

IN THE MATTER OF * BEFORE THE
SIRRON RICHARDSON, PHARM TECH * STATE BOARD
Registration Number: T13890 * OF
Respondent * PHARMACY
* Case Number: PT-17-036

* * * * *

ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. Code Ann., State Gov't II ("SG II") §10-226 (c)(2) (2014 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 SIRRON RICHARDSON (the "Respondent"), under the Maryland Pharmacy Act (the "Act"), Md. Code Ann., Health Occupations II (Health Occ. II) §§ 12-101 *et seq.* (2014 Repl. Vol.). This Order is based on the following investigative findings, which the Board has reason to believe are true:

INVESTIGATIVE FINDINGS

Based on information received by, and made known to the Board, and the investigatory information obtained by, received by and made known to and available to the Board, including the instances described below, the Board has reason to believe that the following facts are true:¹

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

1. At all times relevant hereto, the Respondent was registered to practice as a Pharm Tech in the State of Maryland. The Respondent was first registered on January 2, 2014. The Respondent's registration expires on November 30, 2017.

2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at a pharmacy within a grocery store (the "Pharmacy") in Hyattsville, Prince George's County, Maryland.²

3. By a letter dated May 2, 2017, the Pharmacy reported to the Board that the Respondent had been terminated from employment with the Pharmacy because she was allegedly involved with filling fraudulent prescriptions for lorazepam.³

4. The Pharmacy informed the Board that the termination date was March 25, 2017.

5. By letter from the Pharmacy's Pharmacy Compliance Manager, dated May 24, 2017, the Board received a report of investigation which contained the following information, *inter alia*:

- A. The Pharmacy was contacted by a physician's office who stated that he had been contacted by Medicaid Insurance regarding prescriptions filled for a Pharmacy client ("Client A");
- B. The physician stated that Client A was not his patient and he did not write the prescriptions the Pharmacy filled for Client A;

² For confidentially purposes, the names of pharmacies and all individuals referenced herein will not be identified by name in this document, but may be revealed to the Respondent by contacting the Administrative Prosecutor.

³ Lorazepam is used to treat anxiety disorders. It is also used for short-term relief of the symptoms of anxiety or anxiety caused by depression. Lorazepam is a benzodiazepine that works in the brain to relieve symptoms of anxiety. Benzodiazepines are central nervous system (CNS) depressants, which are medicines that slow down the nervous system.

- C. After examining the scripts, it was determined that the scripts were in the Respondent's handwriting and written on a generic refill authorization request form;
- D. The Respondent's handwriting was verified by both the Pharmacy Manager and the Staff Pharmacist at the Pharmacy;
- E. Client A's scripts were filled when the regular staff pharmacists were not on duty, in violation of the rule that technicians are not allowed to obtain refill orders of controlled substances;
- F. The prescriptions were paid for with insurance, but the insurance card did not belong to Client A, the client for whom the scripts were written;
- G. The Pharmacy reviewed video surveillance tapes to determine when the fraudulent prescriptions were filled. The surveillance tapes from the following dates and times were reviewed:
 - 7/25/16 @3:41PM;
 - 8/31/16 @7:50PM;
 - 10/25/16@2:02PM;
 - 11/23/16@2:24PM.
- H. On 8/31/16 and 11/23/16, the Respondent can be seen on video taking a filled script from the shelf to the place where scripts are waiting for pick-up;
- I. The Respondent can then be seen accessing the register with no customer present and ringing up scripts she picked up from the

prescription counter. At the end of her shift, the Respondent retrieved a bag from the closet and took it with her;

- J. Further investigation showed that on 8/31/16 and 11/23/16 prescriptions were filled for the Respondent's children and Client A;
- K. When Human Resources interviewed the Respondent regarding this matter, the Respondent denied any involvement, even though her signature was on Client A's scripts;
- L. Client A's profile was changed more than 40 times, from changing the date of birth to the spelling of her first and last name. Many of these changes happened within minutes of the processing of the scripts with the Respondent's ID user credentials and, at times, when the Respondent was the only associate present on duty other than the pharmacist;
- M. A further check showed that on 11/23/16, the Respondent picked up five prescriptions for her children and Client A that she rang up when no one else was around.

6. The Respondent claimed that she did not know Client A, and did not have a reason to pick up Client A's scripts.

CONCLUSIONS OF LAW

Based on the foregoing, the Board finds that the public health, safety or welfare imperatively requires emergency action, pursuant to Md. Code Ann., SG II §10-226(c) (2) (2014 Repl. Vol.).


ORDER

Based on the foregoing, it is therefore this 27th day of September, 2017, by a majority vote of a quorum of the Board, by authority granted to the Board by Md. Code Ann., SG II §10-226(c) (2) (2014 Repl. Vol.), the registration held by the Respondent to practice as a Pharm Tech in Maryland, Registration No. T13890, is hereby **SUMMARILY SUSPENDED**; and it is 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; whether the Respondent is fit to practice as a Pharm Tech; and whether the Respondent is a danger to the public; and it is 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 it is further

ORDERED that this document constitutes an Order of the Board and is a public document for purposes of public disclosure, as required by Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014 Vol.).



Deena Speights-Napata, Executive Director
Board of Pharmacy

NOTICE OF HEARING

A Show Cause hearing to determine whether the Summary Suspension shall be held before the Board at 4201 Patterson Avenue, Baltimore, 21215, following a written request by the Respondent for same.