

IN THE MATTER OF

KEISHA DAVIS, PHARM TECH

Registration No.: T09272

Respondent

\* BEFORE THE

\* STATE BOARD

\* OF PHARMACY

\* Case No. PT-13-011/13-211

\* \* \* \* \*

**FINAL ORDER OF REVOCATION OF  
PHARMACY TECHNICIAN'S REGISTRATION**

On June 19, 2013, the Maryland Board of Pharmacy (the "Board"), notified **KEISHA DAVIS**, Pharmacy Technician (Pharm Tech), the Respondent, of its Intent to Revoke her Pharm Tech registration. The Notice also informed the Respondent that, unless she requested a hearing in writing within 30 days of receipt of said Notice, the Board would sign the Final Order, which was enclosed. More than 30 days have elapsed and the Respondent failed to timely request a hearing. Therefore, this revocation is final.

The basis for the Board's action was pursuant to Md. State Govt. (S.G.) Code Ann. § 10-226(c) (1) (2009 Repl. Vol.), the Maryland Pharmacy Act, codified at Md. Health Occ. Code Ann. §§ 12-101, *et seq.*, (the "Act") (2009 Repl. Vol.), and Code Md. Regs. § 10.34 (COMAR).

**The pertinent provision of § 10-226(c) (1) of S.G. states:**

*Revocation of suspension. (sic)*— (1) Except as provided in paragraph (2) of this subsection, a unit may not revoke or suspend a license unless the unit first gives the licensee:

- (i) written notice of the facts that warrant suspension or revocation; and,
- (ii) an opportunity to be heard.

**The pertinent provisions of 12-6B-09 of the Act state: Grounds for reprimand or denial, probation, suspension, or revocation of registration:**

Subject to the hearing provision of § 12-315 of this title, the Board may deny a pharmacy technician's registration to any applicant, reprimand a registered pharmacy technician, place any pharmacy technician's registration on probation, or suspend or revoke a pharmacy technician's registration if the applicant or pharmacy technician registrant:

- (3) Fraudulently uses a pharmacy technician's registration;
- (25) Violates any regulation adopted by the Board [;].

**The Board also charged the Respondent with a violation of its Pharmacist and Pharmacy Technician Code of Conduct, COMAR §10.34.10 (November 12, 2001):**

B. A pharmacist may not:

\* \* \*

- (3) Engage in unprofessional conduct

**FACTS THAT WARRANT THE  
REVOCATION OF THE RESPONDENT'S REGISTRATION**

1. At all times relevant hereto, the Respondent was registered to practice as a Pharm Tech in Maryland. The Respondent was first registered on June 9, 2011. The Respondent's registration expired on August 31, 2012.

2. At all times relevant herein, the Respondent was employed as a Pharm Tech at a National drug store chain in Baltimore County, Maryland, identified as Pharmacy A.

3. On or about June 22, 2012, a customer of Pharmacy A complained that she overheard the Respondent and another customer of Pharmacy A discussing the fact that the Respondent could obtain Suboxone, a drug used for treating addiction, and sell it on the "streets". Thereafter, an investigation was begun regarding any losses involving Suboxone supplies. However, while investigating Suboxone, it was discovered that significant amounts of Alprazolam, an anti-anxiety drug, were missing.

4. As a result of that discovery, measures were taken to determine the cause of the missing Alprazolam, which led to the disclosure that the Respondent was stealing whole bottles of Alprazolam from Pharmacy A.

5. When the Respondent was confronted about this loss, she admitted to the theft, orally and in writing, claiming that she sold the bottles to someone for \$200 because she needed the money to help with her expenses.

6. As a result of this admission, the Respondent was terminated from employment with Pharmacy A on August 7, 2012. At that time, the Respondent signed a promissory note, agreeing to repay Pharmacy A \$398.53, of which \$100 was paid that date.

7. Pharmacy A subsequently filed a DEA theft/loss report indicating that, due to employee pilferage, amounting to \$49.41, it lost 1251 tablets of Alprazolam HCL, 2 mg tablets.

#### **CONCLUSIONS OF LAW**

Based upon the foregoing Facts, the Board concludes that the Respondent violated its Act and that the revocation is warranted, pursuant to § 12-6B-09 (3) and (25) of the Act; and COMAR §10.34.10.01 B(3).

#### **ORDER**

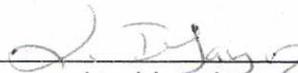
As set forth above, the Board hereby **ORDERS** that the registration to practice as a Pharmacy Technician in Maryland held by **KEISHA DAVIS**, the Respondent, be and is **REVOKED**, and that this Order is public, pursuant to §10-617(h), Md. State Govt. Code Ann. (2009 Repl. Vol.).

**NOTICE OF RIGHT OF APPEAL**

In accordance with Md. Health Occ. Code Ann. § 12-316 (2009 Repl. Vol. and 2013 Supp.) and the Administrative Procedure Act, Md. State Govt. Code Ann. §§ 10-201, *et seq.*, (2009 Repl. Vol. and 2013 Supp.) you have a right to a direct judicial appeal of this decision. A petition for appeal of the Final Board Order shall be filed within thirty days from your receipt of this Final Order and shall be made in accordance with the aforesaid authority.

11/20/13

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Lenna Israbian-Jamgochian, Pham.D., President  
Board of Pharmacy