

IN THE MATTER OF	*	BEFORE THE
JACQUELINE Q. RIPPLE, ATC	*	MARYLAND STATE
Respondent	*	BOARD OF PHYSICIANS
License Number: A00676	*	Case Number: 2223-0022
* * * * *	*	* * * * *

CONSENT ORDER

On December 14, 2022, Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) charged **Jacqueline Q. Ripple, ATC** (the “Respondent”), License Number A00676, under the Maryland Athletic Trainers Act (the “Act”), Md. Code Ann., Health Occ. §§ 14-5D-01–14-5D-20 (2021 Repl. Vol.). Panel B charged the Respondent under the following provisions of the Act:

Health Occ. § 14-5D-14. Denial of license, reprimand, probation, or suspension or revocation of license.

(a) *Grounds.* - Subject to the hearing provisions of § 14-405 of this subtitle, a disciplinary panel, on the affirmative vote of a majority of the quorum of the disciplinary panel, may reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the licensee:

....

(3) Is guilty of unprofessional conduct in the practice of athletic training;

...

(4) Is professionally, physically, or mentally incompetent;

....

(6) Habitually is intoxicated;

....

(8) Provides professional services while:

(i) While under the influence of alcohol[.]

On April 26, 2023, Panel B was convened as a Disciplinary Committee for Case Resolution (“DCCR”) in this matter. Based on the negotiations occurring as a result of this DCCR, the Respondent agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law, Order, and Consent.

FINDINGS OF FACT

Panel B makes the following factual findings:

I. BACKGROUND

1. At all times relevant to the charges, the Respondent was and is licensed to practice athletic training in the State of Maryland. The Respondent was originally issued an athletic trainer license in Maryland on September 12, 2014, under License Number A00676. The license expired on or about September 20, 2017.

2. On June 6, 2022, the Respondent filed an Application for Reinstatement of Athletic Trainers. The Respondent’s license was reinstated on July 5, 2022.

3. The Respondent’s license expires on September 30, 2023, subject to renewal.

4. The Respondent was also licensed in Tennessee on or about September 25, 2015. That license expired on or about January 31, 2018.

5. The Respondent was also licensed in North Carolina on or about July 27, 2017. That license expired on or about January 31, 2021.

6. There is no known history of disciplinary action on the Respondent’s Tennessee or North Carolina licenses.

7. The Respondent was initially hired as an intern with a local college athletic association (the “College”) located in Maryland from June 2014 to May of 2015. She was later hired by the College as an Assistant Athletic Trainer on or about June 1, 2022.

8. On or about September 16, 2022, the Board received an Athletic Trainer Evaluation and Treatment Protocol Agreement Termination Notice (the “Termination Notice”) stating that the Active Supervisee-Evaluation and Treatment Protocol Agreement between the Respondent and her supervising physician was terminated due to:

Allegations by multiple witnesses of both consumption of alcohol and of being under the influence of alcohol while in a duty status involving the evaluation and treatment of student athletes, and a failure to report a driving under the influence charge in July of 2022 to her immediate supervisor and her supervising physician.

II. INVESTIGATION

9. The Board initiated an investigation based on the Termination Notice. The Board notified the Respondent of its investigation by letter dated September 22, 2022, and directed her to provide a written response.

10. On October 10, 2022, the Respondent provided a written response stating:

I was charged with a DUI in July. I did not report it immediately because I was trying to figure out the severity of it with my lawyer and have not yet been to court for it. I was told by my boss that I had been smelling like alcohol and empty alcohol was found in my locker. I admitted that I had left it there and it was not consumed on work time.

11. On September 19, 2022, the Respondent underwent an evaluation and was diagnosed with a health condition.¹

12. As a part of the investigation, Board staff interviewed the Respondent and several of her colleagues.

*Supervisor*²

¹ For confidentiality purposes, the complete results and recommendations of the evaluation are not disclosed herein.

