9, 2024, the Respondent overdosed at the Pharmacy and had to be transported to the local emergency room via an ambulance.
5. After receiving the complaint, the Board initiated an investigation of the Respondent.
6. The Board's investigation included but was not limited to obtaining the Respondent's written response, his personnel file from the Pharmacy and the Pharmacy's internal investigation of April 9, 2024, incident.
7. By email dated May 14, 2024, to the Board, the Respondent admitted that he had a substance use disorder and had recently undergone a 28-day rehabilitation program. The Respondent stated that he was currently participating in an intensive outpatient program.
8. The Respondent's personnel file from the Pharmacy revealed that he began working as a pharmacist at the Pharmacy in or around March of 2014.
9. The Pharmacy's internal investigation of the incident revealed that on April 9, 2024, the Respondent appeared for work at the Pharmacy at approximately 7:45 a.m., which was unusually early for him. At approximately 7:55 a.m., the Pharmacy Staff observed the

Respondent's "face was bright red and looked extremely swollen and he was sweating profusely." The Pharmacy Staff called 911, and while the telephone was ringing, the Respondent disclosed that "he had taken 800 mg of codeine and then tried to counteract it with naltrexone. He also said that he normally takes morphine but today he took codeine."

10. When the paramedics arrived at the Pharmacy, the Respondent began vomiting. The Respondent then told the paramedics that he had taken the codeine and the naltrexone from the Pharmacy, which the Pharmacy Staff confirmed.
11. The Pharmacy's internal investigation also revealed on May 6, 2024, the Pharmacy filed a DEA Form 106 reporting a theft or loss of 5.077 grams of codeine phosphate powder on April 6, 2024.
12. The Respondent entered a 28-day inpatient program immediately after being released from the hospital and self-referred to the Pharmacists Rehabilitation Services committee ("PRS").
13. The Respondent is currently enrolled in an intensive outpatient program which requires weekly urine screens, and is also engaged in a support group for healthcare professionals, individual therapy, and has an AA sponsor.
14. The Respondent is not currently practicing pharmacy.

CONCLUSIONS OF LAW

Based upon the foregoing findings of fact, the Board concludes that the Respondent is subject to discipline pursuant to Md. Code Ann., Health Occ. §§ 12-313(b)(21) and (25), and COMAR 10.34.10.01A(1) and B(2).

ORDER

Based on the foregoing Findings of Fact, Opinion, and Conclusions of Law, by a majority vote of the Board it is hereby:

ORDERED that the public health and safety is not at risk by the Respondent provided that the Respondent fully complies with terms and conditions set forth herein; and be it further,

ORDERED that the Respondent's license shall be placed on SUSPENSION, effective April 10, 2024, for at least ONE (1) YEAR, during which time the Respondent:

1. Shall continue and fully comply with the rehabilitation contract with the Pharmacists Rehabilitation Services ("PRS") committee;

2. Shall abstain from the use of alcohol, controlled dangerous drugs, and all other mood-altering substances unless PRS is provided sufficient written documentation from the Respondent's healthcare provider regarding medical necessity;

3. Shall submit to random urine screens for substances, at a frequency determined by PRS, as a condition of the PRS contract;

4. Shall continue in intensive outpatient therapy, as a condition of the PRS contract;

5. Shall continue to engage in AA and professional group therapy sessions, at a frequency determined by PRS, as a condition of the PRS contract;

6. Shall continue individual therapy sessions, at a frequency determined by PRS, as a condition of the PRS contract;

7. Shall comply with any and all other treatment and monitoring conditions imposed as part of the PRS contract;

8. Shall ensure PRS submits monthly progress reports to the Board regarding the Respondent's compliance with the PRS contract;

9. Shall execute any and all releases necessary to allow PRS and the Board to access medical and SUD treatment information for purposes of monitoring and enforcement of this Order and the PRS contract; and be it further,

ORDERED that the Respondent shall immediately return the Respondent's pharmacist license to the Board; and be it further,

ORDERED that the Respondent may petition the Board to lift the suspension of his license after one (1) year, commencing April 10, 2024, provided that the Respondent has fully complied with all conditions of the PRS contract and this Order, and the Respondent does not have any pending complaints against him; and be it further,

ORDERED that in the event that the Board lifts the suspension of the Respondent's license, the Board shall place the Respondent's license on immediate PROBATION with terms and conditions the Board, in its sole capacity, determine are necessary for the health and safety of the public; and be it further,

ORDERED that the Respondent shall comply with all licensure renewal requirements, to include continuing education, application and fee; and be further,

ORDERED that the Respondent shall bear all costs for compliance with the terms of this Order; and be it further,

ORDERED that the Respondent shall at all times fully cooperate with the Board in its monitoring, supervision, and investigation of the Respondent's compliance with the terms and conditions of this Order; and be it further,

ORDERED that the Respondent's failure to fully cooperate with the Board shall be

deemed a violation of the terms of suspension and a violation of this Order; and be it further,

ORDERED that in the event the Board finds for any good faith reason that the Respondent has violated any of the conditions of suspension herein, or in the event that the Board finds for any good faith reason that the Respondent has committed a violation of Title 12 of the Health Occupations Article or regulations adopted thereunder, the Board may take further disciplinary action, to include summary suspension, against the Respondent's license, provided that the Respondent is given notice and an opportunity for a hearing; and be it further,

ORDERED that this is a final order of the Maryland Board of Pharmacy and as such is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., General Prov. Art., §4-333.

8-19-24
Date


Deena Speights-Napata, M.A.
Executive Director

CONSENT

By signing this Consent, I hereby consent to the foregoing Findings of Fact and Conclusions of Law, and agree to be bound by the foregoing Consent Order and its conditions.

1. By this Consent, I submit to the foregoing Consent Order as a resolution of this matter. By signing this Consent, I waive any rights I may have had to contest the findings of fact and conclusions of law contained in this Consent Order.

2. I acknowledge the validity of this Consent Order as if it were made after a hearing in which I would have had the right to counsel, to confront witnesses on my own behalf, and to all

other substantial procedural protections provided by law.

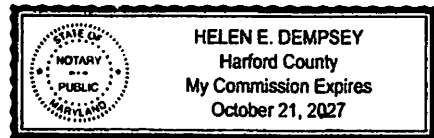
3. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.

4. I acknowledge that, by entering into this Consent Order, I am waiving my right to appeal any adverse ruling of the Board that might have followed an evidentiary hearing.

5. I sign this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. I fully understand the language, meaning, and effect of this Consent Order.

8/9/24
Date

Patrick Donohue
Patrick Donohue



STATE OF MARYLAND
COUNTY/CITY OF Harford/Aberdeen

I hereby certify that on this 9th day of Aug, 2024, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared PATRICK DONOHUE, and made an oath in due form that the foregoing Consent was his voluntary act and deed.

Helen E. Dempsey
Notary Public
My commission expires: 10/21/2027