

IN THE MATTER OF * **BEFORE THE MARYLAND**
JOHNNY C. CUNANAN * **STATE BOARD OF PHARMACY**
PHARMACY TECHNICIAN *
RESPONDENT * **CASE NO: 24-283**
REGISTRATION NO.: T00934 *

* * * * *

ORDER FOR SUMMARY SUSPENSION

The Maryland State Board of Pharmacy (the “Board”) hereby **SUMMARILY SUSPENDS** the registration of **Johnny C. Cunanan** (the “Respondent”), Registration Number: **T00934**, to practice as a pharmacy technician in the State of Maryland under the Maryland Pharmacy Act (the “Act”), Md. Code Ann., Health Occ. (“Health. Occ.”) §§12-101 *et seq.* (2021 Repl. Vol. & 2023 Supp.).

The Board takes such action pursuant to its authority under Md. Code Ann., State Gov’t § 10-226(c) (2021 Repl. Vol. & 2023 Supp.), concluding that the public health, safety, or welfare imperatively requires emergency action.

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. At all times relevant hereto, the Respondent was registered to practice as a pharmacy technician in the State of Maryland.

2. The Respondent was originally issued a registration to practice as a pharmacy technician in Maryland on or about June 25, 2008. The Respondent's registration expires on or about February 28, 2026.

3. At all times relevant hereto, the Respondent was employed at a pharmacy ("Pharmacy")² located in Maryland.

4. On or about March 19, 2024, the Board received notification from Pharmacy staff that on several occasions between February 16, 2024, and March 15, 2024, the Respondent was observed on Pharmacy camera footage removing boxes of medications from the medication inventory refrigerator and placing the medications in a tote bag.

5. Pharmacy camera footage also showed the Respondent placing the tote containing the medication into his vehicle.³ The Respondent's job duties at the Pharmacy did not include delivering medications.

¹ The statements regarding the Respondent's conduct are only intended to provide the Respondent with notice of the basis for 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 this matter.

² For confidentiality and privacy purposes, the names of individuals and the pharmacy involved in this case are not disclosed in this document. Upon written request, the Administrative Prosecutor will provide the information to the Respondent.

³ The Pharmacy video footage showed that Ozempic, Trulicity and other unknown medications.

6. On March 15, 2024, the Respondent was terminated by Pharmacy staff after he was seen on Pharmacy camera footage taking medications from the Pharmacy, placing the medication in totes, and placing the totes in his vehicle.

7. On the same day of his termination by Pharmacy staff, the Respondent was arrested by the Howard County Police. A search of the Respondent's vehicle by the Howard County Police revealed Pharmacy delivery totes that contained the following: seven (7) boxes of Trulicity 0.75mg; two (2) boxes of Freestyle Libre 2 strips; and six (6) boxes of Ozempic.

8. On or about March 15, 2024, the Respondent was charged in the District Court for Howard County, Maryland with one count of theft over one hundred thousand (\$100,000) dollars; one count of theft by scheme over one hundred thousand dollars (\$100,000): one count of possession a prescription drug with the intent to distribute; and one count of prescription obtained by fraud, deceit or misrepresentation.

CONCLUSIONS OF LAW

Based on the foregoing Investigative Findings, the Board concludes that the public health, safety, or welfare imperatively requires emergency action in this case, pursuant to Md. Code Ann., State Gov't. § 10-226(c) (2) (2021 Repl. Vol. & 2023 Supp.).

ORDER

Based on the foregoing Investigative Findings and Conclusions of Law, it is this 7th day of July 2024, by a majority of the quorum of the Board, it is hereby

ORDERED that the registration issued to the Respondent to practice as a pharmacy technician in the State of Maryland under registration number: T00934 is hereby **SUMMARILY SUSPENDED**; and it is further

ORDERED that the Respondent is prohibited from practicing as a pharmacy technician in the State of Maryland; and it is further


ORDERED that the Respondent has the opportunity to appear before the Board for a post-deprivation show cause hearing for a determination of whether the Summary Suspension should be continued. A request for a post-deprivation show cause hearing must be made in writing to the Board and be made **WITHIN THIRTY (30) CALENDAR DAYS** of the date of this Order; and it is further

ORDERED that if the Respondent fails to request a post-deprivation show cause hearing in writing in a timely manner, or if the Respondent requests a post-deprivation show cause hearing but fails to appear before the Board when the hearing is scheduled, the Respondent's registration shall remain **SUSPENDED**; and it is further

ORDERED that the Respondent shall immediately return all registrations (wall and wallet sized) to the Board; and it is further

ORDERED that this Order for Summary Suspension is a **PUBLIC** document, as defined in Md. Code Ann., General Provision §§ 4-101 *et seq.* & § 4-333 (2019 Rep. Vol. & 2023 Supp.).

7-16-24
Date


Deena Speights-Napata, M.A.
Executive Director
Maryland Board of Pharmacy