

IN THE MATTER OF

*

BEFORE THE

CALEB WEDDINGTON, PHARM TECH

*

STATE BOARD OF

Registration No.: T19852,

*

PHARMACY

Respondent

*

Case No. 18-149

* * * * *

ORDER FOR SUMMARY SUSPENSION

The Maryland State Board of Pharmacy (the "Board") hereby summarily suspends the registration issued to **CALEB WEDDINGTON, Pharm Tech** (the "Respondent") to practice as a Pharmacy Technician ("Pharm Tech"), under the Maryland Pharmacy Act (the "Act"), Md. Code Ann., Health Occupations ("Health Occ.") §§ 12-101 *et seq.* (2014 Repl. Vol.). The Board takes such action pursuant to its authority under Md. Code Ann., State Gov't § 10-226(c)(2) (2014 Repl. Vol. and 2017 Supp.), concluding that the public health, safety or welfare imperatively requires emergency action.

This Order is based on the following investigative findings, which the Board has reason to believe are true:

INVESTIGATIVE FINDINGS¹

The Board has reason to believe that the following facts are true:

1. At all times relevant hereto, the Respondent was registered to practice as a Pharm Tech in Maryland. The Respondent was initially first registered to practice as a

¹ The allegations set forth in this notice are intended to provide the Respondent with notice of the Board's action. 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 action.

Pharm Tech on July 19, 2017. The Respondent's registration expires on September 30, 2018.

2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at a national chain pharmacy, in Montgomery, County, Maryland, hereinafter “the Pharmacy.”²

3. On or about January 22, 2018, the Board received a copy of “Form DEA-106, “REPORT OF THEFT OR LOSS OF CONTROLLED SUBSTANCES,” from the Pharmacy. The report noted that the loss was due to employee pilferage.

4. The District Manager for Loss Prevention and Asset Protection, hereinafter “Witness A” investigated this matter for the Pharmacy. According to Witness A, the dates of the drug losses were consistent with the Respondent’s work schedule and CCTV surveillance footage showed the Respondent moving medications matching the types that were lost or stolen.

5. The controlled substances reported missing by the Pharmacy, included but were not limited to:

- a. Triazolam³
- b. Oxycontin⁴
- c. Carisoprodol⁵

² For confidentially purposes, the names of pharmacies and all individuals referenced herein will not be identified in this document, but this information will be provided to the Respondent upon request by the Administrative Prosecutor.

³ Triazolam is in a class of drugs known as benzodiazepines, which slow the functioning of the central nervous system and provide a tranquilizing effect. Triazolam is used to treat anxiety and sleep disorders.

⁴ Oxycontin is a schedule II narcotic pain medication.

⁵ Carisoprodol (Soma) is a muscle relaxant used to treat muscle pain.

- d. Alprazolam⁶
- e. Estazolam⁷
- f. Clonazepam⁸
- g. Lorazepam⁹
- h. Diazepam¹⁰
- i. Oxycodone/Apap¹¹

6. According to Witness A, the Respondent admitted to taking 150-200 doses of various medications, including controlled substances, valued at \$280.60.

7. In a written statement the Respondent admitted that he stole medications from the Pharmacy to alleviate the stress he was experiencing due to the death of a family member and other personal problems.

8. The Respondent stated:

I was experiencing unprecedented levels of stress associated with aforementioned factors, ...Again, the unethical nature of the activities [thefts] was apparent, But I sincerely associate my actions with these events, and have slowly re-equilibrated with the gravity of the situation. Nonetheless, I did in fact take what I estimate to be between 150-200 medications/pills/tablets etc.

9. The Respondent also stated in his written statement that he was willing to reimburse the pharmacy for the financial loss caused by the thefts.

⁶ Alprazolam (Xanax) is a benzodiazepine used to treat anxiety.

⁷ Estazolam is a benzodiazepine used to treat sleep disorders.

⁸ Clonazepam (Klonopin) is a benzodiazepine used to treat seizure disorders.

⁹ Lorazepam is a benzodiazepine used to treat anxiety and sleep disorders.

¹⁰ Diazepam is a benzodiazepine used to treat anxiety and sleep disorders.

¹¹ Oxycodone/Apap is a Schedule II narcotic pain medication containing oxycodone and acetaminophen.

10. Witness A stated that he issued a request for criminal charges to be filed against the Respondent. The Respondent was charged with "THEFT: \$100 TO UNDER 1,500." The case was scheduled for a disposition on March 19, 2018. According to electronic court records, the Complainant failed to appear for a mandatory screening conference, and the State's Attorney's Office did not go forward with the charges.

11. The Respondent's theft of CDS from his employer is a danger to the public health, safety, and welfare, and the summary suspension of the Respondent's license is in the best interest of the public.

CONCLUSIONS OF LAW

Based on the foregoing Investigative Findings, the Board finds that the public health, safety or welfare imperatively requires emergency action, pursuant to Md. Code Ann. State Gov't §10-226 (c) (2).


ORDER

Based on the foregoing, it is therefore this 27th day of June, 2018, by a majority vote of a quorum of the State Board of Pharmacy, by authority granted to the Board by Md. Code Ann, State Gov't §10-226(c) (2), the registration held by the Respondent to practice as a Pharm Tech in Maryland, Registration No. T19852 is hereby **SUMMARILY SUSPENDED**; and be it 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 the request, at which the Respondent will be given an opportunity to be heard as to whether the Summary Suspension should be continued; and be it further

ORDERED that the Respondent shall immediately return his wall certificate and wallet-sized registration to practice as a Pharm Tech to the Board; and be it further

ORDERED that this document constitutes a final Order of the Board and is, therefore, a public document for purposes of public disclosure, as required by Md. Code Ann. Gen. Prov., §§ 4-101 *et seq.* (2014 Vol and 2016 Supp.)



Dena Speights-Nopata, Executive Director
Board of Pharmacy

NOTICE OF HEARING

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