

IN THE MATTER OF	*	BEFORE THE
LAURIE BETH KREGER	*	MARYLAND STATE
Respondent	*	BOARD OF PHYSICIANS
License Number D44419	*	Case Number 7717-0034

* * * * *

ORDER AFTER SHOW CAUSE HEARING II

On April 16, 2015, Laurie Beth Kreger, M.D., entered into a Consent Order with Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) wherein she agreed that her license to practice medicine in Maryland would be suspended, subject to certain terms and conditions. The terms and conditions of the suspension included that Dr. Kreger enroll in the Maryland Professional Rehabilitation Program (“MPRP”), enter into a Rehabilitation Agreement, and comply with all of MPRP’s recommendations. On May 31, 2016, the State issued a Violation of Consent Order and Notice to Show Cause alleging a violation of the Consent Order, based on Dr. Kreger’s non-compliance with MPRP’s recommendations. On October 28, 2016, Panel B found that Dr. Kreger violated the terms and conditions of the Consent Order by failing to fully comply with all of MPRP’s requirements and treatment recommendations and continued the suspension of Dr. Kreger’s license for a minimum of eighteen months with ongoing enrollment in MPRP. This matter concerns Dr. Kreger’s alleged violation of Panel B’s October 28, 2016 Order.

FINDINGS OF FACT

Background

On or about January 2, 2015, the Board received a complaint from a pharmacist in Rockville, Maryland alleging that Dr. Kreger presented a prescription to the pharmacy on or

about December 31, 2014. Prior to filling the prescription, the pharmacist checked the Chesapeake Regional Information System for our Patients (“CRISP”) and identified multiple discrepancies including having the same prescriptions for controlled dangerous substances (“CDS”) written by different providers, having prescriptions filled at different pharmacies, and paying for the prescriptions in cash every few days.

The Board opened an investigation into the allegations. The investigation revealed that Dr. Kreger had been hospitalized on several occasions for issues related to substance abuse. On April 16, 2015, in lieu of a summary suspension and charges being issued, Dr. Kreger entered into a Consent Order with Panel B.

April 16, 2015 Consent Order

In the Consent Order, Panel B concluded that Dr. Kreger violated several grounds of the Maryland Medical Practice Act: Md. Code Ann., Health Occ. §14-404(a)(4) (is professionally, physically, or mentally incompetent); (8) (Is addicted to, or habitually uses, any narcotic or controlled dangerous substance as defined in §5-101 of the Criminal Law Article); and (9)(ii) (provides professional services while using any narcotic or controlled dangerous substance, as defined in §5-101 of the Criminal Law Article, or other drug that is in excess of therapeutic amounts or without valid medical indication).

Panel B suspended Dr. Kreger’s license to practice medicine in Maryland, subject to certain terms and conditions, and until MPRP determined she was safe to resume the practice of medicine. Dr. Kreger agreed to enroll in MPRP, enter into a Board-monitored Rehabilitation Agreement, and comply with MPRP’s rules and recommendations. The Consent Order also:

ORDERED that if the Respondent violates any condition of this Consent Order, including a violation of any term or condition of the MPRP Rehabilitation Agreement and Rehabilitation Plan, Disciplinary Panel B, in its discretion, after notice and opportunity for a show cause hearing before Disciplinary Panel B or an

evidentiary hearing at the Office of Administrative Hearings, may impose additional sanctions authorized under the Medical Practice Act, including a reprimand, suspension, probation, revocation, and/or a monetary fine[.]

Dr. Kreger agreed to be bound by the Consent Order and all of its terms and conditions.

Violation of the April 16, 2015 Consent Order

Dr. Kreger enrolled in MPRP and signed a Participant Rehabilitation Agreement wherein she agreed to follow all treatment recommendations made by MPRP. On several occasions in 2015 and 2016, the Board was notified by MPRP that Dr. Kreger failed to comply with the agreement she entered into with MPRP. On May 31, 2016, the State issued a Violation of Consent Order and Notice to Show Cause alleging that Dr. Kreger failed to comply with MPRP's recommendations. On July 27, 2016, Dr. Kreger appeared at a Show Cause hearing before Panel B. She did not dispute that she failed to comply with MPRP's recommendations and failed to check-in with the random toxicology call-in telephone system on seven dates between July of 2015 and March of 2016. With regard to the sanction, both the State and Dr. Kreger asked for continued treatment and participation with MPRP and asked the panel to impose a definitive timeline for when Dr. Kreger could return to practice.

