

ORDER OF SUSPENSION PURSUANT TO SECTION 24-4-104(4), C.R.S.

IN THE MATTER OF DISCIPLINARY PROCEEDINGS REGARDING THE
LICENSE TO PRACTICE PHARMACY IN THE STATE OF COLORADO OF
DONNA M. SHERWOOD, R.PH., LICENSE NO. PHA 14671,

Respondent.

TO: Donna M. Sherwood, R. Ph.
PO Box 1081
Ridgway, CO 81432

The Colorado State Board of Pharmacy ("Board"), having reviewed this matter during its meeting held on July 19, 2018, hereby finds as follows:

1. Donna M. Sherwood ("Respondent") was licensed to practice as a pharmacist in the State of Colorado on May 22, 1996, having been issued License No. PHA 14671. Respondent has been so licensed at all times relevant to this case.

2. The Board has jurisdiction over Respondent and the subject matter herein pursuant to the provisions of § 12-42.5-101, *et seq.*, C.R.S., otherwise known as the Pharmacists, Pharmacy Businesses, and Pharmaceuticals Act ("Pharmacy Act").

3. ~~On July 19, 2018 the Board reviewed materials relating to case numbers 2018-5398.~~

4. Specifically, the Board reviewed information that Respondent had:

- i. Respondent was the pharmacist manager of Ridgway Pharmacy, PDO 550 during the relevant time period.
- ii. Ridgway Pharmacy ceased to maintain minimum hours of operation beginning on or about January 17, 2018.
- iii. Respondent completed, attested, and notarized a Board issued Notification: Closure of Pharmacy form on March 7, 2018.
- iv. Respondent failed to complete any of the requirements that were attested to have been completed in the Notification: Closure of Pharmacy form.

- v. Respondent completed, attested, and notarized a Board issued Notification: Closure of Pharmacy form on May 15, 2018.
- vi. Respondent had not delivered the pharmacy records as attested.
- vii. A review of the records demonstrated that Respondent had dispensed numerous controlled substances pursuant to invalid prescription orders.
- viii. Specifically, Ridgeway Pharmacy dispensed controlled substances on over 900 orders issued by the physician while the physician's license to practice medicine was expired. Respondent was responsible for dispensing more than 600 of those prescriptions.
- ix. Respondent violated the lawful rules of the Board;
- x. Respondent violated any state or federal law pertaining to drugs;
- xi. Respondent failed to meet generally accepted standards of pharmacy practice;

5. Based upon the information reviewed, the Board found it had reasonable grounds to believe that Respondent was guilty of a deliberate and willful violation of the Pharmacy Act and rules promulgated in accordance with the Pharmacy Act and/or that the public health, safety, or welfare imperatively requires emergency action.

6. The Board found that Respondent's conduct constitutes violations of the Pharmacy Act and rules promulgated in accordance therewith, including, but not necessarily limited to, §§ ~~12-42.5-120(1), 12-42.5-123(1)(c), 12-42.5-123(1)(k), 12-42.5-123(1)(o), 12-42.5-126(1)(c), 12-42.5-126(1)(g), 18-18-414(1)(b), and 18-18-414(1)(c)~~, C.R.S.; and Board Rules 1.00.11, 1.00.12, 3.00.20(a), 3.00.21, 3.00.50(a), 3.00.50(b), 3.00.50(c), 5.00.60 and 7.00.30(a), C.R.S.

7. The Board orders that Respondent's pharmacy license in the State of Colorado should be, and is, summarily suspended.

8. Respondent will not engage in the practice of pharmacy in the State of Colorado during the period of suspension. The suspension shall remain in effect until resolution of this matter.

9. Any violation of this Order shall constitute a violation of a lawful Board Order and may be grounds for further disciplinary proceedings pursuant to the Pharmacy Act. The pendency of any disciplinary action will not affect the obligation of Respondent to comply with this Order.

10. This Order does not resolve any other cases, complaints, or matters, known or unknown to the Board or Respondent, as of the effective date of this Order.

11. This Order will be a public record in the custody of the Board.

THEREFORE, IT IS HEREBY ORDERED that, pursuant to §§ 24-4-104(4) and 105(12), C.R.S., the pharmacy license of Donna M. Sherwood, PHA 14671, is SUMMARILY SUSPENDED, effective immediately, and proceedings for suspension or revocation pursuant to §§ 12-42.5-123 and 124, C.R.S., are pending.

IT IS FURTHER ORDERED that Respondent cease, desist, and refrain from any acts or activities in which a pharmacy license is required by the laws of the State of Colorado.

ENTERED this 20th day of July, 2018.

FOR THE COLORADO STATE BOARD OF PHARMACY

By: Wendy Anderson
Wendy Anderson
Program Director
Colorado State Board of Pharmacy
Delegated by Board to sign on its behalf