

IN THE MATTER OF	*	BEFORE THE
LISA K. FEULNER, M.D.	*	MARYLAND STATE
Respondent	*	BOARD OF PHYSICIANS
License Number: D55167	*	Case Number: 2220-0235B
* * * * *	*	* * * * *

CONSENT ORDER

Based on an investigation conducted by the Maryland State Board of Physicians (the "Board"), Disciplinary Panel B of the Board has grounds to charge **LISA K. FEULNER, M.D.**, (the "Respondent"), License Number D55167, with violating the Maryland Medical Practice Act (the "Act"), Md. Code Ann., Health Occ. §§ 14-101 *et seq.* (2014 Repl. Vol. and 2019 Supp.). Prior to the issuance of disciplinary charges, the Respondent agrees to enter into this public Consent Order, which consists of Findings of Fact, Conclusions of Law, Order, and Consent.

Specifically, Disciplinary Panel B has grounds to charge the Respondent with violating the following provisions of the Act under Health Occ. § 14-404:

- (a) *In general.* -- 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 suspended or revoke a license if the licensee:

- (28) Fails to comply with the provisions of § 12-102 of this article.

Health Occ. § 12-102 provides:

- (c) *Preparing of prescriptions by licensed dentist, veterinarian, physician, etc.; exception:*

...

(2) This title does not prohibit:

...

(ii) A licensed dentist, physician, or podiatrist from personally preparing and dispensing the dentist's, physician's, or podiatrist's prescriptions when:

1. The dentist, physician, or podiatrist:

A. Has applied to the board of licensure in this State which licensed the dentist, physician, or podiatrist;

...

C. Has received a written permit from that board to dispense prescription drugs or devices except that a written permit is not required in order to dispense starter dosages or samples without charge[.]

FINDINGS OF FACT

Panel B makes the following Findings of Fact:

1. At all times relevant, the Respondent was and is licensed to practice medicine in the State of Maryland. The Respondent was initially licensed to practice medicine in Maryland on or about August 10, 1999, under License Number D55167.

2. The Respondent is board-certified in ophthalmology, and at all times relevant to these charges, practiced at a health care facility in Bel Air, Maryland.

3. At all times relevant, the Respondent has never possessed a dispensing permit for prescription medications.

4. The Board initiated an investigation of the Respondent after receiving a report, dated December 6, 2019, from the Maryland State Office of Controlled Substances Administration, following a survey it conducted of area health care practitioners who were ordering/selling prescription aesthetic products (Obagi skin care products). The survey determined that in 2019, the Respondent ordered and dispensed tretinoin 0.05 to 0.1% cream, a prescription medication.

5. By letter dated January 27, 2020, the Board notified the Respondent that it had information that she was dispensing “prescription grade medications” without a dispensing permit. The Board requested that the Respondent provide a response to these allegations and submit a medication log for all medications she dispensed after January 1, 2019.

6. By letter to the Board dated February 6, 2020, the Respondent, through counsel, acknowledged that she dispensed the drug tretinoin, a prescription-only medication, to patients in 2019 for aesthetic/dermatologic purposes. The Respondent also submitted prescription logs that verified that she dispensed tretinoin cream, a cream form of that drug, to patients in 2019.

7. The Respondent dispensed tretinoin, a prescription-only medication, to patients from her office in 2019, without a Board-issued dispensing permit.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Disciplinary Panel B concludes as a matter of law that the Respondent’s actions constitute a violation of Health Occ. § 14-404(a)(28) Fails to comply with the provisions of § 12-102 of this article.

ORDER

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

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

ORDERED that within thirty (30) days from the date of this Consent Order, the Respondent shall pay a civil fine of \$1,050.00. The payment shall be by money order or bank certified check made payable to the Maryland Board of Physicians and mailed to P.O. Box 37217, Baltimore, Maryland 21297. The Board will not renew or reinstate the Respondent's license if the Respondent fails to timely pay the fine to the Board; and it is further

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

Signature on File

10/21/2020

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians

CONSENT

I, Lisa K. Feulner, M.D., 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. § 14-405 and Md. Code Ann., State Gov't §§ 10-201 *et seq.* concerning the pending 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.

10/8/20
Date

Signature on File

Lisa K. Feulner, M.D.
Respondent

NOTARY

STATE OF MARYLAND
CITY/COUNTY OF _____

Harford

I HEREBY CERTIFY that on this 8th day of October

_____, 2020, before me, a Notary Public of the foregoing State and City/County personally appear Lisa K. Feulner, M.D., and made oath in due form of law that signing the foregoing Consent Order was her voluntary act and deed.

AS WITNESSETH my hand and notary seal.

Rosemary O'Hara

Notary Public

My commission expires:

ROSEMARY O'HARA
Notary Public-Maryland
Baltimore County
My Commission Expires
May 10, 2023