

IN THE MATTER OF	*	BEFORE THE MARYLAND
INGRID CRITCHLOW	*	STATE BOARD OF
PHARMACY TECHNICIAN	*	PHARMACY
REGISTRATION NO. T11539	*	Case No. PT-17-010

* * * * *

**CONSENT ORDER TERMINATING
SUMMARY SUSPENSION**

Background

Based on information received and a subsequent investigation by the Maryland State 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 an Order for Summary Suspension, dated October 14, 2016, in which it summarily suspended the pharmacy technician registration held by Ingrid Critchlow (the “Respondent”), Registration No. T11539. Specifically, the Board found that reliable evidence demonstrated that a threat to the public health, safety, or welfare required emergency action, pursuant to Md. Code Ann., State Gov’t § 10-226(c)(2).

On December 21, 2016, the Board held a hearing before a quorum of the Board to allow the Respondent the opportunity to show cause why she did not pose an imminent threat to the health, safety, or welfare of the public, and why the summary suspension should be lifted. The Board now finds that the Respondent does not pose an imminent threat to the health, safety, or welfare of the public, provided that she comply with the terms and conditions set forth in this Consent Order.

FINDINGS OF FACT

1. The Respondent is a registered pharmacy technician in the State of Maryland under Registration Number T11539. The Respondent was first registered on September 26, 2012. The Respondent's registration expires on January 31, 2018.
2. At all times relevant hereto, the Respondent was employed as a pharmacy technician at a chain pharmacy located in Rock Hall, Maryland.
3. On August 16, 2016, the pharmacy informed the Board, by way of a DEA Form 106, that the Respondent had been terminated and arrested for the theft of Zolpidem ER 12.5mg tablets, a Schedule IV Controlled Dangerous Substance.¹
4. The pharmacy provided further documentation indicating that the Respondent admitted, verbally and in writing, that she stole up to 146 tablets of Ambien for her own personal use. The Respondent also paid \$29.86 in restitution on the day her employment was terminated.
5. The Respondent was charged in the District Court for Kent County with one count of "Theft Less than \$100" and one count of "CDS Possession – Not Marijuana". Both charges were placed on the Stet docket on November 7, 2016.
6. On October 14, 2016, the Board issued an Order for Summary Suspension, immediately suspending the Respondent's registration to practice as a pharmacy technician, based on a finding that a threat to the public health, safety, or welfare required emergency action, pursuant to Md. Code Ann., State Gov't § 10-226(c)(2).
7. Following the Respondent's request, the Board held a Show Cause Hearing with the Respondent in front of a quorum of the Board on December 21, 2016, to allow the Respondent

¹ Zolpidem ER is also sold under the brand name Ambien.

the opportunity to show cause why she did not pose an imminent threat to the health, safety, or welfare of the public, and why the summary suspension should be lifted.

8. At the Show Cause Hearing, the Respondent admitted that she stole the drugs from her pharmacy employer for her personal use. The Respondent stated that she had been prescribed Ambien for five years, that she had developed an increased tolerance for it, and that she made the poor decision to steal from her employer when her prescription ran out.

9. The Respondent also informed the Board that she viewed this incident as a wake-up call. The Respondent immediately admitted what she had done when confronted and fully cooperated with the police. After being terminated from her employment, the Respondent, of her own volition, engaged in substance use disorder treatment, support groups, and individual therapy. The Respondent has been fully compliant with all treatment recommendations. The Respondent also stated that she was no longer taking any prescription medications.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board finds that the Respondent violated Md. Code Ann., Health Occ. §§ 12-6B-09(21) and (27).

ORDER

Based on agreement of the parties, it is this 18th day of January 2017, by an affirmative vote of the Board, hereby:

ORDERED that the Respondent's registration be placed on immediate PROBATION for at least TWO (2) YEARS, during which she shall:

1. Continue individual therapy as directed by her therapist;
2. Attend weekly meetings of AA, NA, or another similar support group, and provide proof of attendance to the Board;

3. Submit to random, Board-ordered urine screens, on a monthly basis; and
4. Notify any and all pharmacy employers about her order with the Board; and be it further,

ORDERED that after one (1) year of probation, the Respondent may petition the Board for early termination of probation or modification of the probationary terms herein, provided that she has been fully compliant with the terms of probation and does not have any pending complaints filed against her; and be it further,

ORDERED that after two (2) years of probation, the Respondent may petition the Board to terminate probation, provided that she has been fully compliant with the terms of probation and does not have any pending complaints filed against her; and be it further,

ORDERED that all urine screens under this Order shall be:

1. Submitted by the Respondent within 24 hours of the Board staff instructing her to submit a urine sample;
2. Submitted at a CLIA-certified laboratory; and
3. Negative for any controlled dangerous substance, narcotics, 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, or other mood-altering substances, except that she may 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; and

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; and
- d. 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; 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 this Consent Order; and be it further,

ORDERED that in the event the Board finds in good faith that the Respondent has violated any of the terms or conditions of this Consent Order, the Board may impose further disciplinary action against the Respondent's registration, including but not limited to suspending or revoking the respondent's registration, provided that the Respondent is first given the opportunity for a hearing; and be it further,

ORDERED that the Respondent shall bear all expenses associated with this Consent Order; and be it further,

ORDERED that this is a formal order of the Maryland Board of Pharmacy and as such is a public document pursuant to Maryland Code Ann., General Provisions § 4-333(b).

1-18-17
Date


Deena Speights-Napata, Executive Director
for
Mitra Gavgani, President
Maryland Board of Pharmacy

CONSENT

1. By signing this Consent, I hereby affirm the findings of fact contained herein and agree to be bound by the foregoing Consent Order and its conditions.
2. 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.
3. I acknowledge that this is a formal order of the Board and as such is a public document.
4. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.
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.

01/12/2017
Date

Ingrid K. Critchlow
Ingrid Critchlow, Pharmacy Technician

STATE OF MARYLAND
COUNTY/CITY OF Queen Anne's :

I hereby certify that on this 12th day of January, 2017, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared Ingrid Critchlow, and made an oath in due form that the foregoing Consent was her voluntary act and deed.

Christene M. Ploss
Notary Public
My commission expires: 08-06-2018

