

STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH
HEALTH SERVICES REGULATION
BOARD OF PHARMACY

vs.

ELIZABETH DURNAN

AMENDED CONSENT ORDER

Pursuant to Rhode Island General laws (1999 Reenactment) Section 5-19.1-21 and the Rules and Regulations promulgated thereunder, the Department of Health Board of Pharmacy (hereinafter "Department") has investigated a complaint charging Elizabeth Durnan (hereinafter "Respondent"), with a violation of Chapter 5-19.1 of the Rules and Regulations.

After consideration by the Department, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent.

1. Respondent is a pharmacist who was licensed to practice pharmacy in the State of Rhode Island.
2. That on or about December 2007, Respondent voluntarily surrendered her license to practice pharmacy in this state.
3. Presently the Respondent seeks to reinstate her license to practice pharmacy in this state.

The parties agree as follows:

1. Respondent is a pharmacist licensed to practice pharmacy in the State of Rhode Island.
2. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department.
3. Respondent has read this Consent Order and understands that it is a proposal of the Department and is subject to the final approval by the Department. This Consent Order and the contents thereof are not finding on Respondent until final approval by the Department.

4. Respondent hereby acknowledges and waives:
 - a. The right to appear personally or by counsel or both before the Department;
 - b. The right to produce witnesses and present evidence in her behalf at a hearing;
 - c. The right to cross-examine witnesses;
 - d. The right to have subpoenas issued by the Department;
 - e. The right to further procedural steps except for those specifically contained herein;
 - f. Any and all rights of appeal of this Consent Order;
 - g. Any objection to the fact that this Consent Order will be presented to the Department for consideration and review;
 - h. Any objection to the fact that it will be necessary for the Department to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent Order;
 - i. Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order to the Department.
5. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties.
6. Respondent's license as a pharmacist will be reinstated subject to the following terms:
 - a. Respondent will be on probation for a period of two (2) years. Probation commences with employment and abates in periods of unemployment.
 - b. Respondent may work in a non-dispensing site with prior approval from the Board of Pharmacy.
 - c. Respondent must continue treatment with providers approved by the Board of Pharmacy which must include counseling twice weekly and random urine screenings.
 - d. Respondent shall submit monthly reports from her employer.
 - e. Respondent shall be compliant with all continuing education requirements at the time of reinstatement.

7. That this Consent Order shall remain in full force and effect pending order of the Board.
8. That this Consent Order shall constitute a final disposition of the matters forming the basis thereof.

Elizabeth Durnan, RPh
Elizabeth Durnan, RPh

Kathleen Kute
Chairperson, Board of Pharmacy

Ratified as an Order of the Board of Pharmacy on this 10th day of March 2010.

CERTIFICATION

I do hereby certify that I have mailed the within Consent Order by regular and certified mail, postage prepaid, to _____ on this _____ day of _____ 2010.
