

IN THE MATTER OF	*	BEFORE THE
DEMETRIS GRANT, PHARM TECH	*	STATE BOARD
Respondent	*	OF
Registration Number: T05870	*	PHARMACY
	*	Case Number: PT-17-016

\* \* \* \* \*

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

On December 20, 2017, the State Board of Pharmacy (the "Board"), notified **DEMETRIS GRANT**, Pharmacy Technician (Pharm Tech), the Respondent, of its Intent to Revoke her pharmacy technician 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, which was enclosed. More than 30 days have elapsed and the Respondent failed to timely request a hearing. Therefore, this revocation is final.

The Board bases its action on the Respondent's violation of the following provisions of the Maryland Pharmacy Act (the "Act"), Md. Code Ann., Health Occupations II ("Health Occ. II") §§ 12-101 *et seq.* (2014 Repl. Vol.).

The relevant provisions are as follows:

**Health Occ. II § 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;

- (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;
- (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. II § 12-213, the underlying grounds for Board action under § 12-313 include:

- (25) Violates any rule for regulation adopted by the Board [;].

The pertinent provision of the Board's regulations under Code Md. Regs. ("COMAR") 10.34.10 provides:

.01 Patient Safety and Welfare.

B. A pharmacist may not:

- (3) Engage in unprofessional conduct.

**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 the State of Maryland. The Respondent was first registered on June 18, 2009. The Respondent's registration expires on December 31, 2018.

2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at a pharmacy (the "Pharmacy") within a grocery store chain in Pikesville, Baltimore County, Maryland.<sup>1</sup>

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<sup>1</sup>For confidentiality purposes, the names of pharmacies and all individuals referenced herein will not be

3. On or about December 9, 2016, the Pharmacy sent the Board a Drug Enforcement Administration (DEA) "Report of Theft or Loss of Controlled Substances" form, which indicated that employee pilferage caused the loss of 1,856 Alprazolam<sup>2</sup>, 2mg, tablets valued at \$115.

4. Upon the Board's request, the Pharmacy sent to the Board its Investigative Report which contained the following disclosures:

- A. On October 31, 2016, personnel at the Pharmacy notified Asset Protection in reference to large negative adjustments being made over the last few months of the prescription drug Alprazolam, 2 mg;
- B. An investigation was begun and the Respondent became the focus of the investigation;
- C. The Respondent was observed on multiple dates selecting the drug and adjusting the count;
- D. It was then determined that additional cameras would be needed to cover more angles;
- E. On November 27, 2016, at approximately 9:30AM, the Respondent selected four bottles of Alprazolam, 2 mg. Approximately 35 minutes later, the Respondent returned three bottles of the medication back to their display. The Respondent then entered a prescription bay where the Closed-Circuit TV showed her concealing two small prescription bottles into her white lab coat. No prescriptions of Alprazolam, 2 mg. tablets were filled that day;

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identified by name in this document, but may be revealed to the Respondent by contacting the Administrative Prosecutor.

- F. On December 7, 2016 at 5:00PM, personnel from the Pharmacy interviewed the Respondent, who admitted to the theft of Alprazolam, stating that she had stolen it over the course of six months. She further admitted that she would sell it for \$8 a pill to help with her bills. The Respondent estimated that she had stolen about 1620 pills;
- G. The Respondent provided a written statement to that effect;
- H. As a result of that admission, the Respondent was suspended and later terminated from employment with the Pharmacy.

5. The Baltimore County Police were called and the Respondent was charged in District Court of Maryland for Baltimore County (Towson) with the following:

- Count 1                      Theft: \$1,000 to under \$10,000;
- Count 2                      CDS Poss w/Int to Dist.

6. The case was later transferred to the Circuit Court for Baltimore County where the charges were as follows:

- Count 1                      CDS Poss w/Int to Distrib;
- Count 2                      CDS: Possess—not marijuana;
- Count 3                      Theft: \$1,000 to under \$10,000.

7. On May 18, 2017, the following occurred with regard to the above Circuit Court cases:

- A. Counts 2 and 3 were Nolle Prossed;<sup>3</sup>

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<sup>2</sup> Alprazolam is used to treat anxiety disorders, panic disorders, and anxiety.  
<sup>3</sup>Nolle Prosequi: Latin for "we shall no longer prosecute," which is a declaration made to the judge by a prosecutor in a criminal case (or by a plaintiff in a civil lawsuit) either before or during trial, meaning the case against the defendant is being dropped. The statement is an admission that the charges cannot be proved, that evidence has demonstrated either innocence or a fatal flaw in the prosecution's claim, or the district attorney has become convinced the accused is innocent.

B. The Respondent pled Guilty to Count 1 and was found guilty. The Respondent was sentenced to three years imprisonment, with two years and 10 months suspended. Afterwards, she was then placed on home detention and ordered on one year supervised probation. All items seized were forfeited.

8. Based upon the above, on August 16, 2017, the Board issued an Order for Summary Suspension in which it summarily suspended the Respondent's registration. The Respondent failed to request a hearing or contest the Board's findings.

9. The Respondent's conduct as set forth above constitutes a violation of Health Occ. II § §12-6B-09 (3), (8), (22) and (27), Health Occ. II § 12-313(25), and COMAR 10.34.10.01 B (3).

### CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that the Respondent violated §12-6B-09 HO §12-6B-09(3), (8), (22) and (27), Health Occ. II § 12-313(25), and COMAR 10.34.10.01 B (3).


### ORDER

As set forth above, the Board hereby Orders, that the registration to practice as a Pharmacy Technician in Maryland held by **DEMETRIS GRANT**, the Respondent, Registration No. **T05870**, be and is **REVOKED**, and that this Order is public, pursuant to Md. Code Ann. General Provisions §§ 4-101 *et seq.* (2014 Repl. Vol.).

**NOTICE OF RIGHT OF APPEAL**

In accordance with §12-316 of the Act and Md. Code Ann., State Government II. §§10-201, *et seq.* (2014 Replacement Vol.), 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 aforesaid authority.

4/18/2018  
Date

  
Mitra Gavvani, Pharm.D., President  
State Board of Pharmacy