

IN THE MATTER OF	*	BEFORE THE MARYLAND
CHRISTINE MARIE GARY	*	STATE BOARD OF
Pharmacy Technician	*	PHARMACY
Respondent	*	Case Number: 23-385
Registration Number: T16214	*	

* * * * *

**ORDER FOR SUMMARY SUSPENSION OF
PHARMACY TECHNICIAN REGISTRATION**

The Maryland Board of Pharmacy (the “Board”) hereby summarily suspends the registration of Christine Marie Gary (the “Respondent”), Registration Number T16214, to practice as a pharmacy technician in the State of Maryland. The Board takes such action pursuant to the Board’s authority under Md. Code Ann., State Gov’t § 10-226(c)(2) (2021 Repl. Vol.) and Code of Maryland Regulations (“COMAR”) 10.34.01.12F, concluding that the public health, safety, or welfare imperatively requires emergency action.

INVESTIGATIVE FINDINGS¹

1. At all times relevant hereto, the Respondent was registered to practice as a pharmacy technician in the State of Maryland. The Respondent was originally registered to practice as a pharmacy technician in Maryland on March 30, 2015, under registration number T16214. The Respondent’s registration is scheduled to expire on August 31, 2024.

¹ The statements regarding the Respondent’s conduct are intended to provide the Respondent with notice of the allegations. 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 connection with this matter.

2. At all times relevant hereto, the Respondent was employed as a pharmacy technician at a pharmacy (the “Pharmacy”)² located in Baltimore County, Maryland.

3. The Pharmacy sent a letter to the Board dated April 7, 2023, stating that it had “confirmed employee pilferage of several controlled dangerous substances” (“CDS”) and that the Respondent “was interviewed and admitted to the pilferage of controlled substances.”

4. The Pharmacy sent a letter to the Board dated April 21, 2023, stating that it had completed a full investigation and submitted a DEA Form 106 (Report of Theft or Loss of Controlled Substances) the same day. The letter further stated that the Pharmacy “amended a previously submitted 106 report from January 19, 2023 for Oxycodone 15mg to classify the loss as Employee Theft.” The letter further clarified that during the Respondent’s interview, she “admitted to pilferage of Tylenol with Codeine, Alprazolam, Carisoprodol, Clonazepam and Oxycodone.”

5. The Pharmacy sent a letter to the Board dated May 2, 2023, stating that it amended the DEA Form 106 dated April 21, 2023, upon further investigation.

6. The Respondent completed and signed a written statement dated April 6, 2023. In her statement, the Respondent admitted to taking “Oxycodone 15 mg one Bottle, Xanax [sic] 1 mg. bottle was already open, Soma (G) some, tylenlo [sic] #3, #4 took a

² In order to maintain confidentiality, names of individuals and facilities involved in this matter will not be used in this document but will be provided to the Respondent on request.

bottle of the #4, and some of #3. Clanazepam [sic] 1pm [sic] one bottle, Zofan [sic] 4pm [sic] 1 one. Gabapeatin [sic] 600mg 800mg some. Oxycodone 10mg a couple[.]”

7. According to a Baltimore County Police Case Report dated June 20, 2023, in April 2023, the Pharmacy contacted the Baltimore County Police regarding the Respondent. The Pharmacy conducted an audit which revealed “various narcotics were off count and/or missing, such as Tylenol 3, Tylenol 4, Alprazolam (.25, .5, & 1mg), Oxycodone (10mg & 15mg), and Carisprodol [sic].” Staff at the Pharmacy reported seeing the Respondent “‘acting strange’ and often lethargic throughout her shift,” leading the Pharmacy to believe the Respondent may be responsible for the missing narcotics. The Pharmacy installed covert cameras and on April 6, 2023, Pharmacy staff observed the Respondent “take pills from a bottle twice and put those in her mouth.” A detective (the “Detective”) from the Baltimore County Police arrived at the Pharmacy. While speaking with Pharmacy staff, Pharmacy staff and the Detective observed the Respondent on the covert cameras retrieve a pill bottle and “place items into her smock.” Pharmacy staff conducted an internal interview with the Respondent, during which “Seven (7) Acetaminophen & Codeine Phosphate 300mg/30mg were recovered from [Respondent’s] work smock and Six (6) Acetaminophen & Codeine Phosphate 300mg/30mg were recovered from [Respondent’s] purse.” Respondent admitted that “those were the pills she took while on camera.” The Detective then joined the interview and the Respondent completed a written statement. The Respondent “advised that she has been struggling with substance abuse for a few years and would take the pills during her shifts to ‘numb the pain.’” The Respondent “was very adamant that she has never sold the pills and that she

personally consumes them, sometimes while on duty.” The Respondent further admitted that she had “pharmacy stock bottles and possibly other pills at her home.” Baltimore County Police accompanied the Respondent to her residence and located pharmacy stock bottles for “Tramadol Hydrochloride, Carisprodol [sic], Gabapentin, Acetaminophen and Codeine Phosphate, Alprazolam, Ondansetron.” The Respondent “advised that some had actual pills inside but most were empty.” Further,

[T]he following pills were recovered [by the police] and sent for analysis[:]

- Gabapentin – 16 orange pills inscribed “214”
- Ondansetron 8MG 30 count bottle – 4 pills inscribed “F26”
- Gabapentin 800MG 100 count bottle – 2 pills inscribed “D25”
- Clonazepam 2MG 100 count bottle – 54 pills inscribed “2532”
- Alprazolam 1MG 500 count bottle – 139 pills inscribed “D705”
- Baclofen 10MG – 1 pill inscribed “tv4096”
- Diazepam 10MG – 2 pills inscribed “teva3927”

Subsequent analysis found that “the 54 white round tablets were in fact Clonazepam and the 139 blue oval tablets were Alprazolam, both Schedule IV Controlled Dangerous Substances.”

8. Based on the above information, the Board has reason to believe that the Respondent diverted multiple controlled dangerous substances while employed as a pharmacy technician at the Pharmacy.

CONCLUSION 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 State Gov’t. § 10-226(c)(2)(i) and COMAR 10.34.01.12F.

ORDER

It is, on the affirmative vote of a majority of the quorum of the Board, hereby:

ORDERED that pursuant to the authority vested in the Board by Md. Code Ann., State Gov't § 10-226(c)(2), the Respondent's registration to practice as a pharmacy technician, Registration Number T16214, in the State of Maryland be and is hereby **SUMMARILY SUSPENDED**; and it is further

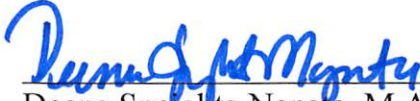
ORDERED that the Respondent shall immediately return all registrations and licenses to the Board; and it is further

ORDERED that the Respondent has the opportunity to appear before the Board for a post-deprivation show cause hearing. A request for a post-deprivation show cause hearing must be in writing and be made **WITHIN THIRTY (30) DAYS** of receipt of this order; and it is further

ORDERED that if the Respondent does not submit a timely written request to the Board for a post-deprivation show cause hearing, or if the Respondent requests a post-deprivation show cause hearing but fails to appear when scheduled, the investigative findings contained in this Order shall stand and the Respondent's pharmacy technician registration will remain **SUSPENDED** absent any further action by the Board; and be it further

ORDERED that this is a **PUBLIC DOCUMENT** pursuant to the Maryland Public Information Act, Md. Code Ann., Gen. Prov. §§ 4-101 – 4-601 (2019 Repl. Vol. and 2022 Supp.).

12-5-23
Date



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