

IN THE MATTER OF * BEFORE THE
BEVERLY WINN, PHARM TECH * STATE BOARD
Registration No.: T10372 * OF
Respondent * PHARMACY
* Case No. PT-15-007

* * * * *

ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. State Gov't (SG) 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 **BEVERLY WINN**, (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 February 22, 2012. The Respondent's registration expires on October 31, 2015.
2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at a National chain pharmacy in Baltimore, Maryland, hereinafter "Pharmacy A."
3. On or about August 4, 2014, Pharmacy A faxed to the Board, the Drug Enforcement Administration (DEA) "Report of Loss/Theft" form which indicated that it appeared that 230 tablets of Alprazolam¹, 2 mg, were missing.

¹ Alprazolam treats anxiety and panic disorder, and goes by the trade name Xanax.

4. By email dated September 2, 2014, Pharmacy A sent the Board its investigative summary which contained the results of its investigation into the missing tablets, as follows

- A. Pharmacy A detected a shortage of Alprazolam in June 2014;
- B. As a result, the Pharmacist-in-Charge conducted a count and determined that 50 pills were unaccounted for;
- C. Subsequently, the Regional Loss Prevention Manager for Pharmacy A noted that two bottles of Alprazolam were missing from a truck delivery of July 29, 2014;
- D. As a result, daily counts and video reviews were made;
- E. Based upon matching dispensing reports with the video, the Respondent was determined to be the person taking the drugs;
- F. Accordingly, on August 13, 2014, the Respondent was interviewed, during which she admitted that she stole the drugs to sell in order to pay for her expenses. She said that she had stolen approximately 100 pills in the past month;
- G. The Respondent provided a written statement admitting that she had taken the drugs without a prescription or making a payment, but to sell them;
- H. Following the interview, the Respondent signed a promissory note to repay Pharmacy A \$150;
- I. The Respondent was terminated from employment with Pharmacy A and the police were called.

5. The Respondent was arrested and criminally charged in the District Court of Maryland for Baltimore City with the following:

- Count 1 Theft less than \$1000
- Count 2 Theft scheme, less than \$1000.

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.).

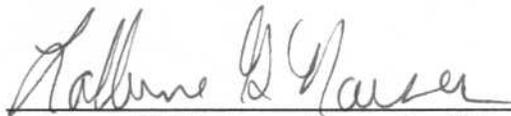
ORDER

Based on the foregoing, it is therefore this 29th day of October, 2014, by a majority vote of a quorum of the State Board of Pharmacy, by authority granted to the Board by Md. St. Gov't. 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. T10372, 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 her 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.