

IN THE MATTER OF	*	BEFORE THE MARYLAND
Sara Cook-Pulizzotto, Radiographer	*	STATE BOARD OF
Respondent.	*	PHYSICIANS
License No. R03620	*	Case No. 7723-0009
* * * * *	*	* * * * *

ORDER AFTER SHOW CAUSE HEARING

The issue in this case is whether Sara Cook-Pulizzotto, Radiographer, has violated the conditions of the Order After Show Cause Hearing executed on August 3, 2022 (“August 2022 Order”) by the Maryland State Board of Physicians (the “Board”).

The August 2022 Order followed Ms. Cook-Pulizzotto’s violations of a Disposition Agreement into which she entered with the Board on August 31, 2021 and a Participant Rehabilitation Agreement she signed in September 2021 with the Maryland Professional Rehabilitation Program (“MPRP”). Following notification from MPRP in October and December 2021 that Ms. Cook-Pulizzotto had failed to comply with her Participant Rehabilitation Agreement on two occasions, Panel A issued a Notice of Violation of Board Order and Notice to Show Cause in April 2022 and held a show cause hearing on July 13, 2022. At the hearing, Ms. Cook-Pulizzotto admitted that she violated her 2021 Disposition Agreement and her Participant Rehabilitation Agreement with MPRP. In the August 2022 Order, Panel A reprimanded Ms. Cook-Pulizzotto, imposed a new period of probation for a minimum of two years, and required her to remain enrolled in MPRP and fully comply with the requirements of her Participant Rehabilitation Agreement and Rehabilitation Plan.

On November 8, 2022, MPRP reported to the Board that Ms. Cook-Pulizzotto had violated the Participant Rehabilitation Agreement required by the August 2022 Order. The Board

subsequently received from Ms. Cook-Pulizzotto a written admission of her violation and a description of the circumstances of the violation. On January 5, 2023, Panel A issued a Violation of Board Order and Notice to Show Cause regarding Ms. Cook-Pulizzotto's alleged violation. Panel A held a show cause hearing on February 8, 2023, at which Ms. Cook-Pulizzotto had the opportunity to argue why her license should not be subject to further discipline. Ms. Cook-Pulizzotto and an Administrative Prosecutor for the State participated in the hearing via video conference. Panel A is issuing this order after considering the entirety of the record, evidence, and presentations made by Ms. Cook-Pulizzotto and the State before the Panel at the show cause hearing held on February 8, 2023.

FINDINGS OF FACT

Panel A makes the following Findings of Fact:

Background and Requirements of the August 31, 2021 Disposition Agreement

On November 10, 1993, Ms. Cook-Pulizzotto was initially licensed by the Board to practice radiography in the State of Maryland. In May 2019, following a report by Ms. Cook-Pulizzotto in her licensure renewal application that she received a probation before judgment disposition for driving while under the influence of alcohol, the Board issued a non-public Advisory Letter to Ms. Cook-Pulizzotto. The Board notified her of its concerns regarding her underlying conduct and advised her that similar conduct in the future may be grounds for disciplinary action.

On August 31, 2021, Ms. Cook-Pulizzotto entered into a non-public Disposition Agreement with the Board in lieu of further investigation into a possible violation of Md. Code Ann., Health Occ. § 14-5B-14. The Disposition Agreement states:

The Respondent shall comply with the Participant Rehabilitation Agreement into which she entered with the MPRP and will fulfill all conditions of the Participation Rehabilitation Agreement.

The Disposition Agreement further provided:

AGREED, that . . . if the Respondent fails to comply with any term or condition of this Agreement, this Agreement shall be treated as a public Consent Order, the violation of which authorizes the Board or a Board panel, after notice and opportunity to be heard, to take any action prescribed under § 14-5B -14(a) of the . . . Act, including a reprimand, probation, suspension or revocation of the Respondent's license; and/or fine.

On September 13, 2021, Ms. Cook-Pulizzotto signed a Participant Rehabilitation Agreement with MPRP for an indefinite duration.

Violations of the 2021 Disposition and Participant Rehabilitation Agreements

Non-Compliance with MPRP Conditions

On October 27, 2021, MPRP reported to the Board that Ms. Cook-Pulizzotto had failed to comply with her Rehabilitation Agreement. On November 5, 2021, in response to a letter from the Board regarding the MPRP report, Ms. Cook-Pulizzotto admitted her violation and provided a written explanation to the Board of events leading to her failure to comply with her Rehabilitation Agreement. In her written response, Ms. Cook-Pulizzotto indicated that she understood "the importance of MPRP and [her] participation in this program."

On December 16, 2021, MPRP reported to the Board that Ms. Cook-Pulizzotto had again failed to comply with her Rehabilitation Agreement in early December of 2021.

