

IN THE MATTER OF * BEFORE THE MARYLAND
KIMBERLY McCULLOUGH, P.D. * STATE BOARD OF
LICENSE NO. 11469 * PHARMACY

* * * * *

CONSENT ORDER OF REINSTATEMENT

Background Findings

On May 17, 2006, Ms. McCullough appeared before a quorum of the Board to present her petition for reinstatement and to answer questions posed by the Board regarding her ability to practice pharmacy in a safe and ethical manner. Ms. McCullough's PEAC sponsor, Gilbert Cohen, P.D., was also in attendance in support of Ms. McCullough's petition.

Ms. McCullough surrendered her license to practice pharmacy on July 17, 2002, after she was arrested for possession of controlled dangerous substances in April 2002. Ms. McCullough was convicted and sentenced to time served plus supervised probation for three years. Ms. McCullough was released from probation on February 20, 2006. Ms. McCullough's Letter of Surrender set forth requirements that she must satisfactorily complete a contract with PEAC and submit to a mental evaluation prior to any consideration by the Board for reinstatement of his license.

FINDINGS OF FACT

1. Ms. McCullough entered into a contract with PEAC in June 2002, and satisfactorily completed the contract on June 2005, which included, among other requirements, random urine screens, therapy, weekly monitor contact and the 12 step recovery program. Ms. McCullough subsequently voluntarily extended her PEAC contract and is currently complying with its terms and conditions.

2. The Board has received letters of support from PEAC, employers, therapists, family and friends, as well as positive evaluations from John Davis, Ph.D., Gerard Hunt, Ph.D., and Katharine Blakeslee, LCSW-C, all attesting to Ms. McCullough's commitment to sobriety.
3. Ms. McCullough obtained her Masters in Business Administration in May 2005.
4. Ms. McCullough is up to date with her continuing education credits.

CONCLUSIONS OF LAW

The Respondent has successfully completed her three-year PEAC contract and has demonstrated that she is capable of practicing pharmacy in a safe and ethical manner.

ORDER

Based on an affirmative vote of the Board, it is this 6th day of June, 2006, hereby:

ORDERED that Ms. McCullough's license to practice pharmacy be REINSTATED; and be it further,

ORDERED that Ms. McCullough's license be immediately placed on PROBATION for a minimum of three (3) years, subject to the following conditions:

1. Ms. McCullough may not practice as a dispensing pharmacist more than 32 hours per week;
2. Ms. McCullough may practice pharmacy unlimited hours per week in a non-dispensing role;
3. Ms. McCullough shall notify the Board of any change in pharmacy employment;
4. Ms. McCullough's pharmacy employer shall be in good standing;
5. Ms. McCullough shall provide the pharmacy employer with a copy of this Consent Order

and insure that the attached verification form is completed by the employer and returned to the Board prior to commencing employment;

6. Ms. McCullough shall insure that the pharmacy employer provides the Board with quarterly progress reports;
7. Ms. McCullough shall continue to participate in and abide by a rehabilitation contract that includes, at minimum, therapy and random monthly urine screens.
8. Ms. McCullough shall insure that the rehabilitation program submits quarterly progress reports to the Board;

ORDERED that in the event the Board finds for any good faith reason that Ms. McCullough has relapsed, has violated any of the conditions of probation herein, or in the event that the Board finds for any good faith reason that Ms. McCullough has committed a violation of Title 12 of the Health Occupations Article or regulations adopted thereunder, the Board may immediately suspend Ms. McCullough's license prior to a hearing; and be it further,

ORDERED that Ms. McCullough may petition the Board for modification of the probationary conditions after one (1) year provided she has been fully compliant with all of the terms of probation; and be it further;

ORDERED that Ms. McCullough may petition the Board for release from probation after three (3) years provided that she has been in full compliance with all of the terms of probation; 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 the Maryland Annotated Code, State Government Article, Section 10-617(h).

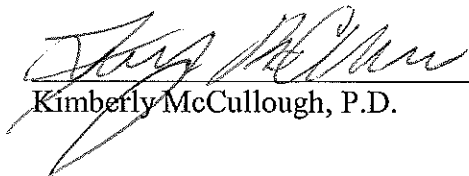
May 26, 2006
Date

John B. Maeser
John Balch, P.D.
President, Board of Pharmacy

CONSENT

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

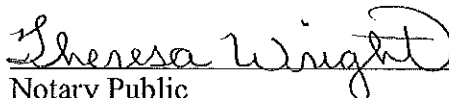
06-02-06
Date



Kimberly McCullough, P.D.

STATE OF MARYLAND
COUNTY/CITY OF Baltimore:

I hereby certify that on this 2nd day of May, 2006, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared KIMBERLY McCULLOUGH, and made an oath in due form that the foregoing Consent was her voluntary act and deed.



Notary Public
My commission expires: May 11th, 2008