October 28, 2016 Order After Show Cause Hearing

On October 28, 2016, Panel B issued an Order After Show Cause Hearing ("2016 Order") finding that Dr. Kreger violated the terms and conditions of the Consent Order by failing to fully comply with all of MPRP's requirements and treatment recommendations. The panel terminated the April 16, 2015 Consent Order and suspended Dr. Kreger's medical license for a minimum of eighteen months with continued enrollment in MPRP. The 2016 Order also included the following language:

ORDERED that if the Board or Panel B determines, after notice and an opportunity for a hearing before an Administrative Law Judge of the Office of

Administrative Hearings if there is a genuine dispute as to a material fact or a show cause hearing before the Board or Panel B if there is no genuine dispute as to a material fact, that Dr. Kreger has failed to comply with this terms and conditions of suspension or this Order, the Board or Panel B may reprimand Dr. Kreger, place Dr. Kreger on probation with appropriate terms and conditions, suspend or revoke Dr. Kreger's license to practice medicine in Maryland, or impose a civil monetary fine upon Dr. Kreger in addition to a sanction[.]

Violation of the October 28, 2016 Order After Show Cause Hearing

On March 30, 2018, MPRP notified the Board that it had closed Dr. Kreger's case for cause for her failure to comply with MPRP's rules and its concerns about her health and unstable personal and social interactions. On May 30, 2018, the State issued a Violation of Order After Show Cause Hearing and Order to Show Cause ("Violation of Order") alleging a violation of the 2016 Order based, again, on Dr. Kreger's non-compliance with MPRP's recommendations. The Violation of Order notified Dr. Kreger that a hearing was scheduled for Wednesday, June 27, 2018 at 11:15 a.m., at the Board's Office, 4201 Patterson Avenue, Baltimore, Maryland 21215, and that if, after the hearing, Panel B found a violation of the Order, additional sanctions, including revocation, may be imposed. A letter of procedure was sent with the Violation of Order and informed Dr. Kreger that she was not required to appear at the show cause hearing, but that Panel B may take further disciplinary action against her license if she or her attorney failed to attend the hearing.

On June 25, 2018, two days prior to the scheduled hearing, Dr. Kreger called the Board and left a message for the compliance analyst assigned to the case, requesting a postponement of the hearing. Dr. Kreger was notified that her postponement request was denied and that the hearing would proceed as scheduled on June 27, 2018.

On June 27, 2018, the administrative prosecutor appeared on behalf of the State. Dr. Kreger did not appear nor did counsel appear on her behalf. The Board received no phone calls

or correspondence from Dr. Kreger on the morning of the hearing. Panel B waited over one hour for Dr. Kreger to appear, before starting the hearing in her absence, at 12:23 p.m. The administrative prosecutor presented argument regarding Dr. Kreger's violation of the 2016 Order and advocated for the revocation of Dr. Kreger's license. The hearing concluded at 12:43 p.m. without any communication from Dr. Kreger. Accordingly, the evidence of the violation was undisputed and Dr. Kreger presented no evidence in support of why further sanctions should not be imposed on her license.

CONCLUSION OF LAW

Panel B concludes that Dr. Kreger violated the terms and conditions of the October 28, 2016 Order After Show Cause Hearing by failing to fully comply with all of MPRP's requirements and treatment recommendations. Pursuant to the 2016 Order, upon finding that Dr. Kreger failed to comply with the 2016 Order, Panel B is authorized to impose additional sanctions on Dr. Kreger's license, including revocation.

ORDER

On an affirmative vote of a majority of a quorum of Disciplinary Panel B, it is hereby

ORDERED that Dr. Kreger's license to practice medicine in Maryland (License Number D44419) is **REVOKED**; and it is further

ORDERED that all prior Orders are terminated as moot; and it is further

ORDERED that this Order is a public document.

July 10, 2018
Date

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