² To maintain privacy and confidentiality, the names of all witnesses, facilities, employees, and patients will not be used in this document.

13. On October 6, 2022, Board staff conducted an under-oath interview of the Director of Sports Medicine at the College (“Supervisor”) who directly supervised the Respondent. He was initially alerted to the Respondent’s concerning behaviors on or about August 12, 2022.

14. Several students and employees advised the Supervisor that the Respondent frequently smelled of alcohol and was heard opening cans while in the stalls in the locker room.

15. On September 9, 2022, the Supervisor was again alerted to some concerning behavior by the Respondent during a junior varsity game where she kept going up to the locker room when there was no reason to do so. Another employee had also sent the Supervisor a photo of the contents of the Respondent’s locker which included a brown paper Wawa bag full of empty alcoholic beverage containers.

16. On September 12, 2022, the Supervisor inspected the women’s locker room and found another separate plastic Wawa bag full of empty alcoholic beverage containers in the trash along with a receipt with the Respondent’s name on it. They were the same empty containers in the photo of the Respondent’s locker sent to the Supervisor on September 9, 2022. The Supervisor reported this information to human resources the following day.

17. On September 13, 2022, the Supervisor arrived at the College early that morning to find the Respondent walking out with the brown paper Wawa bag of empty containers which had previously been found in her locker. The Supervisor also noticed that the Respondent’s car was inappropriately parked in the middle of two adjoining parking spaces. The Supervisor asked the Respondent if she was aware that she had parked in two spaces, and the Respondent advised that she was not aware. She proceeded to discard the bag of empty cans in the trash and then moved her car to an appropriate parking space.

18. The Supervisor later approached the Respondent regarding the multiple allegations of her concerning behavior and the empty cans found in her locker.

19. The Respondent admitted to drinking more due to anxiety at home. She also admitted to drinking the alcoholic beverages that were found in the brown paper bag in her locker. The Respondent denied drinking alcohol while at work.

20. The Respondent also disclosed that on July 11, 2022, she was arrested for driving under the influence/while intoxicated by alcohol and related offenses. The case has not yet been adjudicated.

21. The Respondent's behavior was also noted to be a concern when it began to affect her performance.

22. One employee reported that the Respondent had initially dressed the employee's burn wound, however, when asked to redress the wound a few days later, the Respondent attempted to dress the wound inappropriately and had to be directed to do so correctly.

23. The Supervisor recalls asking the Respondent to apply a very basic sling with a velcro strap to a student's sprain, and she was unable to do so.

24. Based on the students and employees who reported an odor of alcohol on the Respondent, the empty cans of alcoholic beverages found in the Respondent's locker and in the trash, and the Respondent's overall erratic behavior, the Supervisor is concerned that the Respondent was consuming alcohol while working at the College.

Supervising Physician

25. On October 7, 2022, Board staff conducted an under-oath interview of the physician who signed the Respondent's Athletic Trainer/Supervising Physician Evaluation and Treatment

Protocol (the “Supervising Physician”). He was advised of the Respondent’s behavior, and the Respondent’s admissions to the Supervisor.

26. On September 16, 2022, the Supervising Physician, Supervisor, and a human resources representative met with the Respondent to advise her that her Evaluation and Treatment Protocol and her employment at the College would be terminated.

27. The Respondent apologized for putting the Supervising Physician in this position as she was working under his medical license.

28. The Supervising Physician also advised the Respondent that the lack of disclosure of her arrest in July was also a concern, especially coupled with the allegations being made that she consistently smelled of alcohol and was out of sorts at times.

29. The Supervising Physician does believe that the Respondent practiced as an athletic trainer while under the influence of alcohol. He also has concerns with the Respondent’s ability to safely provide care as an athletic trainer.

Seasonal Athletic Trainer

30. On October 7, 2022, Board staff conducted an under-oath interview of the Seasonal Athletic Trainer (the “SAT”) who worked with the Respondent daily.

