

IN THE MATTER OF	*	BEFORE THE
BECKY RIDEN, Pharm Tech	*	STATE BOARD
Registration No.: T03064	*	OF
Respondent	*	PHARMACY
	*	Case No. PT-13-038/13-238

* * * * *

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

On June 18, 2014, the Maryland Board of Pharmacy (the "Board") notified **BECKY RIDEN**, 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 State Gov't Code Ann. ("S.G.") § 10-226 (c) (1) (2009 Repl. Vol.), and the Maryland Pharmacy Act (the "Act"), Health Occ. Code Ann. ("H.O.") §§ 12-101 *et seq.* (2009 Repl. Vol.).

S.G. § 10-226. Licenses.-Special Provisions:

(c) *Revocation of (sic) suspension.*— (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.

H.O. § 12-6B-09. 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:

- (22) Pleaded guilty or nolo contendere to, or has been found guilty of a felony or a crime involving moral turpitude, regardless of whether:
 - (i) An adjudication of guilt or sentencing or imposition of sentence is withheld; or
 - (ii) Any appeal or other proceeding is pending regarding the matter[;].

**FACTS THAT WARRANT THE
REVOCAION 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 October 7, 2008. The Respondent's registration expired on October 31, 2013.

2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at a pharmacy in Cumberland, Maryland, hereinafter "Pharmacy A."

3. On or about June 10, 2013, the Pharmacist-In-Charge (PIC) at Pharmacy A began an inventory of Schedule II controlled substances for the purposes of ordering for the upcoming week. When he left the area where the Schedule IIs were located, he noted that there was a full and a partial bottle of Oxycodone¹, 15 mg tablets. Because he made an error while entering data in the computer, he returned to the Schedule II area, where he noticed that where there had once been two bottles of Oxycodone, there was only one partial bottle. Upon inquiring about the fill orders from a Pharm Tech, it was determined that no orders for Oxycodone had been or were in the process of being filled.

¹Oxycodone is a semi-synthetic opioid from poppy-derived thebaine. It is a narcotic analgesic generally indicated for relief of moderate to severe pain.

4. After finding out that the Techs indicated that there were no Oxycodone orders waiting to be filled, the PIC checked the counter-tops, bins and trash cans; he located the empty bottle of Oxycodone 15 mg in the trash can next to the controlled substance filling area. At the end of the shift, he removed the trash can from the work area and put it into a safe cabinet and removed the partial bottle of Oxycodone, 15 mg tablets and placed them in a zippered bag in the same place as the trash can.

5. A review of an in-store video confirmed that the Respondent was the one who removed the full bottle from the shelf. Once additional management confronted the Respondent, she denied taking the pills, even though no orders for Oxycodone had been ordered for several days prior to the incident. It was determined that 114 Oxycodone, 15 mg pills were missing.

6. As a result of the above, a DEA report of theft/loss was filed; the County Police were contacted; and, the Respondent's employment was terminated.

7. The Respondent was charged in the Circuit Court of Maryland for Allegany County with the following:

- | | |
|-------------|-------------------------------|
| Count One | Theft less than \$1000; |
| Count Two | CDS Poss-not Marijuana; |
| Count Three | CDS Poss w/Intent Dist. Narc. |

8. Based upon the above, on August 19, 2013, the Board issued a Summary Suspension against the Respondent's registration. The Respondent failed to request a hearing.

9. On April 8, 2014 in the aforesaid Court, the Respondent pled guilty and was found guilty of Count 1. She was sentenced to a jail term of six months, followed by supervised Probation of one year. The other two Counts were nolle prossed.

10. By pleading guilty to a crime of moral turpitude, the Respondent violated the Act.

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 (22) (i) and (ii) of the Act.

ORDER

As set forth above, the Board hereby **ORDERS** that the registration to practice as a Pharmacy Technician in Maryland held by **BECKY RIDEN**, 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 § 12-316 of the Act .and S. G. §§10-201 *et seq*, 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.

Date

8/20/14

Lenna Israbian-Jamgochian, Pharm.D.,
President
Board of Pharmacy