Show Cause Hearing – July 13, 2022

On April 28, 2022, Panel A issued a Violation of Board Order and Notice to Show Cause based on these alleged violations and conducted a Show Cause hearing on July 13, 2022 to grant Ms. Cook-Pulizzotto the opportunity to show cause as to why the panel should not issue sanctions based on her violations of the August 31, 2021 Disposition Agreement. At the hearing,

Ms. Cook-Pulizzotto admitted her 2021 violations of her Disposition Agreement with the Board and her Rehabilitation Agreement with MPRP. Regarding the concerns raised by Ms. Cook-Pulizzotto's repeated violations, the State recommended continued enrollment in and monitoring by MPRP and reiterated the importance of Ms. Cook-Pulizzotto's compliance with MPRP's recommendations. In addition to conveying remorse for her violations and poor judgment, Ms. Cook-Pulizzotto provided information to the Panel apropos her ongoing commitment to fulfilling the terms and conditions of her Agreements and stated her resolve to adhere to all MPRP and Board requirements and conditions in the future.

Order After Show Cause Hearing: August 3, 2022

Panel A issued an Order After Show Cause Hearing on August 3, 2022, reprimanding Ms. Cook-Pulizzotto and placing her on a new period of probation for a minimum period of two years. During the probationary period, Panel A again required Ms. Cook-Pulizzotto to remain enrolled in MPRP, and to continue in a Participant Rehabilitation Agreement and Participant Rehabilitation Plan. The August 2022 Order also provided that:

Ms. Cook-Pulizzotto shall fully and timely cooperate and comply with all MPRP 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;

Ms. Cook-Pulizzotto's failure to comply with any term or condition of the Participant Rehabilitation Agreement(s) or Participant Rehabilitation Plan(s) shall constitute a violation of this Order;

In addition, the Order stated:

If Ms. Cook-Pulizzotto allegedly fails to comply with any term or condition imposed by this Order, Ms. Cook-Pulizzotto shall be given notice and an opportunity for a hearing. If the disciplinary panel determines that 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. If the disciplinary panel determines that there is no genuine dispute as to a material fact, Ms. Cook-

Pulizzotto 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 Ms. Cook-Pulizzotto has failed to comply with any term or condition imposed by this Order, the disciplinary panel may reprimand Ms. Cook-Pulizzotto, place Ms. Cook-Pulizzotto on probation with appropriate terms and conditions, or suspend or revoke Ms. Cook-Pulizzotto's license to practice radiography in Maryland. The disciplinary panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine upon Ms. Cook-Pulizzotto.

After issuance of the Show Cause Order, Ms. Cook-Pulizzotto continued her enrollment in MPRP and Participant Rehabilitation Agreement.

CURRENT VIOLATION

Violation of the Participant Rehabilitation Agreement and August 3, 2022 Order

On November 8, 2022, MPRP reported to the Board that Ms. Cook-Pulizzotto had again engaged in conduct that violated her Participant Rehabilitation Agreement. MPRP provided documentation confirming Ms. Cook-Pulizzotto's violation and reported that she had acknowledged her violation to MPRP. The Board requested a written response to MPRP's report from Ms. Cook-Pulizzotto. In an email dated November 13, 2022, Ms. Cook-Pulizzotto admitted to the Board that she had breached her Participant Rehabilitation Agreement with MPRP, stated that she was struggling with everyday pressures in her life, and described steps she has taken to address them. On January 5, 2023, Panel A issued a Violation of Board Order and Notice to Show Cause charging Ms. Cook-Pulizzotto with failure to comply with her Rehabilitation Agreement, in violation of the August 2022 Order.

Show Cause Hearing: February 8, 2023

On February 8, 2023, Panel A held a show cause hearing. Ms. Cook-Pulizzotto appeared at the hearing, admitted and apologized for her failure to comply with her Participant

Rehabilitation Agreement, discussed the circumstances that led to her non-compliance, and acknowledged that there was no excuse for her violation. She provided information on a program she had been attending since that time and described additional therapeutic steps she was taking to facilitate a complete recovery.

In response, the State expressed concerns about the undisputed evidence of Ms. Cook-Pulizzotto's most recent violation in November 2022. The State pointed out that she was once more before Panel A based on her recurrent violations, that the Panel did not suspend her license for her violations in 2021 but gave her another opportunity to comply with her Rehabilitation Agreement by imposing a reprimand and extended probation in the August 2022 Order. The State argued that Ms. Cook-Pulizzotto's repeated non-compliance with her Rehabilitation Agreements warranted the imposition of a short suspension of her license.

CONCLUSION OF LAW

Panel A concludes that Ms. Cook-Pulizzotto violated the terms and conditions of the August 3, 2022 Order by failing to comply with her Participant Rehabilitation Agreement with MPRP.

SANCTION

Ms. Cook-Pulizzotto's failure to comply with the August 2022 Order and her pattern of non-compliance with successive Rehabilitation Agreements despite Panel A's forbearance and the previous opportunities granted to her is of serious concern to the Panel. Her violation of her Participant Rehabilitation Agreement a mere few months after Panel A had given her another chance in the August 2022 Order, does not, in the Panel's view, demonstrate a genuine investment and commitment by Ms. Cook-Pulizzotto to her rehabilitation. Neither the public nor the radiography profession would be served if the Panel ignores the high risk of a recurrence of

Ms. Cook-Pulizzotto's conduct. Panel A is not confident that Ms. Cook-Pulizzotto fully recognizes the extent of her difficulties or that she has taken sufficient steps to mitigate stressors that led to her most recent violation based on the evidence presented by the parties at the show cause hearing. Nor is the Panel reassured that she can properly adhere to MPRP's requirements without gaining more serious insight into her own risk factors. Accordingly, Panel A will impose a suspension of her radiography license with the goal of allowing her to focus on meaningful rehabilitation.

