

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

* * * * *

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

The Maryland State Board of Pharmacy (the “Board”) notified **Johnny C. Cunanan** (the “Respondent”), Registration Number: **T00934**, of the Board’s intent to **REVOKE** his registration 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. & 2024 Supp.).

The pertinent provisions of Health Occ. provide as follows:

§ 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;
- (22) Pleaded guilty or nolo contendere to, or has been found guilty of, a felony or a crime involving moral turpitude, regardless of whether:

- (i) An adjudication of guilt or sentencing or imposition of sentence is withheld; or
- (ii) Any appeal or other proceeding is pending regarding the matter;
- (23) Violates any provision of this title;
- (25) Violates any rule or 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 include:

§ 12-313. Denials, reprimands, suspensions, and revocations – Grounds.

...

- (b) Subject to the hearing provisions of § 12-315 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a license to any applicant for a pharmacist's license, reprimand any licensee, place any licensee on probation, or suspend or revoke a license of a pharmacist if the applicant or licensee:

....

- (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 provides:

.01 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:

- (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[.]

B. A pharmacist may not:

- (1) Engage in conduct which departs from the standard of care ordinarily exercised by pharmacist;

B. A pharmacist may not:

- (3) Engage in unprofessional conduct.

FINDINGS OF FACT

The Board finds:

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. The Respondent's registration was summarily suspended on or about July 16, 2024.

4. At all times relevant hereto, the Respondent was employed at a pharmacy (“Pharmacy”)¹ located in Maryland.

5. 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.

6. Pharmacy camera footage also showed the Respondent placing the tote containing the medication into his personal vehicle.² The Respondent’s job duties at the Pharmacy did not include delivering medications.

7. 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.

8. 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.

9. On or about March 15, 2024, the Respondent was charged in the District Court for Howard County, Maryland with one (1) count of theft over one hundred

¹ For confidentiality and privacy purposes, the names pharmacy staff 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.

² The Pharmacy video footage showed the Respondent removing Ozempic, Trulicity and other unknown medications.

thousand (\$100,000) dollars, in violation of Crim. Law §7-104; one count (1) Theft scheme in violation of Crim. Law §7-104; one (1) count of unlawful possession of a prescription drug, in violation of Crim. Law §7-104(D)(1); and one (1) count of obtaining a prescription drug by fraud, in violation of Crim. Law §7-104(d) (4)(1); On or about July 23, 2014, the Respondent pleaded guilty to theft between \$1500 and under \$ 25000, in violation Crim. Law §7-104.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent's conduct as described above constitutes violations of the Act and a basis on which to revoke the Respondent's pharmacy technician registration. Specifically, the Respondent's actions of diverting medications constitutes violations of Health Occ. § 12-6B-09 (3) (fraudulently uses a pharmacy technician's registration); (22) pleaded guilty and was found guilty of a felony and a crime involving moral turpitude; (23) (violates any provision of this title), (25) (violates any rule or regulation adopted by the Board; and (27) (participates in any activity that is grounds for Board action under § 12-313 or § 12-409 of this title), in that the Respondent violated Health Occ. § 12-313(b)(25), and COMAR 10.34.10.01B(3).

ORDER

Based on the foregoing, it is this 16th day of April, 202~~4~~⁵, by the Board hereby:


ORDER the registration, number: T00934 issued to Respondent, **JOHNNY C. CUNANAN** 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. & 2024 Supp.).

4/16/2025
Date


Javier Vazquez Secretary
Kristopher Rusinko, Pharm.D., President
Maryland Board of Pharmacy

NOTICE OF RIGHT TO APPEAL

Pursuant to Md. Code Ann., Health Occ. § 12-316, the Respondent has the right to take a direct judicial appeal. 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. & 2024 Supp.) and Title 7, Chapter 200 of the Maryland Rules.