

IN THE MATTER OF * BEFORE THE
Patricia Ansa Wiggins, P.D. * MARYLAND BOARD OF PHARMACY

* * * * *

**ORDER OF PROBATION
AND
STAY OF SUSPENSION**

By Consent Order dated August 16, 1989 ("the 1989 Order"), the Maryland Board of Pharmacy (the "Board") found Patricia Ansa Wiggins, P.D. (the "Respondent") guilty of violating Section 12-311(b) (6) and (14) of the Health Occupations Article. The Board ordered that the suspension of Respondent's license to practice pharmacy in the State of Maryland continue but that the Board would, after January 1, 1990, entertain a request from the Respondent to reinstatement her license to practice pharmacy subject to the following conditions:

1. Respondent shall, for the period of August through December, 1989 submit monthly personal reports of her progress to the Board (through the Executive Director) specifically addressing her employment, progress in therapy and general status of her life.
2. Respondent shall continue her commitment with the Pharmacist Rehabilitation Committee as reflected in her contract dated July 17, 1989.
3. Respondent shall continue in therapy either with her current therapist or with a therapist to whom Respondent is referred by the Pharmacist Rehabilitation Committee.
4. Respondent shall, during the period of August through December, 1989, acquire ten (10) Continuing Education credits (in addition to those required to maintain licensure) in Substance Abuse or Controlled Substances.
5. Respondent's therapist(s) shall, during the period of August through December, 1989, provide progress reports to the Board every sixty (60) days.

6. The Pharmacist Rehabilitation Committee shall, during the period of August through December, 1989, report on Respondent's progress to the Board every sixty (60) days.

7. Upon Respondent's request for reinstatement, both the Pharmacist Rehabilitation Committee and her therapist(s) shall report to the Board and specifically address Respondent's ability to reassume a dispensing role.

8. After Respondent resumes the practice of pharmacy, she specifically and expressly consents to the Board or any designee thereof visiting Respondent at her place of employment and insuring that her practice is in accordance with the Maryland Pharmacy Act and in a competent manner.

By her letter of January 4, 1990, Respondent petitioned the Board for reinstatement of her license to practice pharmacy in the State of Maryland under the conditions that she abide by all rules and regulations of pharmacy law, continue therapy with her counselor and abide by her contract with the Pharmacist Rehabilitation Committee for as long as the Board should deem necessary. At the Board's meeting on January 17, 1990, the Respondent presented her petition for reinstatement. Based on its review of that petition and the reports submitted to the Board by the persons monitoring Respondent's progress pursuant to the conditions of the 1989 Order, the Board determined on January 12, 1990 that Respondent had satisfied the conditions of the 1989 Order and will be allowed to practice pharmacy under certain conditions of probation set forth below.

FINDINGS OF FACT

The Board finds that Respondent has satisfactorily complied with the Conditions imposed by its 1989 Order.

CONCLUSION OF LAW

The Board concludes as a matter of law that it is appropriate to stay the suspension of Respondent's pharmacist license and to reinstate the Respondent under the conditions of probation set forth below.

ORDER

UPON THE FOREGOING Finding of Fact and Conclusion of Law, it is this *22ND* day of *FEBRUARY*, 1990 by unanimous vote of a quorum of the Board **ORDERED** that effective as of the date of this order, the suspension of Respondent's license is **STAYED** and the Respondent is placed on **PROBATION** under the following conditions:

1. Within thirty (30) days of the date of this Order, Respondent shall provide to the Board the name, address and telephone number of her employer and describe her position. Within thirty (30) days of any change in her employment status, she will do the same.

2. Within thirty (30) days from the date of this Order, Respondent shall submit written proof to the Board that she has given a copy of this Order to the following persons and that said persons have agreed to comply with all conditions of this Order applicable to such persons:

- a) Respondent's present employer.
- b) Respondent's therapist(s).
- c) Representative of Pharmacist Rehabilitation Committee.

Within thirty (30) days of any change in her employer of

therapist, Respondent shall submit written proof to the Board that she has given a copy of this Order to her new employer and/or therapists as specified above.

3. Respondent shall submit quarterly personal reports of her progress to the Board (through the Executive Director) specifically addressing her employment, progress in therapy and general status of her life. Said reports will be due as set forth in paragraph 10 below.

4. Respondent shall continue her commitment with the Pharmacist Rehabilitation Committee as reflected in her contract dated July 17, 1989.

5. Respondent shall continue in therapy either with her current therapist or with a therapist to whom Respondent is referred by the Pharmacist Rehabilitation Committee.

6. Respondent's therapist(s) shall provide quarterly progress reports to the Board. Said reports will be due as set forth in paragraph 10 below.

7. The Pharmacist Rehabilitation Committee shall submit quarterly reports on Respondent's progress to the Board. Said reports will be due as set forth in paragraph 10 below.

8. Upon any future request by Respondent for termination of probation, both the Pharmacist Rehabilitation Committee and her therapist(s) shall submit reports to the Board with respect to Respondent's ability to practice pharmacy responsibly.

9. After Respondent resumes the practice of pharmacy, she specifically and expressly consents that the Board or any

designee thereof may visit Respondent at her place of employment to insure that she is practicing in accordance with the Maryland Pharmacy Act and in a competent manner.

