IN THE MATTER OF JENNIFER A. GURULE

RESPONDENT

REGISTRATION NO.: T00842

BEFORE THE STATE BOARD OF PHARMACY

CASE NUMBER: PT-14-030/14-230

FINIAL ORDER OF REVOCATION OF TECHNICIAN REGISTRATION

The State Board of Pharmacy ("the Board") notified Jennifer A. Gurule ("the Respondent"), Registration Number: T00842, of the Board's intent to revoke her registration to practice as pharmacy technician under the Maryland Pharmacy Act (the "Act"), Md. Health Occ. II 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;

(25) Violates any regulation adopted by the Board; 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. tit.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. The Respondent was originally
registered to practice as a pharmacy technician in Maryland on or about June 19, 2008.


3. At all times relevant hereto, Respondent worked as pharmacy technician at
Pharmacy A located in Anne Arundel County, Maryland.¹

4. In or about March 4, 2014, the management of Pharmacy A notified the
Board that the Respondent was terminated after Pharmacy A management discovered
that the Respondent had stolen hydrocodone from Pharmacy A.

5. Following an internal investigation conducted by Pharmacy A management, it
was determined that 3,277 tablets of Hydrocodone-APAP 10-325 mgs. and 4178 tablets
of Hydrocodone BT- Ibuprofen were missing from Pharmacy A.

¹ The name of the Pharmacy A is omitted in order to protect the identity of Pharmacy A.
6. Additionally, a video tape located in Pharmacy A showed the Respondent opening pill bottles she had taken from the pharmacy shelf and placing the contents of the bottles in her mouth.

7. After being confronted by Pharmacy A's investigative staff, the Respondent admitted in a written statement that she had been stealing hydrocodone from Pharmacy A for approximately six (6) months.

8. Pharmacy A's investigative staff also retrieved a bottle containing approximately twenty-five (25) Hydrocodone pills from the Respondent's purse. The Respondent admitted that she had stolen these pills from Pharmacy A.

9. The Respondent was subsequently arrested by the Anne Arundel Police. The Respondent was charged with three (3) counts of theft in violation of Md. Crim. Law Code Ann. § 7-104, and one (1) count of possession of a control dangerous substance not marihuana, in violation of Md. Crim. Law art. § 5-602. (a) (1).

10. The facts, as set forth above, 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), (25), and (27) and Code of Md. Regs. tit.10 § 34.10.01 B (3).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 16th day of August 2017, by a majority of the quorum of the Board, hereby
ORDERED that the Respondent's registration to practice as a pharmacy technician, 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 for purposes of public disclosure and as permitted by Md. General Provisions §§ 4-101 et seq. (2014), this document consists of the contents of the foregoing Findings of Fact, Conclusions of Law, and Order, and is reportable to any entity to whom the Board is obligated to report; and it is further

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

August 16, 2017

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

NOTICE OF RIGHT TO APPEAL