

IN THE MATTER OF

\* BEFORE THE STATE

HILLARI BOCHES

\* BOARD OF

REGISTRATION No: T05587

\* PHARMACY

Respondent

\* CASE No.: PT-12-026/12-225

\* \* \* \* \*

**ORDER FOR SUMMARY SUSPENSION**

Pursuant to Md. State Govt. Code Ann. ("S.G.") §10-226 (c) (2009 Repl. Vol. and 2011 supp.), the Maryland Pharmacy Act (the "Act"), Md. Health Occ. Code Ann. ("H.O.") §§ 12-101 *et seq.* (2009 Repl. Vol. and 2011 Supp.), and Code Md. Regs. tit. 10, § 34.01.12, the State Board of Pharmacy (the "Board") hereby summarily suspends the registration of **HILLARI BOCHES, Registration Number T05587, (the "Respondent") (D.O.B. 02/01/1971)**, to practice as a pharmacy technician under the Act. This Order is based on the following investigative findings, which the Board has reason to believe are true:<sup>1</sup>

**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. At all times relevant, Respondent was employed as a Pharmacy Technician at Eagle Pharmacy ("Eagle") in Marriottsville, Maryland.

---

<sup>1</sup> The statements regarding the Respondent's conduct are only intended to provide the Respondent with notice of the basis of the suspension. They are not intended as, and do not necessarily represent a completed description of the evidence, either documentary or testimonial, to be offered against the Respondent in this matter.

3. 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.

4. 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.

5. 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.

6. 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.

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

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

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

10. 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>2</sup> – 5 tablets
  - b. Oxycodone-APAP 5/325 mg – 34 tablets
  - c. Oxycontin 15 mg<sup>3</sup> – 29 tablets, sustained release 12-hour.
11. The total value of the missing CDS is \$148.00.

**CONCLUSIONS OF LAW**

Accordingly, the Board concludes that the public health, safety or welfare imperatively requires emergency action in this case, pursuant to Md. State Gov't Code Ann. § 10-226(c)(2)(i) (2009 Repl. Vol. and 2011 Supp).

**ORDER**

Based on the foregoing, it is this 28<sup>th</sup> day of March 2012, by a majority vote of a quorum of the Board, hereby:

**ORDERED** that pursuant to the authority vested by Md. State Gov't Code Ann., § 10-226(c)(2) Registration No. T05587, the Respondent's registration to practice as a pharmacy technician in Maryland, is hereby **SUMMARILY SUSPENDED**; and be it further

**ORDERED** that the Respondent must request a post-deprivation show cause hearing in writing **WITHIN 30 DAYS** of her receipt of this notice. The written request should be made to: LaVerne Naesea, Executive Director, Maryland Board of Pharmacy, Department of Health & Mental Hygiene, 4201 Patterson Avenue, Baltimore, Maryland 21215 with copies mailed to: Tracee Orlove Fruman, Assistant Attorney General, Office of the Attorney General, 300 West Preston Street, Suite 207, Baltimore, Maryland

---

<sup>2</sup> Oxycodone is a schedule II controlled dangerous substance ("CDS").

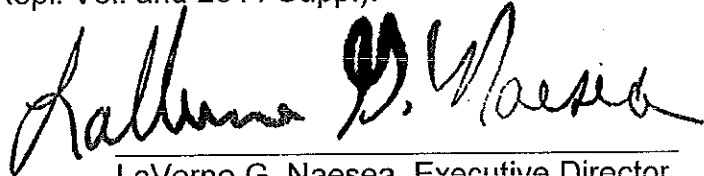
<sup>3</sup> Oxycontin is a schedule II CDS.

21201, and Linda Bethman, Assistant Attorney General, Office of the Attorney General, 300 West Preston Street, Suite 302, Baltimore, Maryland 21201; and be it further

**ORDERED** that if the Respondent fails to request a post-deprivation show cause hearing, the Respondent's registration will remain suspended; and it is further

**ORDERED** that the Respondent shall immediately turn over to the Board her registration to practice as a pharmacy technician issued by the Board; and be it further

**ORDERED** that this document constitutes an 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. and 2011 Supp.).

A handwritten signature in black ink, appearing to read "LaVerne G. Naesea". The signature is written in a cursive style with a large, stylized initial "L".

LaVerne G. Naesea, Executive Director  
Maryland Board of Pharmacy