

IN THE MATTER OF * **BEFORE THE**
LAILA CARRILLO * **MARYLAND STATE BOARD**
Respondent * **OF PHARMACY**
Registration No. T29079 * **Case No. 24-151**

* * * * *

FINAL ORDER OF REVOCATION
OF PHARMACY TECHNICIAN REGISTRATION

The Maryland Board of Pharmacy (“the Board”) notified **LAILA CARRILLO** (“the Respondent”), Registration Number **T29079**, of the Board’s intent to revoke her registration to practice as a pharmacy technician in the State of Maryland under the Maryland Pharmacy Act (“the Act”), Md. Code Ann., Health Occ. §§ 12-101 *et seq.* (2021 Repl. Vol. and 2023 Supp.).

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

The Board bases its action on the Respondent’s violation of the following provisions of the Act:

§ 12-6B-09. Ground 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;
- (25) Violates any regulation adopted by the Board;
- (27) Participates in any activity that is grounds for Board action under § 12-313 or § 12-409 of this title[.]

With respect to Health Occ. § 12-6B-09 (27), the underlying grounds for Board action under § 12-313(b) include:

- (25) Violates any rule or regulation adopted by the Board[.]

The pertinent provisions of the Board's regulations under the Code of Maryland Regulations ("COMAR") 10.34.10 provide as follows:

COMAR 10.34.10.01. Pharmacist, Pharmacy Intern, and Pharmacy Technician Code of Conduct – Patient Safety and Welfare.

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

B. A pharmacist may not:

- (1) Engage in conduct which departs from the standard of care ordinarily exercised by a pharmacist;
- (2) Practice pharmacy under circumstances or conditions which prevent the proper exercise of professional judgment; or
- (3) Engage in unprofessional conduct.

FINDINGS OF FACT

The Board makes the following findings of facts:

1. The Respondent was originally registered to practice as a pharmacy technician in the State of Maryland on or about August 31, 2023. The Respondent's registration is currently suspended.¹

2. At all relevant times, the Respondent was employed as a pharmacy technician at a national pharmacy chain ("the Pharmacy")² location in Millersville, Maryland.

3. In a fax dated January 2, 2024, the Pharmacy notified the Board that it had identified a theft or loss of a controlled substance – Oxycodone HCL (IR) 10mg tablets³ – at its Millersville, Maryland location on or about December 29, 2023 and was investigating suspected employee pilferage.

4. In response, the Board initiated an investigation of the Respondent under Case Number 24-151. As part of its investigation, the Board obtained and reviewed, *inter alia*, documents from the Pharmacy's internal investigation including surveillance footage of the Respondent stealing the Oxycodone, the Respondent's written admission,

¹ On April 3, 2024, the Board issued an Order for Summary Suspension of the Respondent's registration to practice as a pharmacy technician pursuant to its authority under Md. Code Ann., State Gov't § 10-226(c)(2) and COMAR 10.34.01.12 concluding that the public health, safety, or welfare imperatively required emergency action in the case.

² For confidentiality and privacy purposes, the names of individuals and facilities involved in this case are not disclosed in this document. The Respondent may obtain the names of all individuals referenced in this document by contacting the administrative prosecutor.

³ Oxycodone is a Schedule II opioid pain medication.

and the DEA (Drug Enforcement Agency) Form 106 – Report of Theft or Loss of Controlled Substances (“DEA Form 106”).

Pharmacy Internal Investigation

5. On December 30, 2023, pharmacy staff at the Millersville location advised the store manager that they could not locate a prescription for 15 tablets of 10mg Oxycodone HCL (IR) that was verified on December 29, 2023. The store manager then reviewed surveillance footage from December 29, 2023 implicating the Respondent and notified the Pharmacy’s District Asset Protection Team.

6. The Pharmacy’s District Asset Protection Team Leader reviewed surveillance footage from the evening of December 29, 2023 which showed the Respondent taking the vial for this prescription out of the waiting bin and putting it in her pocket.

7. The Pharmacy’s District Asset Protection Team Leader interviewed the Respondent on January 3, 2024. The Respondent admitted to stealing the 15 tablets of 10mg Oxycodone HCL on December 29, 2023. She explained that her intention was to sell them to a friend who was recently shot for \$200.00. She claimed that she did not sell him the tablets because she felt guilty, and that the tablets were in a shoe box in her closet. The Respondent also admitted to stealing fifteen drinks, five bags of chips, and one pacifier from the store while employed there.

8. During the interview, the Respondent wrote and signed a four-page statement admitting to the misconduct described above, and she also signed a promissory note agreeing to make restitution to the Pharmacy in the amount of \$75.19.

9. At the conclusion of the interview, the Pharmacy called the Anne Arundel County Police. The Respondent made a verbal admission to the Officer who arrived and said that she would “have her ride bring her back to the store so she could return the drugs.” The Officer advised that he would apply for charging documents and that the Respondent would be arrested on a later date. The Respondent left the store and did not return.

10. On January 22, 2024, the Pharmacy completed a DEA Form 106 stating that the Pharmacy terminated the Respondent’s employment after she admitted to drug diversion. The Pharmacy listed the following lost/stolen CDS:

	CDS	NDC No.	Dosage Str.	Quantity
1	OXYCODONE HCL (IR) 10 MG TAB	10702005601	10 G	15

Criminal Case

11. On or about January 20, 2024, the Respondent was criminally charged in case number D-07-CR-24-012693 in the District Court of Maryland for Anne Arundel County with one count of misdemeanor theft and one count of possession of a controlled dangerous substance. The criminal case is currently set for trial on June 20, 2024.

12. Based on the above information, the Board has reason to believe that the Respondent diverted the aforementioned CDS from the Pharmacy.

13. The Respondent’s conduct, as set forth above, constitutes a violation of Health Occ. §§ 12-6B-09 (3), (25) and/or (27), and/or Health Occ. § 12-313(b) (25), and/or COMAR 10.34.10.01 (A)(1)(c) and/or (B)(1), (2), and/or (3).

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that the Respondent violated Health Occ. §§ 12-6B-09 (3), (25) and (27), Health Occ. § 12-313(b) (25), and COMAR 10.34.10.01 (A)(1)(c) and (B)(1), (2), and (3).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 21st day of August 2024, by a majority of the quorum of the Board hereby

ORDERED that the Respondent, **LAILA CARRILLO'S**, registration to practice as a pharmacy technician in the State of Maryland is hereby **REVOKED**; and it is further

ORDERED that the Respondent shall return to the Board all Maryland pharmacy technician registrations within ten (10) days of the date of this Order; and it is further

ORDERED that the effective date of this Order is the date that it is signed by the Board; and it is further

ORDERED that this document constitutes a formal disciplinary action of the Board and this Order is final and a public document pursuant to Md. Code Ann., Gen. Prov. § 4-101 *et seq.* & § 4-333 (2019 Repl. Vol. & 2023 Supp.).

Date Deborah George Kristopher Rusinko, PharmD.
President, Maryland Board of Pharmacy
T. Moore

NOTICE OF RIGHT TO APPEAL

Pursuant to Health Occ. § 12-316, you have a right to take a direct judicial appeal of this decision. A Petition for Judicial Review must be filed within thirty (30) days of service of this Order and shall be made as provided for judicial review of a final decision in Md. Code Ann., State Gov't §§ 10-201 *et seq.* (2021 Repl. Vol. & 2023 Supp.) and Title 7, Chapter 200 of the Maryland Rules.