

IN THE MATTER OF	*	BEFORE THE
MELINDA FINK, PHARM TECH	*	STATE BOARD
Registration No.: T16671	*	OF
Respondent	*	PHARMACY
	*	Case No. PT-16-011

* * * * *

ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. State Gov't (SG) Code Ann. §10-226 (c) (2) (2014 Repl. Vol. II), the State Board of Pharmacy (the "Board") hereby suspends the registration to practice as a Pharmacy Technician (Pharm Tech) in Maryland issued to **MELINDA FINK**, (the "Respondent"), under the Maryland Pharmacy Act (the "Act"), Md. Health Occ. (H.O.) Code Ann. §§ 12-101 *et seq.* (2014 Repl. Vol. II.). This Order is based on the following investigative findings, which the Board has reason to believe are true:

INVESTIGATIVE FINDINGS

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 12, 2015.¹ The Respondent's registration expires on June 30, 2017.

2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at a National chain pharmacy in Glen Burnie, Anne Arundel County, Maryland, hereinafter "Pharmacy A."

¹ On March 11, 2014, in the District Court for Anne Arundel County, the Respondent pled guilty to theft less than \$1000 and was given Probation Before Judgment (PBJ) and supervised probation. On her Pharm Tech application dated June 25, 2015, the Respondent signed that her answers were "true and correct." Under Question #6 in the Personal Attestation Questions ("Have you committed a criminal act which you pled guilty or nolo contendere, or for which you were convicted or received probation before judgment?"), the Respondent answered "no", which was a false answer.

3. On or about October 5, 2015, the Board received a Drug Enforcement Administration (DEA) "Report of Theft/Loss" form from Pharmacy A, which indicated that its loss totaled \$6296.90 due to employee pilferage.

4. Pharmacy A listed its Controlled Dangerous Substances (CDS) thefts/losses as follows:

A. Amphetamine Salts ² , 20 mg	50 tablets;
B. Dextro-Amphetamine ER ³ , 20 mg	2 capsules;
C. Duragesic ⁴ , 25 mcg patch;	5 patches;
D. Focalin XR ⁵ , 15 mg	5 capsules;
E. Lorazepam ⁶ , 1 mg	813 tablets;
F. Suboxone Film ⁷ , 8 mg/2mg	407 film;
G. Methadone ⁸ , 10 mg	84 tablets;
H. Methadone, 5 mg	2 tablets;

² Amphetamine Salts is used to treat attention-deficit hyperactivity disorder (ADHD). It may also be used for narcolepsy.

³ Dextroamphetamine ER is the extended-release version of Dextroamphetamine. It is a central nervous system stimulant used to treat attention-deficit hyperactivity disorder (ADHD) and may also be used for narcolepsy.

⁴ Duragesic is a skin patch containing fentanyl, an opioid pain medication. An opioid is sometimes called a narcotic.

⁵ Focalin is the brand name of the drug dexamethylphenidate, which is used to manage the symptoms of attention deficit hyperactivity disorder (ADHD). The drug may also be used off-label to help people who suffer from narcolepsy (a sleep disorder). Focalin is in a class of drugs known as central nervous system stimulants. It works by increasing levels of the neurotransmitters norepinephrine and dopamine in the brain.

⁶ Lorazepam, sold under the brand name Ativan among others, is a benzodiazepine medication often used to treat disorders. Lorazepam reduces anxiety, interferes with new memory formation, reduces agitation, induces sleep, treats seizures, treats nausea and vomiting, and relaxes muscles. Lorazepam is used for the short-term treatment of anxiety, trouble sleeping, acute seizures, including status epilepticus, sedation of people in hospital, as well as sedation of aggressive patients.

⁷ Suboxone Film is a prescription medicine that contains the active ingredients buprenorphine and naloxone. It is used to treat adults who are dependent on (addicted to) opioids (either prescription or illegal).

⁸ Methadone is an opioid used to treat pain and as maintenance therapy or to help with detoxification with opioid dependence.

