

IN THE MATTER OF * **BEFORE THE**
TRENEDA ALLEN, PHARM TECH * **STATE BOARD**
Registration No.: T05558 * **OF**
Respondent * **PHARMACY**
* **Case No. PT-15-002**

* * * * *

**FINAL ORDER OF REVOCATION
OF PHARMACY TECHNICIAN'S REGISTRATION**

On August 19, 2015, the State Board of Pharmacy (the "Board"), notified **TRENEDA ALLEN**, Pharmacy Technician (Pharm Tech), the Respondent, of its Intent to Revoke her pharmacy technician registration.

The Notice also informed the Respondent that, unless she requested a hearing in writing within 30 days of receipt of said Notice, the Board would sign the Final Order, which was enclosed. More than 30 days have elapsed and the Respondent failed to timely request a hearing. Therefore, this revocation is final.

The basis for the Board's action was pursuant to State Gov't Code Ann. ("S.G.") § 10-226 (c) (1) (2014 Repl. Vol. II), and the Maryland Pharmacy Act (the "Act"), Md. Code Ann., Health Occ. ("H.O.") §§ 12-101 *et seq.* (2014 Repl. Vol. II).

The relevant provisions are as follows:

S.G. § 10-226:

(c) (1) Except as provided in paragraph (2) of this subsection, a unit may not revoke or suspend a license unless the unit first gives the licensee:

- (i) written notice of the facts that warrant suspension or revocation;
- and
- (ii) an opportunity to be heard.

H.O. § 12-6B-09. Grounds for reprimand or denial, probation, suspension, or revocation of registration.

Subject to the hearing provision 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:

- (3) Fraudulently uses a pharmacy technician's registration;
- (8) Willfully fails to file or record any report that is required by law;
- (25) Violates any regulation adopted by the Board [;].

The Board further charges the Respondent with a violation of its Pharmacist and Pharmacy Technician Code of Conduct, Code Md. Regs. tit. 10.34.10 COMAR (2001):

§.01. Patient Safety and Welfare.

B. A pharmacist may not:

- (3) Engage in unprofessional conduct.

FACTS THAT WARRANT THE REVOCATION OF THE RESPONDENT'S REGISTRATION

1. At all times relevant hereto, the Respondent was registered to practice as a Pharm Tech in Maryland. The Respondent was first registered on June 3, 2009. The Respondent's registration expired on January 31, 2015.

2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at a National chain pharmacy in Baltimore, Maryland, hereinafter "Pharmacy A."

3. On or about July 25, 2014, the Board received a copy of a Drug Enforcement Administration (DEA) "Report of Loss/Theft" form from Pharmacy A which indicated that the theft/loss was due to employee pilferage. However, the name of the employee was not disclosed. Pharmacy A's Loss/Theft report indicated as follows:

- A. \$410.64 was the amount of the loss;
- B. The stolen medications were as follows:
 - (1) Xanax¹, 2 mg, 88 tablets;
 - (2) Lortab², 10/500 mg, 33 tablets;
 - (3) Luminal³, 60 mg, 801 tablets;
 - (4) Luminal, 16.2 mg, 40 tablets.

4. Subsequently, the Board was informed that the Respondent admitted, orally and in writing, to taking the drugs included in the following statement: "2 pills Sunday and 4 in the past from the pharmacy. Took them without payment and a few pills of Xanax without payment in the pharmacy. Never took Ambien⁴...Totally (sic) of hydrocodone without payment was #60, of Xanax without payment was 50-60 tabs. The count was not accurate and that was why I did it without payment. Steal the drugs."

5. As a result of the above, the Respondent was terminated from her employment with Pharmacy A.

6. The Respondent was criminally charged in the District Court of Maryland for Baltimore County with the following:

- Count 1 Theft, less \$1000 value
- Count 2 Theft-Scheme less \$1000.⁵

¹ Xanax (Alprazolam) treats anxiety and panic disorder.

² Lortab (Hydrocodone-APAP) (Acetaminophen) is as narcotic pain reliever for moderate to severe pain. In this combination, there are 10 mg of Hydrocodone and 500 mg of APAP.

³ Luminal (Phenobarbital) is an antiepileptic drug.

⁴ Ambien (Zolpidem) treats insomnia.

⁵ Although the Respondent was criminally charged, there is no record of any resolution of these charges.

7. Based upon the above, on October 29, 2014, the Board issued a Summary Suspension against the Respondent's registration. The Respondent failed to request a hearing.

8. The Respondent's conduct as described above, constitutes a violation of H.O. §12-6B-09 (3), (8) and (25), of the Act and COMAR 10.34.10.01 B (3).

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that the Respondent violated §12-6B-09 (3), (8) and (25) of its Act, and COMAR 10.34.10.01 B (3) of its regulations.


ORDER

As set forth above, the Board hereby Orders, that the registration to practice as a Pharmacy Technician in Maryland held by **TRENEDA ALLEN**, the Respondent, be and is **REVOKED**, and that this Order is public, pursuant to Md. Code Ann. General Provisions §§ 4-101 *et seq.* (2014 Repl. Vol.).

NOTICE OF RIGHT OF APPEAL

In accordance with §12-316 of the Act and the SG. §§10-201, *et seq.*, you have a right to a direct judicial appeal of this decision. A petition for appeal of the Final Board Order shall be filed within thirty days from your receipt of this Final Order and shall be made in accordance with the aforesaid authority.

10/21/2015
Date


Mitra Gavani, Pharm.D., President
Board of Pharmacy