10. Respondent shall obey all laws, rules and regulations pertaining to pharmacy law in the State of Maryland.

11. Respondent shall arrange for her supervisor at any place where she is employed as a pharmacist during the period of her probation, to submit to the Board written quarterly reports evaluating her job performance. Said reports are due as set forth in paragraph 10 below.

12. In the event that Respondent changes jobs as a pharmacist, or decides not to practice pharmacy, Respondent shall immediately notify the Board, in writing, identifying her new employer by name, address, and telephone.

13. All quarterly reports referenced above shall be forwarded to Roslyn Scheer, Executive Director of the Board. The first report is due June 1, 1990. Subsequent reports are due on September 1, and December 1, 1990 and quarterly thereafter unless and until the probationary period has been terminated.

14. Respondent agrees that the Board may extend the period of her contract with the Pharmacists Rehabilitation Committee if it so chooses.

15. Respondent shall include an alcohol and drug abuse course among her regular thirty credits of continuing education.

16. Respondent shall notify the Board in writing, of her current address. In the event that Respondent moves, she shall

promptly notify the Board in writing of her new address and phone number; and be it further

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

ORDERED that in the event the Maryland Board of Pharmacy receives an unsatisfactory report which it believes in good faith to be accurate, or in the event that the Maryland Board of Pharmacy finds for any reason in good faith that Respondent has otherwise violated any of the above-stated conditions of probation, the Board may take immediate action, including, but not limited to, revocation or suspension of the Respondent's license to practice Pharmacy prior to giving the Respondent an opportunity for a hearing. However, Respondent shall have a right to a hearing, in accordance with the Administrative Procedure Act, State Government Article, Section 1-201 et seq., within thirty (30) days after Respondent notifies the Board in writing of her desire for such a hearing regarding the Board's action. If the Respondent fails to request a hearing within ninety (90) days, the Board's action will become final without a hearing.

ORDERED that on or after July 1, 1991, the Board shall ✓ entertain a petition for termination of Respondent's probationary status and full reinstatement of her license to practice pharmacy without any conditions or restrictions as to the scope of her

controlled dangerous substances, including Glutethimide.

4. An audit completed in February 1989 by the Division of Drug Control revealed that, on several occasions, the Respondent dispensed Glutethimide based on fictitious prescriptions.

5. On December 18, 1986, Respondent filed, in Rite Aid pharmacy records, a record of a prescription purportedly ordered by Dr. Samuel Legum and dispensed 100 tablets of Glutethemide purportedly to Betty Clark.

6. Dr. Legum, however, had never ordered a prescription authorizing any pharmacist to dispense Glutethemide to Betty Clark.

7. On September 4, 1987, Respondent filed, in Rite-Aid Pharmacy records, a record of a prescription purportedly ordered by Dr. Jeffrey D. Gaber and dispensed 100 tablets of 500 mg Glutethimide purportedly to Josephine Claracay.

8. Dr. Jeffrey Gaber, however, has never treated a patient named Josephine Claracay and has never ordered a prescription of Glutethimide to be dispensed to her.

9. On March 17, 1988, Respondent filed, in Rite-Aid Pharmacy records, a record of a prescription purportedly ordered by Dr. A.R. Sosnowski and dispensed 100 tablets of 500 mg Glutethimide purportedly to Mary Younger.

10. Dr. Sosnowski, however, did not order a prescription of Glutethimide to be dispensed to Mary Younger at any time.

NOTICE OF POSSIBLE SANCTIONS

If, after a hearing, the Board finds cause to take action under §12-311(b) of the Act, the Board may impose disciplinary sanctions against Respondent's license, including revocation, suspension or reprimand, and may place the Respondent on probation.

NOTICE OF PREHEARING CONFERENCE

A prehearing conference in this matter has been scheduled for August 9, 1989 at 9:00 a.m., in Room 109, 4201 Patterson Avenue, Baltimore, Maryland 21215. The nature and purpose of the prehearing conference is described in the attached letter to Respondent.

A hearing in this matter will be scheduled, if required, at the prehearing conference on August 9, 1989.

6/16/89
Date

Roslyn Scheer
Roslyn Scheer
Executive Director

practice. If the Board determines that the termination of probation and complete reinstatement would be inappropriate at the time, the Board may modify one or more of the conditions upon which Respondent was placed on probation. However, if Respondent fails to make any such petition, then her probationary status shall continue, subject to the conditions set forth in this Order.



STEVEN COHEN, P.D.
President, Maryland Board
of Pharmacy

CONSENT

By this Consent, knowingly and voluntarily executed by me, I hereby consent and submit to the foregoing Order and its conditions. I acknowledge the validity of the Order as if made after a hearing at which I would have had the right to counsel, to confront witnesses, to give testimony and to call witnesses on my behalf and to all other substantive and procedural protections provided by law. I also recognize that I am waiving my rights to appeal any adverse ruling of the Maryland State Board of Pharmacy that is consistent with the terms of this Order. I acknowledge that if I fail to abide by the conditions set forth in the Order, I may suffer disciplinary action against my license to practice pharmacy in the State of Maryland. I sign this Order voluntarily, fully understanding its meaning.

2/22/90
DATE

Patricia Ansa Wiggins
PATRICIA ANSA WIGGINS