

IN THE MATTER OF * BEFORE THE STATE
HELEN M. O’SULLIVAN, PD * BOARD OF
RESPONDENT * PHARMACY
LICENSE NO.:11463 * CASE NO: 17-123

* * * * *

ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. State Govt. II Code Ann. §10-226 (c)(2) (2014 Repl. Vol.), the State Board of Pharmacy (the "Board") hereby summarily suspends the license of Helen McFarland O’Sullivan, License Number: 11763 (the' Respondent"), to practice pharmacy, under the Maryland Pharmacy Act (the "Act"), Md. Health Occ. II Code Ann. ("H. O.") §§12-101 *et seq.* (2014 Repl. Vol.). This Order is based on the following investigative findings, which the Board has reason to believe are true:¹

INVESTIGATIVE FINDINGS

1. At all times relevant hereto, the Respondent was license to practice pharmacy in the State of Maryland.
2. The Respondent was originally licensed to practice pharmacy in Maryland on or about August 8, 1988.
3. The Respondent’s license expires on April 30, 2019.

¹ The statements regarding the Respondent’s conduct are only intended to provide the Respondent with notice of the basis for the Board’s action. They are not intended as, and do not necessarily represent a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in this matter.

4. At all times relevant hereto, Respondent worked as an oncology pharmacist supervisor at Establishment A, a medical facility located in Maryland.²

5. On or about May 15, 2017, the Board received a complaint from Establishment A's pharmacy director.

6. The pharmacy director alleged in the complaint that on April 28, 2017, the Respondent arrived to work intoxicated.

7. Prior to coming to work on April 28, 2017, the Respondent contacted the oncology pharmacy staff at Establishment A to inform them that she would be arriving to work late. The Respondent had been scheduled to report to work at 9 a.m.

8. During her April 28, 2017 telephone conversation with a pharmacy staff member, the Respondent indicated that she had had recently taken Benadryl and Claritin.

9. When the Respondent arrived at the pharmacy, pharmacy staff noticed that the Respondent appeared disheveled, spoke loudly, and made strange comments.

10. After observing the Respondent's behavior, pharmacy staff contacted Establishment A's pharmacy director.

11. The Respondent was subsequently removed from the pharmacy by the pharmacy director and taken to the human resource department.

12. While at the human resource department, the Respondent admitted to the pharmacy director and human resource employees that she drank a half a bottle of Vodka the night before.

² Establishment A and the employee of Establishment are not identified in this document for privacy reasons, but this information will be provided to the Respondent upon request.

13. The Respondent told the pharmacy director and human resource employees that she took her last drink at midnight on April 28, 2017.

14. The Respondent was informed at the meeting with the pharmacy director and human resource employees that she would be required to take a drug and alcohol test.

15. When the Respondent was being escorted by a human resource employee to the location where her drug and alcohol test would be administered, the human resource employee smelled alcohol on the Respondent's breath.

16. The Respondent tested positive for alcohol.

17. The test result showed that the Respondent's blood alcohol level was 0.29g/dl.

CONCLUSIONS OF LAW

Based on the foregoing investigative findings, the Board concludes that the public health, safety, and welfare imperatively require emergency action in this case, pursuant to Md. State Gov't. II Code Ann. § 10-226(c) (2).

ORDER

Based on the foregoing Investigative Findings and Conclusions of Law, it is this 19th day of July 2017, by a majority of the quorum of the Board, hereby

ORDERED that the license issued to the Respondent to practice pharmacy in the State of Maryland under license number 11463 is hereby **SUMMARILY SUSPENDED**; and it is further

ORDERED that the Respondent is prohibited from practicing pharmacy in the State of Maryland; and it is further

ORDERED that the Respondent shall immediately return all licenses to the Board; and it is further

ORDERED that this **ORDER FOR SUMMARY SUSPENSION** is a **PUBLIC DOCUMENT** as defined in Md. General Provisions Code Ann. §§ 4-101 *et seq.* (2014).

7-19-17

Date



Deena Speights-Napata
Executive Director