ORDER

It is, on an affirmative vote of a majority of a quorum of Disciplinary Panel A, hereby

ORDERED that Ms. Cook-Pulizzotto is **REPRIMANDED**; and it is further

ORDERED that the radiography license of Ms. Cook-Pulizzotto is **SUSPENDED**¹ for a minimum period of **ONE (1) YEAR**. During the period of suspension, Ms. Cook-Pulizzotto shall comply with all of the following terms and conditions of the suspension:

(1) Ms. Cook-Pulizzotto shall not:

- (a) practice radiography;
- (b) take any actions after the effective date of this Order After Show Cause Hearing to hold herself out to the public as a current provider of radiography services;
- (c) authorize, allow or condone the use of her name or provider number by any health care practice or any other licensee or health care provider;
- (d) perform any other act that requires an active radiography license.

(2) Ms. Cook-Pulizzotto shall remain enrolled in the Maryland Professional Rehabilitation Program ("MPRP") as follows:

¹ If Ms. Cook-Pulizzotto's license expires during the period of suspension, the suspension and any conditions will be tolled.

- (a) Ms. Cook-Pulizzotto shall continue her Participant Rehabilitation Agreement and Participant Rehabilitation Plan with MPRP, or be entered into an amended Participant Rehabilitation Agreement and Participant Rehabilitation Plan, as determined by MPRP;
- (b) Ms. Cook-Pulizzotto 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;
- (c) Ms. Cook-Pulizzotto 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 from MPRP records and files in a public order. Ms. Cook-Pulizzotto shall not withdraw the release/consent;
- (d) Ms. Cook-Pulizzotto shall also sign any written release/consent forms to authorize MPRP to exchange with (i.e., disclose to and receive from) outside entities (including all of Ms. Cook-Pulizzotto's current therapists and treatment providers) verbal and written information concerning Ms. Cook-Pulizzotto and to ensure that MPRP is authorized to receive the medical records of Ms. Cook-Pulizzotto, including, but not limited to, mental health and drug or alcohol evaluation and treatment records. Ms. Cook-Pulizzotto shall not withdraw the release/consent;
- (e) Ms. Cook-Pulizzotto's failure to comply with any of the above terms or conditions, including the terms or conditions of the Participant Rehabilitation Agreement(s) or Participant Rehabilitation Plan(s) constitutes a violation of this Order; and it is further

ORDERED that Ms. Cook-Pulizzotto shall not apply for early termination of suspension; and it is further

ORDERED that, after a minimum of one year has passed and if Ms. Cook-Pulizzotto has fully and satisfactorily complied with all terms and conditions of the suspension, Ms. Cook-Pulizzotto may submit a written petition to the disciplinary panel requesting termination of suspension. Ms. Cook-Pulizzotto may be required to appear before the disciplinary panel to discuss her petition for termination. After consideration of the petition, the suspension may be

terminated through an order of the disciplinary panel. The disciplinary panel may grant the petition to terminate the suspension through an order of the disciplinary panel, if Ms. Cook-Pulizzotto has fully and satisfactorily complied with all the relevant terms and conditions of the suspension, and if there are no pending complaints related to a violation of her continuing Participant Rehabilitation Agreement with MPRP. In addition, the disciplinary panel may impose any appropriate terms and conditions on Ms. Cook-Pulizzotto's return to the practice of radiography, including, but not limited to, probation, and/or continuation of her Participant Rehabilitation Agreement with MPRP; and it is further

ORDERED that if Ms. Cook-Pulizzotto allegedly fails to comply with any term or condition imposed by this Order, Ms. Cook-Pulizzotto shall be given notice and an opportunity for a hearing. If the disciplinary panel determines that 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. If the disciplinary panel determines that there is no genuine dispute as to a material fact, Ms. Cook-Pulizzotto 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 Ms. Cook-Pulizzotto has failed to comply with any term or condition imposed by this Order, the disciplinary panel may reprimand Ms. Cook-Pulizzotto, place Ms. Cook-Pulizzotto on probation with appropriate terms and conditions or suspend or revoke Ms. Cook-Pulizzotto's license to practice radiography in Maryland. The disciplinary panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine upon Ms. Cook-Pulizzotto; and it is further

ORDERED that Ms. Cook-Pulizzotto is responsible for all costs incurred in fulfilling the terms and conditions of this Order; and it is further

ORDERED that the effective date of this Order is the date the Order is signed by the Executive Director of the Board or her designee. The Executive Director or designee signs the Order on behalf of the disciplinary panel which has imposed the terms and conditions of this Order, and it is further

ORDERED that this is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Health Occ. §§ 1-607 and 14-411.1, and Gen. Prov. § 4-333(b).

04/24/2023
Date

Signature On File

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