

IN THE MATTER OF

*

BEFORE THE MARYLAND

LISA WHITE, P.D.

*

STATE BOARD OF

LICENSE NO. 12969

*

PHARMACY

Respondent

*

Case No. 10-049

* * * * *

**CONSENT ORDER TERMINATING
SUMMARY SUSPENSION**

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.*, (2009 Repl. Vol.), and the Maryland Administrative Procedure Act, Md. Code Ann., State Gov't §§ 10-201 *et seq.*, the Board issued an Order for Summary Suspension dated June 21, 2010, in which it summarily suspended the pharmacist's license held by Lisa White, P.D. (the "Respondent"). 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)(2004 Repl. Vol.).

On July 14, 2010, the Board held a 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 a continued 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 pharmacy in

Maryland. The Respondent was first licensed on November 11, 1992. The Respondent's license expires on February 28, 2011.

2. At all times relevant herein, the Respondent was employed as a dispensing pharmacist at a Giant Pharmacy in Howard County, Maryland.

3. On October 22, 23, and 26, 2009, the Respondent was observed on the pharmacy's closed circuit TV monitor removing various quantities of Hydrocodone from the shelf and concealing it on her person.

4. On October 27, 2009, the Respondent was interviewed by an investigator and her pharmacy supervisor, and a Howard County Police Detective. The Respondent admitted to theft and confessed that she had been stealing from the pharmacy for approximately two years. Two tablets of Vicoprofen were recovered from the Respondent's pants and 18 tablets were recovered from her purse. Subsequently, she was placed under arrest by the Detective, and her vehicle and residence were searched, resulting in further recovery of other Hydrocodone tablets.

5. As a result of the Respondent's diversion, the Respondent was terminated from Giant Pharmacy.

6. The Respondent promptly contacted the Board to advise the Board of her addiction.

7. The Respondent entered into a contract with the Pharmacists Education and Advocacy Council ("PEAC") in November 2009 and relinquished her pharmacist's license to PEAC.

8. As a result of the Respondent's diversion, the Respondent pled guilty to possession of a controlled dangerous substance and theft under \$1,000, and received probation before judgment.

9. The Respondent has completed an eight (8) week intensive outpatient substance abuse program at the Kolmac clinic.

10. The Respondent was court-ordered to attend AA and submits to urine screening once a week.

11. The Respondent continues to participate in the substance abuse treatment program at the Kolmac clinic.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board finds that the Respondent violated Md. Code Ann., Health Occ. §§ 12-313(b)(15),(21), (22) and (25), and COMAR 10.34.10.01A(1) .

ORDER

Based on agreement of the parties, it is this 1ST day of Sept., 2010, by an affirmative vote of the Board, hereby

ORDERED that the Respondent's license be SUSPENDED for ONE (1) YEAR, beginning November 1, 2009; and be it further,

ORDERED that during the suspension period, the Respondent:

- (1) Shall submit to weekly random Board-ordered urinalysis;
- (2) Shall attend NA/AA or other similar support group at least 3 times per week and provide the Board with attendance slips on a monthly basis;
- (3) Shall continue participating in the substance abuse program at Kolmac clinic or other similar program and be compliant with program requirements and recommendations;
- (4) Shall insure that the substance abuse program provides the Board with monthly progress reports regarding the Respondent;
- (5) May not work as a technician, or in any other capacity, in a pharmacy or other setting

that stores, distributes or dispenses pharmaceuticals;

(6) Shall provide the Board with written notification in advance of any period of time during which she may be unreachable due to travel or other reason; and be it further,

(7) Shall comply with any licensure renewal requirements; and be it further,

ORDERED that no earlier than November 1, 2010, the Respondent may petition to lift the suspension of her license provided that:

(1) The Respondent submits to a substance abuse evaluation by a Board-appointed evaluator; and

(2) The Respondent has fully complied with all terms of suspension; and be it further,

ORDERED that upon the lifting of any suspension, the Respondent shall be placed on immediate PROBATION with terms and conditions to be determined based on the report of the substance abuse evaluation; and be it further,

ORDERED that all urine screens ordered pursuant to this Consent Order shall be:

(1) Submitted by the Respondent within 24 hours of the Board staff instructing the Respondent to submit a urine sample;

(2) Submitted at a CLIA-certified laboratory; and

(3) Negative for any controlled dangerous substance, narcotics, cocaine, or other mood-altering substance, except as provided below; and be it further,

ORDERED that the Respondent shall abstain from the ingestion of controlled dangerous substances, narcotics, cocaine, or other mood-altering substances, except that the Respondent may only ingest prescribed controlled dangerous substances for legitimate medical reasons under the following conditions:

(1) The Respondent must be a bona fide patient of a licensed Maryland prescriber

who is aware of this Order;

(2) The medication must be lawfully prescribed by the Respondent's physician or other authorized medical practitioner;

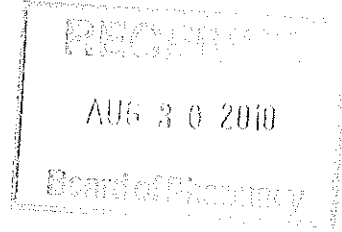
(3) The Respondent must provide the Board, in writing, within seventy-two (72) hours of receiving the medication: (a) the name and address of the prescriber; (b) the illness or medical condition diagnosed; (c) the type, strength, amount and dosage of the medication; (d) and a signed statement consenting to the release of all medical information about the Respondent from the prescriber to the Board; and be it further,

ORDERED that the Respondent's execution of this Consent Order shall constitute a release of any and all medical records, substance abuse treatment records, and psychological/psychiatric records pertaining to the Respondent to the Board in complying with the terms and conditions set forth herein. Further, the Respondent agrees and consents to the release by the Board of any information or data produced in relation to this Consent Order to any treatment provider; and be it further,

ORDERED that the Respondent shall at all times cooperate with the Board in the monitoring, supervision, and investigation of the Respondent's compliance with the terms and conditions of this Consent 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 and a violation of this Consent 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, relapsed, 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



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.

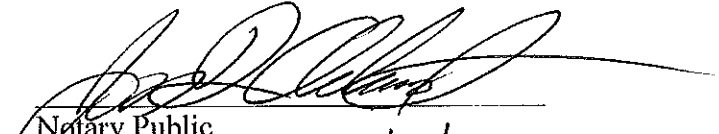
8/27/10
Date

Lisa White
Lisa White, P.D.

STATE OF MARYLAND
COUNTY/CITY OF Howard, Clarksville

I hereby certify that on this 27th day of August, 2010, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared LISA WHITE, and made an oath in due form that the foregoing Consent was her voluntary act and deed.

JON Q. ADAMS JR.
NOTARY PUBLIC
HOWARD COUNTY
MARYLAND
My Commission Expires 1-05-2014


Notary Public
My commission expires: 1/5/14