

**IN THE MATTER OF** \* **BEFORE THE**  
**DAVID BLOCH, PHARM TECH** \* **STATE BOARD**  
**Registration No.: T09164** \* **OF**  
**Respondent** \* **PHARMACY**  
\* **Case No. PT-13-034**

\* \* \* \* \*

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

On September 19, 2014, the State Board of Pharmacy (the "Board"), notified **DAVID BLOCH**, Pharmacy Technician (Pharm Tech), the Respondent, of its Intent to Revoke his Pharm Tech registration.

The Notice also informed the Respondent that, unless he 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 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 May 16, 2011. The Respondent's registration expires on February 28, 2015.

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

3. On or about April 2, 2013, the Baltimore County Police Department was called to Pharmacy A regarding a theft. Upon arrival, the following information was obtained:

A. Pharmacy A's Pharmacist had noticed an empty bottle of Hydrocodone<sup>1</sup> in the trash can. The Pharmacist found this to be suspicious due to the fact that he specifically remembered that the bottle was at least partially full the night prior;

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<sup>1</sup>Hydrocodone is in a group of drugs called opioids and is used to relieve moderate to severe pain.

B. This caused the Pharmacist to view the surveillance footage, which disclosed that, while the Respondent was working, the Respondent removed several pills from the Hydrocodone bottle and then placed the empty bottle in the trash can;

C. The Pharmacist alerted Pharmacy A's Loss Prevention Officer of the situation. Upon the Loss Prevention Officer's arrival to Pharmacy A, she observed the Respondent place a few pills in his mouth and leave the store with a bottle of water;

D. The Loss Prevention Officer then confronted the Respondent in reference to his possible drug activity, whereupon the Respondent admitted to her that, over the past eight months, he had been stealing anywhere from 10-20 Hydrocodone pills every day he worked. The Respondent originally told the Loss Prevention Officer that he was dealing as well as using the Hydrocodone for his personal use; however, the Respondent changed his story upon the arrival of the Police Officer;

E. During the Police Officer's interview of the Respondent, the Respondent advised that he had stolen the drugs because his friend had told him about the benefits of working in a pharmacy and he had agreed to steal anywhere from 10-20 Hydrocodone pills each day he worked, and he gave 15 to his friend and kept five for himself for personal use. Later, the Respondent admitted that the drugs were for his personal use;

F. The Police estimated that the value of the Hydrocodone sold on the street would have been for \$5 - \$10 a pill. Altogether, the profit from the drugs stolen by the Respondent from Pharmacy A is estimated by the Police to be \$18,700-\$37,400.

4. As a result of the thefts, the Respondent was terminated from employment with Pharmacy A.

5. The Respondent was subsequently charged in the Circuit Court of Maryland for Baltimore County with the following criminal charges:

- A. Count 1: CDS Poss w/Int Dist Narc;
- B. Count 2: CDS Poss—Not Marijuana;
- C. Count 3: Theft-Scheme-1K to Under 10 K;
- D. Count 4: Theft--\$ 1000 to under \$10,000;
- E. Count 5: Prescription/Remove Label; and,
- F. Count 6: CDS Dist-Narc.

6. On July 11, 2013, in the aforesaid Court, the Respondent pled guilty to Count 1 and was found guilty of same. He was sentenced to five years in jail, all suspended. The Respondent was also placed on two years supervised probation, random urinalysis, and three NA meetings per week. The Respondent was ordered to enroll in and successfully complete an inpatient 120 day program with aftercare. All items seized were to be forfeited to the forfeiting authority. Probation was transferred to Anne Arundel County, upon release from treatment; and, fines and costs were waived. The other Counts were Nolle Prossed.

7. Based upon the above, on September 13, 2013, the Board issued a summary suspension against the Respondent's registration. He failed to request a hearing.

8. 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 **DAVID BLOCH**, 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.

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Date                      5/20/12

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