31. The SAT described the Respondent’s actions as “erratic.” The Respondent was known to avoid doing work, did not know what to do or what needed to be done, and was observed nodding off during a game.

32. The SAT stated that the Respondent’s odd behaviors became progressively worse in the weeks leading up to her termination.

33. The SAT explained that the Respondent was constantly running into the training room while a game was in progress when there was no reason to do so. The Respondent was also

known to use the bathroom stall often and take her bookbag with her. She was heard cracking open cans while in the stall.

34. The Respondent repeatedly had watery, bloodshot, glassy eyes, and regularly smelled of fresh alcohol.

35. The SAT explained that she had concerns about the Respondent's ability to provide safe athletic training services to athletes within the State of Maryland. The SAT stated that there was an "overwhelming smell of alcohol on [the Respondent's] breath and everyone in the facility could pick up on this pretty early on...and her behaviors, and the way she was acting as an athletic trainer didn't seem ethically sound."

Interview of the Respondent

36. On October 14, 2022, Board staff conducted an under-oath interview of the Respondent. In this interview, the Respondent stated:

I was told that I did the wrong thing about the DUI that I got in July and not reporting it. What was frustrating from that end was I was still trying to figure out legally if it was even something to bring up...I did personally start to drink more at home and I was told that I've been smelling like alcohol. No one told me...so I didn't even know that that was a problem. I did drink on the [College] property[,] but it was not during work. And there was evidence found in my locker. My own fault for not taking care of that. But once again that wasn't me trying to hide it, and it wasn't me putting anyone's life in jeopardy. I just made very terrible decisions and I'm completely admitting that.

37. The Respondent explained that she "had a lot of things happen within the past month personally that did contribute" to her drinking more at home.

38. The Respondent admitted to drinking on the property of the College on September 8, 2022. She had purchased a twelve pack of an alcoholic beverage the night before and it was in her car. She took the twelve pack out of her car and put it into her bookbag so that no one would

see her with the alcohol. She then went into a remote area of the College and consumed most of the twelve pack alone.

39. After consuming the alcohol, the Respondent put the empty containers in the brown paper Wawa bag in her locker. She stated, “I wasn’t trying to hide it, but I put it in there because I felt like it was going to be easier to throw out in the long run.”

40. The Respondent stated, “I made a bad decision that day to put it there. I just thought it was convenient and I completely understand that that was just – it was wrong. It was completely wrong.”

41. The Respondent denies any knowledge about the other plastic Wawa bag found in the trash can outside the women’s locker room area full of the same empty alcoholic containers found in her locker, and with a receipt with her name on it.

42. Despite the numerous allegations, the Respondent denies drinking while on duty and working as an athletic trainer.

43. The Respondent admitted that she has a prior conviction from 2019 in North Carolina for Driving While Impaired which she had disclosed to human resources at the time she was hired by the College.

44. The Respondent failed to disclose her July 11, 2022 arrest for driving under the influence/while intoxicated by alcohol to her immediate Supervisor and/ or Supervising Physician.³ She stated that she was “unsure about how to go about reporting it.”

45. When asked during the interview when she last consumed alcohol, the Respondent stated that she had some alcohol earlier that week, specifically Tuesday, October 11, 2022, because she “had some other personal issues going on” and she “chose to have a glass of wine.”

³ For privacy and confidentiality reasons, the details of the arrest are not disclosed herein.

46. The Respondent stated that she does not believe she has a “true alcohol problem.”

CONCLUSIONS OF LAW

Based on the above findings of fact, Panel B concludes that the Respondent: is guilty of unprofessional conduct in the practice of athletic training, in violation of Health Occ. § 14-5D-14(a)(3); is professionally, physically, or mentally incompetent, in violation of Health Occ. § 14-5D-14(a)(4); was habitually intoxicated, in violation of Health Occ. § 14-5D-14(a)(6); and provided professional services while under the influence of alcohol, in violation of Health Occ. § 14-5D-14(a)(8)(i).

