

IN THE MATTER OF \* BEFORE THE STATE  
PAMELA K. KARNBACH \* BOARD OF  
RESPONDENT \* PHARMACY  
LICENSE NO.: 13350 \* CASE NO: 18-151

\* \* \* \* \*

**CONSENT ORDER**

On November 28, 2018, the State Board of Pharmacy (the "Board") charged Pamela K. Karnbach, License Number: 13350 (the "Respondent"), with violating certain provisions of the Maryland Pharmacy Act, ("the Act") Md. Code Ann., Health Occ. §§12-101 *et seq.* (2014 Repl. Vol. & 2017 Supp.). On March 25, 2019, 2019, a Case Resolution Conference was held with the Respondent, who was represented by Counsel, members of the Board, along with Board Counsel, and the Administrative Prosecutor in order to determine whether the matter could be resolved. As a result, the Respondent agreed to enter into this Consent Order consisting of the Findings of Fact and the Conclusions of Law. The pertinent provisions of the Act state:

**Heath. Occ. §12-313.**

(b) 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 for a pharmacist's license, reprimand any licensee, place any licensee on probation, or suspend or revoke a license of a pharmacist if the applicant or licensee:

(25) Violates any rule or regulation adopted by the Board[.]

The Board also charges the Respondent with violating:

**Code of Md. Regs 10.34.10**

**.01 Patient Safety and Welfare.**

B. A pharmacist may not:

(3) Engage in unprofessional conduct.

**FINDINGS OF FACT**

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

2. The Respondent was originally licensed to practice pharmacy in Maryland on or about December 15, 1993.

3. The Respondent's license expires on April 30, 2020.

4. At all times relevant hereto, the Respondent worked as a pharmacist at a hospital ("Facility A"), located in Maryland.<sup>1</sup>

5. On or about January 16, 2018, the Board received information from the Director of Pharmacy at Facility A, that Facility A conducted an investigation of the Respondent's dispensing practices, after receiving information that the Respondent diverted controlled substances from Facility A's pharmacy.

6. Facility A's reported that its investigation revealed that the Respondent diverted medication from Facility A's pharmacy on at least one occasion on December 16, 2017.

7. The Respondent denies that she diverted medication from Facility A's pharmacy.

**CONCLUSIONS OF LAW**

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<sup>1</sup>Facility A is not identified in this document for privacy reasons.

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated Health Occ. §12-313(b) (25) and Code of Md. Regs 10.34.10.01B (3).

**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, on this 15 day of May 2019, a majority of a quorum of the Board, hereby

**ORDERED** that the Respondent shall be placed on **PROBATION for a period of two (2) years**; and it is further

**ORDERED** that the Respondent shall undergo monthly drug screenings through the submission of hair samples, at the direction of the Board or the Board's designated rehabilitation committee for at least one (1) year, or unless the Board issues a subsequent superseding order; and be it further

**ORDERED** that all drug screens under this Order shall be:

- 1) Submitted by the Respondent within 24 hours of the Board staff instructing her to submit a hair sample;
- 2) Submitted at a CLIA-certified laboratory; and
- 3) Negative for any controlled dangerous substance, narcotics, cocaine, or other mood-altering substances or drug, except as provided below; and be it further,

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

- 1) The Respondent must be a bona fide patient of a licensed Maryland prescriber;
- 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 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 Order; and be it further,

**ORDERED** that the Respondent may petition the Board for early termination and/or modification of the terms and conditions her of probation no earlier than one (1) year from the date of this Consent Order and provided the Respondent has been fully compliant with the terms and conditions set forth in this Consent Order; and it is further

**ORDERED** that at the end of the Respondent's probationary period, the Respondent may file a written petition to the Board for termination of the probationary status and the removal of any conditions or restrictions that resulted from this disciplinary action, provided that Respondent has fulfilled all the terms and conditions set forth herein, is not in violation of this Order, and there are no outstanding complaints against the Respondent; and it is further

**ORDERED** that failure to comply with the terms and conditions of the Consent Order, constitutes a violation of the Consent Order and the Board, in its discretion, after notice and an opportunity for a show cause hearing before the Board, may impose any appropriate sanction under the Act; and it is further

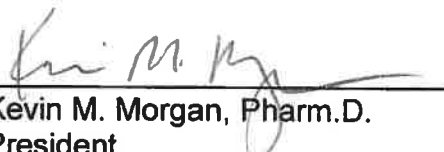
**ORDERED** that the Respondent shall bear all costs associated with this Order; and it is further,

**ORDERED** that the Respondent shall practice pharmacy in accordance with the Maryland Pharmacy Act and all applicable laws and regulations; and it is further

**ORDERED** that the effective date of this Order is the date that it is signed by the Board; and it is further

**ORDERED** that for purposes of public disclosure, the Consent Order is considered a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 et seq. (2014) and is reportable to any entity to whom the Board is obligated to report.

5/15/2019  
Date

  
Kevin M. Morgan, Pharm.D.  
President  
State Board of Pharmacy

CONSENT OF PAMELA K. KARNBACH, P.D.

I, PAMELA K. KARNBACH, P.D., acknowledge that I am represented by counsel, Paul J. Weber, Esquire, and have consulted with counsel before entering into this Consent Order. By this Consent and for the purpose of resolving the issues raised by the Board, I agree and accept to be bound by the foregoing Consent Order and its conditions. I waive any rights I may have to contest the Findings of Fact and the Conclusions of Law.

I acknowledge the validity of this Consent Order as if entered into after the conclusion of 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 the law. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed after any such hearing.

I sign this Consent Order, voluntarily and without reservation, after having an opportunity to consult with counsel, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

5/9/19

Date

*Pamela K. Karnbach*

Pamela K. Karnbach, P.D.

STATE OF Maryland

CITY/COUNTY OF Anne Arundel

I HEREBY CERTIFY that on this 9<sup>th</sup> day of May 2019, before me, Jayne Pampuro, a Notary Public of the foregoing State and (City/County),  
(Print Name)

Personally, appeared **Pamela K. Karnbach, P.D., License No. 13350**, and made oath in due form of law that signing the foregoing Consent Order was her voluntary act and deed, and the statements made herein are true and correct.

AS WITNESSETH my hand and notarial seal.

Jayne M. Pampuro  
Notary Public

My Commission Expires: 2/21/20