

IN THE MATTER OF	*	BEFORE THE
LACEY STREET, Pharm Tech	*	STATE BOARD
Registration No.: T12171	*	OF
Respondent	*	PHARMACY
	*	Case No. PT-14-011/14-211

\* \* \* \* \*

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

On June 18, 2014, the State Board of Pharmacy (the "Board"), notified **LACEY STREET**, Pharmacy Technician (Pharm Tech), the Respondent, of its Intent to Revoke her pharmacy technician 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.), 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 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 March 11, 2013. The Respondent's registration expired on July 31, 2014.

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

3. On or about May 10, 2013, the Ocean City Police Department was called by the Loss Prevention personnel of Pharmacy A regarding a theft. The following information was obtained:

A. On April 16, 2013, Pharmacy A's Pharmacist had informed the Loss Prevention Officer that, on April 16, 2013, a male came into the store and was "flipping out" about the Respondent's stealing prescriptions and selling them at his residence;

B. As a result of this, the Loss Prevention Officer began an investigation by performing a count of the pills at the store. The count disclosed a shortage of Hydrocodone-Acetaminophen 10/325<sup>1</sup> by approximately 2400 pills;

C. When confronted about the theft, the Respondent informed personnel at Pharmacy A and then the Police Officer that she had been stealing drugs from February to April 2013;

D. Though the Respondent also admitted stealing Hydrocodone-Acetaminophen, 7.5/750<sup>2</sup> and Suboxone<sup>3</sup>, the Loss Prevention Officer did not count how many of those drugs were missing;

E. Based upon the theft of drugs, the Respondent was terminated from employment at Pharmacy A.

4. As a result of the above, the Respondent was charged with three counts of theft in the District Court of Maryland for Worcester County, as follows:

Count One	Theft-Scheme: 1K to under 10K;
Count Two	Theft: less than \$1000 value;
Count Three	Theft: less than \$1000 value.

5. On October 3, 2013 in the aforesaid court, the Respondent pled "Other Plea" to Counts One and Three, and those Counts were nolle prossed. The Respondent pled "Guilty", and was found "Guilty", to Count Two. The Respondent was ordered to pay a fine of \$500. The Respondent was also ordered to pay \$55.50 in court and other costs. The Respondent

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<sup>1</sup>Hydrocodone is in a group of drugs called narcotic pain relievers. Acetaminophen is a less potent pain reliever that increases the effects of hydrocodone. The combination of hydrocodone and acetaminophen is used to relieve moderate to severe pain. In this combination, there are 10 mg of Hydrocodone and 325 mg of acetaminophen per pill.

<sup>2</sup>This combination means that there are 7.5 mg of Hydrocodone and 750 mg of acetaminophen per pill.

<sup>3</sup>Suboxone is used to treat moderate to severe pain for opioid dependence.

was sentenced to a one-year jail term, of which 11 months was suspended, following which the Respondent was ordered on probation until October 3, 2016.

6. On October 1, 2013, based upon the above, the Board summarily suspended the Respondent's registration. The Respondent failed to ask for a hearing.

7. 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 §12-6B-09 (22) (i) and (ii) of its Act.

### ORDER

As set forth above, the Board hereby Orders, that the registration to practice as a Pharmacy Technician in Maryland held by **LACEY STREET**, 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 the Md. State Govt. Code Ann. § § 10-201, *et seq.*, (2009 Repl. Vol.) 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 aforecited authority.

\_\_\_\_\_  
Date

8/21/14

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