I. Methylphenidate ⁹ , 20 mg	1 tablet;
J. Methylphenidate ER ¹⁰ , 54 mg	1 tablet;
K. Methylphenidate ER, 30 mg	5 tablets;
L. Oxycodone/APAP ¹¹ , 7.5/325	2 tablets;
M. Oxycodone, 15 mg	73 tablets;
N. OxyContin ¹² , 30 mg	1 tablet;
O. OxyContin, 80 mg	1 tablet;
P. Oxymorphone ¹³ , 10 mg	1 tablet;
Q. Vicodin ¹⁴ , 5mg	3 tablets;
R. Alprazolam ¹⁵ , 0.25 mg	253 tablets;
S. Alprazolam, 0.5 mg	157 tablets;

⁹ Methylphenidate is used to treat attention deficit hyperactivity disorder (ADHD). It belongs to the group of medicines called central nervous system (CNS) stimulants. Methylphenidate is also used to treat narcolepsy. Narcolepsy is an uncontrollable desire for sleep or a sudden attack of deep sleep. Methylphenidate works in the treatment of ADHD by increasing attention and decreasing restlessness in children and adults who are overactive, cannot concentrate for very long, or are easily distracted and impulsive. This medicine is used as part of a total treatment program that also includes social, educational, and psychological treatment.

¹⁰ ER = Extended Release.

¹¹ Oxycodone is a narcotic pain reliever. Acetaminophen is a less potent pain reliever that increases the effects of oxycodone. Acetaminophen and oxycodone is a combination medicine used to relieve moderate to severe pain. In this combination, there are 7.5 mg of oxycodone and 325 mg of acetaminophen.

¹² OxyContin is the brand name for a timed-release formula of oxycodone, a narcotic analgesic (medication that reduces pain). It is used to relieve pain from injuries, arthritis, cancer, and other conditions. Oxycodone, a morphine-like drug, is found along with non-narcotic analgesics in a number of prescription drugs, such as Percodan (oxycodone and aspirin) and Percocet (oxycodone and acetaminophen). OxyContin contains between 10 and 80 milligrams of oxycodone in a timed-release formula that allows up to 12 hours of relief from chronic pain

¹³ Oxymorphone is used to relieve pain. It belongs to the group of medicines called narcotic analgesics (pain medicines). It acts in the central nervous system (CNS) to relieve pain. Many of its side effects are also caused by actions in the CNS. Oxymorphone extended-release tablets are used to relieve moderate to severe pain in patients requiring continuous, around-the-clock treatment for a long period of time.

¹⁴ Vicodin is the trade name of this combination medication which is used to relieve moderate to severe pain. It contains a narcotic pain reliever (hydrocodone) and a non-narcotic pain reliever (acetaminophen). Hydrocodone works in the brain to change how the body feels and responds to pain. Acetaminophen can also reduce a fever.

¹⁵ Alprazolam is used to treat anxiety disorders, panic disorders, and anxiety caused by depression.

T. Alprazolam, 1 mg	407 tablets;
U. Alprazolam, 2 mg	314 tablets;
V. Clonazepam ¹⁶ , 0.5 mg	147 tablets;
W. Diazepam, 10 mg	242 tablets.

5. The Respondent admitted stealing drugs and front end merchandise from Pharmacy A on September 3, 2015, the day she was caught with unpaid merchandise. As a result of the above thefts, the Respondent was terminated from employment from Pharmacy A.

CONCLUSIONS OF LAW

Based on the foregoing, the Board finds that the public health, safety or welfare imperatively requires emergency action, pursuant to S.G. §10-226 (c) (2).

ORDER

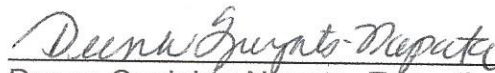
Based on the foregoing, it is therefore this 21st day of March, 2016, by a majority vote of a quorum of the State Board of Pharmacy, by authority granted to the Board by SG. §10-226 (c) (2), the registration held by the Respondent to practice as a Pharm Tech in Maryland, Registration No. T16671, is hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED that, upon the Board's receipt of a written request from the Respondent, a Show Cause Hearing shall be scheduled within a reasonable time of said request, at which the Respondent will be given an opportunity to be heard as to whether the Summary Suspension should be continued, regarding the Respondent's fitness to practice as a Pharm Tech and the danger to the public; and be it further

¹⁶ Clonazepam is used to treat seizure disorders or panic disorder.

ORDERED, that the Respondent shall immediately turn over to the Board her wall certificate and wallet-sized registration to practice as a Pharm Tech issued by the Board; and be it further

ORDERED that this document constitutes a final Order of the Board and is, therefore, a public document for purposes of public disclosure, as required by Md. Code Ann. General Provisions §§4-101 *et seq.* (2014 Vol.).


Deena Speights-Napata, Executive Director
Board of Pharmacy

NOTICE OF HEARING

A Show Cause hearing to determine whether the Summary Suspension shall be continued will be held before the Board at 4201 Patterson Avenue, Baltimore, 21215 following a written request by the Respondent for same.