

IN THE MATTER OF	*	BEFORE THE
THOMAS MARTINO, Pharm Tech	*	STATE BOARD
REGISTRATION NO.: T12340	*	OF
Respondent	*	PHARMACY
	*	Case No.: PT-14-026

* * * * *

ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. State Govt. Code Ann. §10-226 (c) (2) (2009 Repl. Vol.), the State Board of Pharmacy (the "Board") hereby suspends the registration to practice as a Pharmacy Technician (Pharm Tech) in Maryland issued to **THOMAS MARTINO** (the "Respondent"), under the Maryland Pharmacy Act (the "Act"), Md. Health Occ. Code Ann. §§ 12-101, *et seq.*, (2009 Repl. Vol.). This Order is based on the following investigative findings which the Board has reason to believe are true:

INVESTIGATIVE FINDINGS

1. At all times relevant hereto, the Respondent was registered to practice as a Pharm Tech in Maryland. The Respondent was first registered on March 29, 2013. The Respondent's registration expires on August 31, 2014.
2. At all times relevant hereto, the Respondent was employed as a Pharm Tech for a pharmacy ("Pharmacy A") in Baltimore County.
3. On or about October 30, 2013, the Pharmacist-In-Charge (PIC) at

Pharmacy A found a blister pack of Hydrocodone¹ 10/325 mg with several tablets missing and discovered that it had not been dispensed Pharmacy A's. Loss Prevention was called, and the Respondent admitted during an interview conducted by Pharmacy A's Loss Prevention, in writing and orally, that he had stolen drugs from Pharmacy A for "self-medication."

4. As a result of the above, the Respondent was terminated from employment and a Drug Enforcement Administration report of theft and loss was filed, identifying the fact that the Respondent had stolen 50 Hydrocodone 10/325 tablets.

5. Also, as a result of the above, law enforcement was contacted and the Respondent was charged criminally with theft less than \$100 in the District Court of Maryland for Baltimore County.

6. On March 13, 2014, in the District Court of Maryland for Baltimore County, the Respondent pled "not guilty" to the criminal charge. The Respondent received probation for judgment unsupervised for one year. In addition, he was ordered to pay a fine of \$150 and court and other associated costs.

CONCLUSIONS OF LAW

Based on the foregoing, the Board finds that the public health, safety or welfare imperatively requires emergency action, pursuant to Md. St. Gov't. Code Ann. §10-226(c) (2) (2009 Repl. Vol.).

ORDER

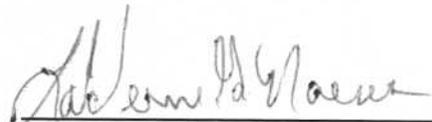
¹Hydrocodone is an opioid pain medication. Acetaminophen is a less potent pain reliever that increases the effects of hydrocodone. In this combination, hydrocodone = 10 mgs and the acetaminophen = 325 mgs. The drug also goes by the trade name of Lortab and Vicodin.

Based on the foregoing, it is, therefore, this 7th day of April, 2014, by a majority vote of a quorum of the State Board of Pharmacy, by authority granted to the Board by Md. St. Govt. Code Ann. §10-226(c) (2) (2009 Repl. Vol.), the registration held by the Respondent to practice as a Pharm Tech in Maryland, Registration No. T12340 is hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED that, upon the Board's receipt of a written request from the Respondent, a Show Cause Hearing shall be scheduled within a reasonable time of said request, at which the Respondent will be given an opportunity to be heard as to whether the Summary Suspension should be continued, regarding the Respondent's fitness to practice as a Pharm Tech and the danger to the public; and be it further

ORDERED that the Respondent shall immediately turn over to the Board his wall certificate and wallet-sized registration to practice as a Pharm Tech issued by the Board; and be it further

ORDERED that this document constitutes a Final Order of the Board and is, therefore, a public document for purposes of public disclosure, as required by Md. State Gov't Code Ann. §10-617(h) (2009 Repl. Vol.).



Laverne G. Naesea, Executive Director
Board of Pharmacy

NOTICE OF HEARING

A Show Cause hearing to determine whether the Summary Suspension shall be continued will be held before the Board at 4201 Patterson Avenue, Baltimore, 21215 following a written request by the Respondent for same.