

IN THE MATTER OF
JOYCE DEGRAFT-JOHNSON,
PHARM TECH

Registration No.: T05974

Respondent

BEFORE THE
STATE BOARD

OF PHARMACY

Case No. PT-12-002/12-201

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

On January 16, 2013, the State Board of Pharmacy (the "Board"), notified Joyce Degraft-Johnson, Pharmacy Technician (Pharm Tech), the Respondent, of its Intent to Revoke her pharm tech 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 herein, which was enclosed. More than 30 days has 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 the Administrative Procedure Act (the "APA"), Md. State Govt. Code Ann. § 10-226 (c) (1) (2009 Repl. Vol. and 2012 Supp.) and the Maryland Pharmacy Act, codified at Md. Health Occ. Code Ann. §§ 12-101, et seq., (the "Act") (2009 Repl. Vol. and 2012 Supp.).

The pertinent provision of § 10-226 (c) (1) of the APA states:

Revocation of suspension. (sic)— (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.

The pertinent provision of § 12-6B-09 of the Act states: 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:

- (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[;].

**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 July 2, 2009. The Respondent's registration expired on January 31, 2013.
2. At all times relevant herein, the Respondent was employed as a Pharm Tech at a large pharmaceutical distribution center ("Center") in Anne Arundel County, Maryland.
3. On or about June 2011, the Respondent was terminated from the Center for diverting drugs from her employer. The police were called and she was charged with theft.
4. On September 5, 2012, the following occurred at the Circuit Court of Howard County:

- A. As to Counts 1, 3 and 4, Theft-Scheme of 100K plus, Theft-Scheme of 1K to under 10K, and Theft of less than 1K value, respectively, these cases were nolle prossed on September 5, 2012.
- B. As to Count 2, the Respondent was charged with Theft-Scheme of \$10K to under \$100K. On September 5, 2012, the Respondent pled guilty to Count 2 and was ordered to serve five years supervised probation; ordered to pay restitution of \$10,000 to the Center payable through the Office Parole and Probation; and, pay a minimum of \$150 monthly, beginning October 1, 2012.
5. As set forth above, the Respondent's registration should be revoked.

CONCLUSIONS OF LAW

Based upon the foregoing Facts, the Board concludes that the Respondent violated its Act and that the revocation is warranted, pursuant to §§ 12-6B-09(22)(i) and (ii) and § 10-226 (c) (1) of the APA.

ORDER

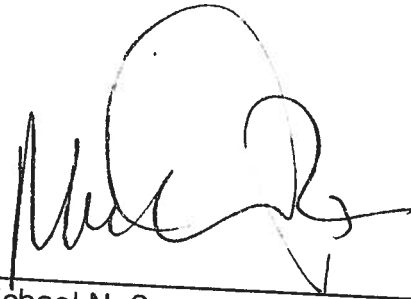
As set forth above, the Board hereby that the registration to practice as a Pharmacy Technician in Maryland held by Joyce Degraft-Johnson, the Respondent, be and is **REVOKED**, and that this Order is public, pursuant to §10-617(h), Md. State Govt. Code Ann. (2009 Repl. Vol. and 2012 Supp.).

NOTICE OF RIGHT OF APPEAL

In accordance with Md. Health Occ. Code Ann. § 12-314 (2009 Repl. Vol. and 2012 Supp.) and the Administrative Procedure Act, Md. State Govt. Code Ann. § 10-201, *et seq.*, (2009 Repl. Vol. and 2012 Supp.) 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 aforecited

authority.

MAY 15, 2013
Date

A handwritten signature in black ink, appearing to read 'Michael N. Souranis', written over a horizontal line.

Michael N. Souranis, P.D., President
Board of Pharmacy