

BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING  
OF THE DEPARTMENT OF COMMERCE  
OF THE STATE OF UTAH

IN THE MATTER OF THE LICENSES OF  
**SHERYL A. LEDET**  
TO PRACTICE AS A PHARMACIST  
AND TO DISPENSE CONTROLLED SUBSTANCES  
IN THE STATE OF UTAH

. AMENDED ORDER

. Case No. DOPL-2005-240  
.

**BY THE DIVISION:**

The Division's Stipulation and Order, dated September 6, 2006, in the above-referenced case is hereby amended as follows:

IT IS HEREBY ORDERED the suspension on Respondent's license to practice as a pharmacist be terminated and said license be placed on probation for seven (7) years, subject to the following conditions and restrictions

1. Respondent shall abstain from the personal use or possession of any drugs, alcohol, or controlled substances as defined in the Utah Controlled Substances Act, or any drugs requiring a prescription, unless such drug is lawfully prescribed for her for a current bona fide illness or condition by a licensed practitioner and taken according to that practitioner's instructions. Respondent shall abstain from the abuse of any other mood altering substances Respondent shall abstain from any use other than the purpose for which the drug is intended

2. Unless otherwise approved by the Division, Respondent, shall except as provided below, receive prescriptions from only one prescribing practitioner and fill prescriptions at only one pharmacy. Prescriptions from an emergency practitioner or referral practitioner must be submitted to the Division within forty-eight (48) hours. All prescribing practitioners must be informed of Respondent's addiction/abuse problem. Respondent shall not obtain the same or equivalent prescription drugs from more than one practitioner or under any other circumstance which causes there to be available to the Respondent prescription drugs in quantities or types which are not legitimately required. Respondent shall submit the

names of the prescribing practitioner and the pharmacy to the Division and the Board for approval Respondent shall provide the Division with a copy of all prescriptions written for Respondent within forty-eight (48) hours after the prescription has been written.

3 Respondent shall provide to the primary prescribing practitioner a copy of the September 6, 2006 Stipulation and Order and a copy of this Amended Order

4. Respondent shall provide samples (urine, blood, saliva, hair or any other type of sample requested) for drug analysis upon the request of the Division, to be conducted by any company with which the Division has contracted to conduct drug testing. The designated company may also request such samples, and Respondent shall comply with such requests The Division shall determine when and where Respondent is submit himself for testing Respondent shall pay for the cost of drug testing and shall accurately complete and sign any and all release forms requested by the Division or the drug testing company with respect to drug testing, including, but not limited to, forms authorizing the company to send the drug test results to the Division. Any report from a drug testing company that indicates that Respondent failed to provide a sample for drug analysis as directed will be considered a positive drug test result for Respondent and will subject Respondent to additional sanctions Any drug test result or pattern of results that indicates the sample provided by Respondent for drug analysis is diluted to an extent that it cannot be analyzed, will be considered a positive drug test result for Respondent and will subject Respondent to additional sanctions.

5 Failure to pay the costs associated with this Order constitutes a violation of this agreement.

6. Respondent shall participate in any therapy and/or aftercare which the Division and the Board may require after completion of her treatment program. Any treatment program or therapist from whom Respondent has or will receive treatment must be approved by the Division and the Board and must be directed and authorized by Respondent to discuss her diagnosis, treatment and prognosis with the Division and the Board. The therapist or aftercare provider must also be directed to submit monthly evaluations for the first six months, then quarterly thereafter, to the Board which address Respondent's progress in treatment and her prognosis Respondent may be subject to reevaluation upon notice and opportunity to be heard.

7. Respondent shall participate in a professional support group (PIR) to address her use of controlled substances. Documentation which reflects Respondent's continuing and regular attendance at such support group meetings shall be provided to the Division on a quarterly basis. Regular attendance shall be at least four times per month

8. Respondent shall attend a 12-step program, have a sponsor, work the 12-step program and submit quarterly reports to the Division documenting her participation. Regular attendance shall be at least four times per month.

9. Respondent shall submit a practice plan for approval by the Division/Board prior to beginning any employment. Should this plan change at any time during the probationary period, Respondent shall resubmit the plan for approval prior to implementing any changes.

10. Respondent shall practice only under the direct supervision of a pharmacist licensed in good standing with the Division if she has direct access to drugs.

11. Respondent shall notify any employer of her restricted status and the terms of this Amended Order. Respondent must also notify any employer of her name being placed on the exclusion list for Medicare and Medicaid. Respondent shall further cause her employer to submit performance evaluations to the Board on a monthly basis for the first six months, then quarterly thereafter. The receipt of any unfavorable report may be considered to be a violation of probation and this Amended Order. If Respondent is not employed as a pharmacist, Respondent shall submit the employer report form on the date it is due and indicate on that form that her current employment is not in pharmacy or that she is not currently working

12. Respondent is also required to complete an additional four (4) hours of continuing education focusing on law and ethics. These additional four hours cannot count toward the continuing education requirements required for renewal of licensure.

13. Should Respondent not be employed in her licensed profession during her probationary period for a consecutive period of more than sixty (60) days, that period shall not apply to the reduction of probation though the terms of probation shall remain applicable.

14. In the event Respondent should leave the state of Utah for a period longer than sixty (60) days, Respondent shall notify the Division and the Board in

writing of the dates of departure and return. The licensing authorities of the jurisdiction to which Respondent moves must be promptly notified of the provisions of this Amended Order. Periods of residency or practice outside this state may apply to the reduction of the probation period if the new state of residency places Respondent on probation with equal or greater terms and conditions.

15. Should Respondent be arrested or charged with a criminal offense by any law enforcement agency for any reason or should Respondent be admitted as a patient to any institution in this state or elsewhere for treatment regarding the abuse of or dependence on any chemical substance or treatment for any emotional or psychological disorder, Respondent agrees to cause the Division and Board to be notified immediately.

16. Respondent must maintain a current license at all times during the period of suspension and probation.

17. Respondent shall notify the Division within ten (10) calendar days, and in writing, of any changes of address.

18. Should Respondent test positive for alcohol or any mood altering drugs or controlled substance which cannot be accounted for by an administration or prescription by a practitioner for a current medical condition or should Respondent violate any federal, state or local law relating to her practice, controlled substances or rule or term of this Amended Order, Respondent agrees she will surrender her pharmacist license until a hearing can be conducted on the matter.

19. In the event Respondent violates or fails to fulfill any terms or conditions as contained in this Amended Order, the Division may, in addition to taking action as provided for herein, and after giving Respondent notice and the opportunity to be heard, revoke suspension and/or probation and impose any sanction stayed and proceed against Respondent under applicable law. If a complaint or petition to revoke suspension and/or probation is filed against Respondent during suspension and/or probation, the period of suspension and/or probation and all relevant suspension and/or probationary terms and conditions shall be extended until the matter is finalized.

It is further ordered that Respondent's license to dispense controlled substances will remain suspended at this time.

Dated this 5 day of November, 2007

*F David Stanley*  
F David Stanley, Director

