

IN THE MATTER OF	*	BEFORE THE STATE
HILLARI BOCHES	*	BOARD OF
REGISTRATION No: T05587	*	PHARMACY
Respondent	*	CASE No.: PT-12-026/12-225
* * * * *	*	* * * * *

**FINAL ORDER**

The Maryland State Board of Pharmacy ("the Board"), issued a Notice of Intent to Revoke the pharmacy technician registration of **HILLARI BOCHES (the "Respondent")**, **Registration No. T05587**, based on her violation of the Maryland Pharmacy Act (the "Act"), codified at Md. Health Occ. Code Ann. ("H.O.") §§ 12-101, *et seq.* (2009 Repl. Vol. and 2011 Supp.).

The Board found that the Respondent violated the following provisions of H.O. § 12-6B-09:

Subject to the hearing provisions 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:

(27) Participates in any activity that is grounds for Board action under § 12-313 or § 12-409 of this title; to wit:

H.O. § 12-313(25) Violates any rule or regulation adopted by the Board; to wit:

COMAR 10.34.10.01B A pharmacist may not: (3) Engage in unprofessional conduct.

The Board notified the Respondent that this Final Order would be executed thirty (30) days from the Respondent's receipt of the Board's Notice, unless the Respondent requested a hearing. The Respondent did not request a hearing.

### **FINDINGS OF FACT**

1. The Respondent is registered to practice as a pharmacy technician in the State of Maryland under Registration Number T05578. The Respondent was first registered on June 4, 2009. The Respondent's registration is current and is scheduled to expire on February 28, 2013.
2. The Respondent's registration is currently suspended pursuant to the Board's Order for Summary Suspension, which was issued on March 28, 2012. The Respondent failed to request a show cause hearing.
3. At all times relevant, Respondent was employed as a Pharmacy Technician at Eagle Pharmacy ("Eagle") in Marriottsville, Maryland.
4. On or about October 10, 2011, the Board received information from the Pharmacist-in-Charge (the "pharmacist") at Eagle that the Respondent was suspected of narcotics theft.
5. The complaint alleged that on August 23, 2011, the pharmacist discovered missing narcotics. At the time, the Respondent was in the third week of her probationary period at Eagle.
6. The pharmacist stated that the Respondent and all other staff were asked to stay home on August 24, 2011 while essential personnel conducted an inventory. In

response, the Respondent asked to withdraw her license from the pharmacy, ceased communication and refused to cooperate with the investigation.

7. The pharmacist contacted the Respondent on August 26, 2011 and asked her to come in for a voluntary drug test. The Respondent declined, stating that she had plans to attend a concert and would consult a doctor before responding to inquiries about the missing narcotics. The Respondent did not call back.

8. The Respondent was terminated from her employment at Eagle and is prohibited from entering the premises.

9. The Respondent filed for unemployment benefits on August 24, 2011, the day after the missing narcotics were brought to her attention, but was denied.

10. Eagle reported the missing narcotics to the Drug Enforcement Administration and to the Howard County Police Department.

11. According to the Drug Enforcement Administration's Report of Theft or Loss of Controlled Substances form, the following narcotics were missing from Eagle:

- a. Oxycodone-APAP 7.5/325 mg<sup>1</sup> – 5 tablets
  - b. Oxycodone-APAP 5/325 mg – 34 tablets
  - c. Oxycontin 15 mg<sup>2</sup> – 29 tablets, sustained release 12-hour.
12. The total value of the missing CDS is \$148.00.

### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board finds by a preponderance of

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<sup>1</sup> Oxycodone is a schedule II controlled dangerous substance ("CDS").

<sup>2</sup> Oxycontin is a schedule II CDS.

evidence and concludes that by being terminated from her employment as a pharmacy technician for suspected theft of controlled dangerous substances, the Respondent violated H.O. § 12-6B-09(27) Participates in any activity that is grounds for Board action under § 12-313 or § 12-409 of this title; to wit: H.O. § 12-313(25) Violates any rule or regulation adopted by the Board; to wit: COMAR 10.34.10.01B A pharmacist may not: (3) Engage in unprofessional conduct.

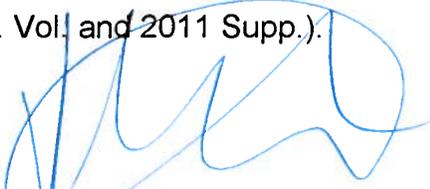
**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby:

**ORDERED** that the Respondent's license to practice pharmacy is hereby  
**REVOKED;**

**ORDERED** that this Order is a PUBLIC DOCUMENT, pursuant to Md. Code Ann., State Govt. § 10-611 et seq. (2009 Repl. Vol. and 2011 Supp.).

OCTOBER 17, 2012  
Date

  
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Michael N. Souranis, P.D., President  
State Board of Pharmacy