ORDER

It is, on the affirmative vote of a majority of the quorum of Panel B, hereby

ORDERED that the Order for Summary Suspension of Athletic Trainer License, issued on December 7, 2022, and affirmed on December 21, 2022, upon the Respondent’s license, is terminated as moot; and it is further

ORDERED that the Respondent is **REPRIMANDED**; and it is further

ORDERED that the Respondent’s license to practice as an athletic trainer in Maryland is **SUSPENDED** for a minimum period of **SIX MONTHS** to commence when this Consent Order goes into effect.⁴ During the suspension, the Respondent shall comply with the following terms and conditions of suspension:

(1) During the suspension, the Respondent shall not:

- (a) practice as an athletic trainer;
- (b) take any actions to hold herself out to the public as a current provider of athletic training services;
- (c) authorize, allow or condone the use of the Respondent’s name or provider number by any athletic trainer practice or any other licensee or athletic training provider;

⁴ If the Respondent’s athletic trainer license expires while the Respondent is under suspension, the suspension period and Consent Order conditions are tolled.

- (d) function as a peer reviewer for the Board or the State or any athletic trainer; and
- (e) perform any other act that requires an active athletic trainer license; and

2. The Respondent shall enroll in the Maryland Professional Rehabilitation Program

(“MPRP”) as follows:

(a) Within **5 business days**, the Respondent shall contact MPRP to schedule an initial consultation for enrollment;

(b) Within **15 business days**, the Respondent shall enter into a Participant Rehabilitation Agreement and Participant Rehabilitation Plan with MPRP;

(c) the Respondent shall fully and timely cooperate and comply with all MPRP’s referrals, rules, and requirements, including, but not limited to, the terms and conditions of the Participant Rehabilitation Agreement(s) and Participant Rehabilitation Plan(s) entered with MPRP, and shall fully participate and comply with all therapy, treatment, evaluations, and screenings as directed by MPRP;

(d) the Respondent shall sign and update the written release/consent forms requested by the Board and MPRP, including release/consent forms to authorize MPRP to make verbal and written disclosures to the Board and to authorize the Board to disclose relevant information to MPRP. The Respondent shall not withdraw her release/consent;

(e) the Respondent shall also sign any written release/consent forms to authorize MPRP to exchange with (i.e., disclose to and receive from) outside entities verbal and written information concerning the Respondent and to ensure that MPRP is authorized to receive the health care records of the Respondent. The Respondent shall not withdraw her release/consent;

(f) the Respondent’s failure to comply with any of the above terms or conditions including terms or conditions of the Participant Rehabilitation Agreement(s) or Participant Rehabilitation Plan(s) constitutes a violation of this Consent Order; and

(g) if, upon the authorization of MPRP, the Respondent transfers to a rehabilitation program in another state, the Respondent’s failure to comply with any term or condition of that state’s rehabilitation program, constitutes a violation of this Consent Order. The Respondent shall also sign any out-of-state written release/consent forms to authorize the Board to exchange with (i.e., disclose to and receive from) the out-of-state program verbal and written information concerning the Respondent, and to ensure that the Board is authorized to receive the medical records of the Respondent, including, but not limited to, mental health and drug and alcohol evaluation and treatment records. The Respondent shall not withdraw the release/consent; and

3. Within **six months**, the Respondent is required to take and successfully complete a course in **professionalism**. The following terms apply:

- (a) it is the Respondent's responsibility to locate, enroll in and obtain the disciplinary panel's approval of the course before the course begins;
- (b) the Respondent must provide documentation to the disciplinary panel that the Respondent has successfully completed the course;
- (c) the course may not be used to fulfill the continuing medical education credits required for license renewal; and
- (d) the Respondent is responsible for the cost of the course; and it is further

ORDERED that a violation of suspension constitutes a violation of this Consent Order; and it is further

