

IN THE MATTER OF

*

BEFORE THE

KIERA REED

*

STATE BOARD OF

Respondent

*

PHARMACY

REGISTRATION NO: T11004

*

Case No.: PT-13-018/13-218

* * * * *

FINAL ORDER

On April 17, 2013, the Maryland State Board of Pharmacy ("the Board"), issued a Notice of Intent to Revoke the pharmacy technician registration of **KIERA REED, Registration Number T11004, (the "Respondent") (D.O.B.: 04/11/1990)**, 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 10.34.10.01 A. A pharmacist shall: (1) Abide by all federal and State laws relating to the practice of pharmacy and the dispensing, distribution, storage, and labeling of drugs and devices, including but not limited to:

(a) United States Code, Title 21,

(b) Health-General Article, Titles 21 and 22, Annotated Code of Maryland,

(c) Health Occupations Article, Title 12, Annotated Code of Maryland,

(d) Criminal Law Article, Title 5, Annotated Code of Maryland, and

(e) COMAR 10.19.03; [and]

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 Applicant's receipt of the Board's notification, unless the Applicant requested a hearing. The Board's Notice of Intent to Revoke Pharmacy Technician Registration (the "Notice.") was mailed to the Applicant's address of record by certified mail and by regular mail. The Applicant did not request a hearing.

FINDINGS OF FACT

The Board finds the following:

1. The Respondent is registered to practice as a pharmacy technician in the State of Maryland under Registration Number T11004. The Respondent was first registered on June 8, 2012. The Respondent's registration is active and is scheduled to expire on April 30, 2014.

2. At all times relevant, Respondent was employed as a pharmacy technician at Pharmacy A in District Heights, Maryland.

3. On or about December 18, 2012, the Board received information from Pharmacy A that it experienced a significant theft of a controlled dangerous substance ("CDS"). Pharmacy A further disclosed that the Respondent was terminated for stealing CDS.

4. Thereafter the Board initiated an investigation.

5. The Board's investigation revealed that on November 9, 2012, the Respondent admitted to stealing 240 ml of Promethazine with codeine.¹ The Respondent further admitted to stealing 100 eight ounce bottles of Promethazine with codeine over the previous nine months. The value of the stolen medication was \$2,204.50.

6. The Respondent stated that she stole the medication so that she could sell it in order to pay her bills. She further stated that she would sell the bottles of medication for \$80 to \$100 depending on the buyer.

7. The Respondent was terminated from her employment at Pharmacy A on November 10, 2012.

8. On or about November 12, 2012, in the District Court of Maryland for Prince George's County, the Respondent was charged with theft \$1,000 to under \$10,000, theft less than \$1000 and theft scheme \$1,000 to under \$10,000. This case (case no.: 0E00476973) is scheduled for a trial on July 3, 2013.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board finds by a preponderance of evidence and concludes that the Respondent's conduct as described above violates 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.

¹ Promethazine is an antihistamine and codeine is a schedule II controlled dangerous substance.

ORDER

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

ORDERED that the Respondent's registration to practice as a pharmacy technician 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.).

JUNE 19, 2013
Date



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

NOTICE OF RIGHT TO APPEAL

Pursuant to Md. Health Occ. Code Ann. §19-313 (2009 Repl. Vol. and 2011 Supp.), you have a right to take a direct judicial appeal. A Petition for Judicial Review must be filed within thirty (30) days of your receipt of this Order and shall be made as provided for judicial review of a final decision in the Md. State Govt. Code Ann. §§ 10-201 *et seq.* (2009 Repl. Vol. and 2011 Supp.), and Title 7, Chapter 200 of the Maryland Rules.