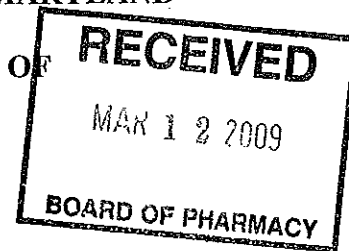


IN THE MATTER OF
KATHERINE EMERY
LICENSE NO. 11691

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BEFORE THE MARYLAND
STATE BOARD OF
PHARMACY



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CONSENT ORDER FOR LIFTING OF SUSPENSION

HISTORY

On October 9, 2007, the Maryland State Board of Pharmacy (the "Board") issued an Order for Summary Suspension, in which it summarily suspended the pharmacist's license held by Katherine Emery, P.D. (the "Petitioner"). Specifically, the Board found that the Petitioner's substance abuse affected the public's health, safety and welfare and required emergency action pursuant to Md. Code Ann., State Gov't § 10-226(c)(2) (2004 Repl. Vol.).

On November 28, 2007, a quorum of the Board held a hearing to allow the Petitioner to show cause why she did not pose an imminent threat to the health, safety and welfare of the public. On July 23, 2008, in lieu of a continued summary suspension, the Petitioner signed a Consent Order Terminating Summary Suspension, which suspended her license for at least one year from the October 9, 2007 effective date and required her to satisfy certain conditions in order to be eligible to petition the Board to lift the suspension.

On September 10, 2008, the Petitioner petitioned for an Order Terminating the Summary Suspension.

FINDINGS OF FACT

1. The Petitioner has been in substance abuse treatment and psychotherapy since August 2007. The Petitioner's therapist indicates that she is compliant with treatment.
2. The Petitioner submitted to a substance abuse evaluation by a Board-assigned evaluator, pursuant to the terms of her Consent Order, on January 8, 2009. The evaluation indicates that the Petitioner may return to practice without significant threat to her recovery as long she practices under certain restrictions, which have been incorporated by the Board in the Order below.

CONCLUSIONS OF LAW

The Petitioner has complied with the terms of her July 23, 2008 Consent Order Terminating Summary Suspension and has otherwise demonstrated that she is capable of safely practicing pharmacy under the probationary terms and conditions set forth below.

ORDER

Based on an affirmative vote of the Board, it is this 12th day of MARCH, 2009, hereby:

ORDERED that the Petitioner's suspension of her license to practice Pharmacy is hereby LIFTED; and be it further,

ORDERED that the Petitioner's license shall be immediately placed on PROBATION for at least THREE (3) YEARS, subject to the following conditions:

1. The Petitioner shall submit to random urine screenings to be ordered by the Board and conducted at a CLIA-certified laboratory on a weekly basis;

2. The Petitioner shall continue participation in individual or group psychotherapy and shall cooperate with the therapist's recommendations;
3. The Petitioner shall insure that her therapist submits quarterly reports to the Board;
4. The Petitioner shall continue weekly participation in a 12-step program that is comprised of healthcare professionals and shall provide the Board documentation of attendance;
5. The Petitioner shall not practice in a retail setting;
6. The Petitioner shall not work in a pharmacy during the night shift;
7. The Petitioner shall not work more than forty (40) hours per week;
8. The Petitioner shall not work longer than an eight (8) hour shift; and
9. The Petitioner shall ensure her employer(s) submit to the Board quarterly performance reports.

ORDERED that the Petitioner shall at all times cooperate with the Board in the monitoring, supervision, and investigation of her compliance with the terms and conditions of this Consent Order; and be it further,

ORDERED that the Petitioner's failure to fully cooperate with the Board shall be deemed a violation of the probationary terms and a violation of this Consent Order; and be it further,

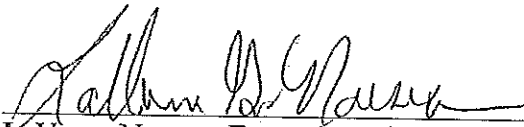
ORDERED that should the Petitioner violate any of the terms and/or conditions of this Order, the Board, in its discretion, after notice and an opportunity for a hearing, may impose any additional sanctions, including revocation and/or a monetary penalty authorized under the Maryland Pharmacy Act; and be it further,

ORDERED that the Petitioner may petition the Board for modification of the terms of this Order after one (1) year of its effective date; and be it further,

ORDERED that the Petitioner may petition the Board for release from probation no earlier than three (3) years after the effective date of this Order provided that she has been fully compliant with all of the terms of probation and there are no pending complaints against her; 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 the Md. Code Ann., State Gov't, § 10-617(h).

March 12, 2009
Date

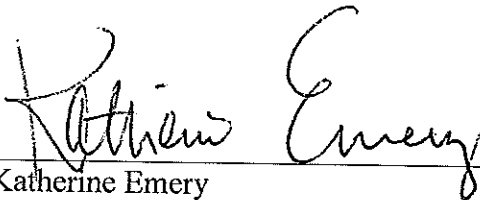


LaVerne Naesea, Executive Director for
Donald Taylor, P.D., President of the Board of
Pharmacy

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 the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.
4. 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.


3/11/09
Date


Katherine Emery

STATE OF MARYLAND
COUNTY/CITY OF Mont.:

I hereby certify that on this 11 day of March, 2009, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared KATHERINE EMERY, and made an oath in due form that the foregoing Consent was her voluntary act and deed.

JAE H. KANG
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires June 6, 2011.


Notary Public
My commission expires: _____



STATE OF MARYLAND

DHMH

Department of Health and Mental Hygiene

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – John M. Colmers, Secretary

MARYLAND BOARD OF PHARMACY

4201 Patterson Avenue • Baltimore, Maryland 21215-2299

Donald W. Taylor, Board President - LaVerne G. Naesea, Executive Director

CERTIFIED MAIL RECEIPT REQUESTED
ARTICLE #7008 3230 0001 0323 5683

March 13, 2009

Joseph S. Kaufman
Schulman & Kaufman, LLC
Attorneys at Law
One Charles Center
100 N. Charles Street, Suite 600
Baltimore, Maryland 21201

Re: License #11691

Dear Mr. Kaufman:

Please find enclosed the fully executed Consent Order Lifting Suspension for your client Katherine Emery license number 11691.

Sincerely,

Vanessa Thomas-Gray
Compliance Secretary

Cc: Linda Bethman, Board Counsel
Francesca Gibbs, Board Counsel
John S. Nugent, Deputy Counsel
Sherrai V. Hamm, Assistant Attorney General
LaVerne G. Naesea, Executive Director
Gloria Toney Brown, Administrative Officer
Georgette Zoltani, Chief, Division of Drug Control
Dina Smoot, Office of Health Services
Shirley Costley, Licensing Manager
Dorcas Ann Taylor, Pharmacist Compliance Officer
Steven Kreindler, Compliance Coordinator
Vanessa Thomas-Gray, Secretary
Binder
Disciplinary File