

IN THE MATTER OF	*	BEFORE THE
ZACHARIE AGUILA FAMOSO	*	MARYLAND STATE
RESPONDENT	*	BOARD OF PHARMACY
REGISTRATION NO.: T19032	*	CASE NO: PT-17-034

* * * * *

FINAL ORDER OF REVOCATION OF PHARMACY TECHNICIAN REGISTRATION

The Maryland State Board of Pharmacy (the “Board”) notified Zacharie Aguila Famoso (the “Respondent”), Registration Number: T19032, of the Board’s intent to revoke his registration to practice as pharmacy technician under the Maryland Pharmacy Act (the “Act”), Md. Health Occ. Code Ann. (“H.O.”) §§ 12-101*et seq.* (2014 Repl. Vol.). The pertinent provisions state:

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 [and]

(27) Participates in any activity that is grounds for Board action under § 12-313 or § 12-409 of this title[.]

H.O. § 12-313. Denials, reprimands, suspensions, and revocations.

(b) *In general.* - 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;

Code of Md. Regs. 10.34.10.

.01 Patient Safety and Welfare.

B. A pharmacist may not:

(3) Engage in unprofessional conduct.

FINDINGS OF FACT

The Board finds that:

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 registered to practice as a pharmacy technician in Maryland on or about January 10, 2017.
3. The Respondent's registration expired on April 30, 2018.
4. At all times relevant hereto, Respondent worked as pharmacy technician at a pharmacy ("Pharmacy A"), a national retail chain, located in Montgomery County, Maryland.¹
5. On or about April 3, 2017, the Board was notified by a member of Pharmacy A's loss prevention team that the Respondent had stolen from Pharmacy A.
6. An investigation conducted by Pharmacy A revealed that the Respondent stole one (1) bottle of Alprazolam 1mg containing 463 pills, approximately 30 pills of Doxycycline 100mg, and other merchandise from the Pharmacy A.²

¹ Pharmacy A is not identified in this document for privacy reasons, but this information will be provided to the Respondent upon request.

² Alprazolam is a Controlled Dangerous Substance Schedule IV.

7. During an interview with a Pharmacy A manager, the Respondent admitted that he had stolen Alprazolam, Doxycycline, and other merchandise from Pharmacy A.

8. The facts, as set forth above, constitute a violation of H.O § 12-6B-06 (3) and (27), H.O § 12-313(b) (25), and Code of Md. Regs. 10.34.10.01B (3) and are grounds for the revocation of the Respondent's registration.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated H.O. § 12-6B- 09 (3) and (27), H.O § 12-313(b) (25), and Code Md. Regs.10.34.10.01B (3).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 15 day of August 2018, a majority of the quorum of the Board, hereby

ORDERED that the Respondent 's registration to practice as a pharmacy technician in the State of Maryland is hereby **REVOKED** and the Board will not accept, from the Respondent, any future application for licensure, certification, and/or registration; and it is further

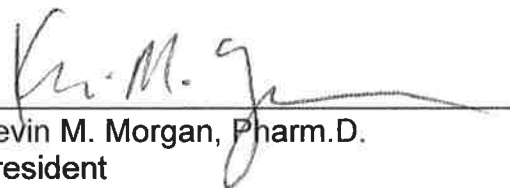
ORDERED that Respondent shall return to the Board all Maryland pharmacy technician registrations within ten (10) days of the date of this Order; and it is further.

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 Order is final and a public document pursuant to Md. General Provisions §§ 4-104 *et seq.* (2014).

ORDERED that this document constitutes a formal disciplinary action of the Board of Pharmacy and is a public document for purposes of public disclosure, pursuant to Md. General Provisions §§ 4-101 *et seq.* (2014 Repl. Vol).

8/15/18
Date


Kevin M. Morgan, Pharm.D.
President
State Board of Pharmacy