ORDERED that, after the Respondent has complied with all terms and conditions of the suspension and the minimum period of suspension imposed by this Consent Order has passed and MPRP makes a recommendation on whether it is safe for the Respondent to return to the practice of athletic training, the Respondent may petition the Board for the termination of the suspension. A Board disciplinary panel will make the final determination on whether the suspension is terminated. The Respondent may be required to appear before the disciplinary panel to discuss her petition. If a Board disciplinary panel determines that it is safe for the Respondent to return to the practice of athletic training, the disciplinary panel will terminate the suspension and issue an order with the terms and conditions that the disciplinary panel deems appropriate for the Respondent's return to practice, which may include probation and conditions of probation. If, after considering MPRP's recommendation, the disciplinary panel determines it is not safe for the Respondent to return to the practice of athletic training, the suspension shall remain in effect under the terms and conditions the disciplinary panel finds reasonable and appropriate under the circumstances; and it is further

ORDERED that this Consent Order goes into effect upon the signature of the Executive Director of the Board or her designee. The Executive Director or her designee signs this Consent Order on behalf of Board Disciplinary Panel B; and it is further

ORDERED that the Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and it is further

ORDERED that, if the Respondent allegedly fails to comply with any term or condition imposed by this Consent Order, the Respondent shall be given notice and an opportunity for a hearing. If a disciplinary panel determines there is a genuine dispute as to a material fact, the hearing shall be before an Administrative Law Judge of the Office of Administrative Hearings followed by an exceptions process before a disciplinary panel; and if a disciplinary panel determines there is no genuine dispute as to a material fact, the Respondent shall be given a show cause hearing before a disciplinary panel; and it is further

ORDERED that, after the appropriate hearing, if the disciplinary panel determines that the Respondent has failed to comply with any term or condition imposed by this Consent Order, the disciplinary panel may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, or suspend with appropriate terms and conditions, or revoke the Respondent's license to practice as an athletic trainer in Maryland. The disciplinary panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine on the Respondent; and it is further

ORDERED that this Consent Order is a public document. *See* Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

05/24/2023
Date

Signature On File

Christine A. Farrelly, Executive Director
Maryland State Board of Physician

CONSENT

I, Jacqueline Q. Ripple, ATC, acknowledge that I have consulted with counsel before signing this document.

By this Consent, I agree to be bound by this Consent Order and all its terms and conditions and understand that the disciplinary panel will not entertain any request for amendments or modifications to any condition.

I assert that I am aware of my right to a formal evidentiary hearing, pursuant to Md. Code Ann., Health Occ. § 14-5D-15 and Md. Code Ann., State Gov't §§ 10-201 *et seq.* concerning the charges. I waive this right and have elected to sign this Consent Order instead.

I acknowledge the validity and enforceability of this Consent Order as if entered after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural protections as provided by law. I waive those procedural and substantive protections. I acknowledge the legal authority and the jurisdiction of the disciplinary panel to initiate these proceedings and to issue and enforce this Consent Order.

I voluntarily enter into and agree to comply with the terms and conditions set forth in the Consent Order as a resolution of the charges. I waive any right to contest the Findings of Fact and Conclusions of Law and Order set out in the Consent Order. I waive all rights to appeal this Consent Order.

I sign this Consent Order, without reservation, and fully understand the language and meaning of its terms.

Signature On File

05/20/2023

Date

Jacqueline Q. Ripple, ATC
Respondent

NOTARY

STATE OF New Jersey

CITY/COUNTY OF Passaic

I HEREBY CERTIFY that on this 20 day of May, 2023,
before me, a Notary Public of the foregoing State and City/County, did personally appear
Jacqueline Q. Ripple and made oath in due form of law that signing the foregoing Consent Order
was her voluntary act and deed.

AS WITNESSTH my hand and seal.

Jinwan Kim
Notary Public

My commission expires: 1/14/2025

Jinwan Kim
Notary Public of New Jersey
Commission Expires 01/14/2025
ID#2392729