

IN THE MATTER OF
WHITNEY HECK,
PHARMACY TECHNICIAN
Registration No.: T21795

* BEFORE THE MARYLAND
* STATE BOARD OF
* PHARMACY
* Case No.: 20-399

* * * * *

ORDER FOR SUMMARY SUSPENSION

The Maryland Board of Pharmacy (the "Board") hereby summarily suspends the registration to practice as a Pharmacy Technician ("Pharm Tech") in Maryland issued to **Whitney Heck** (the "Respondent"), under the Maryland Pharmacy Act (the "Act"), Md. Code Ann., Health Occupations ("Health Occ"), §§ 12-101 *et seq.* (2014 Repl. Vol. and 2019 Supp.), registration number T21795. The Board takes such action pursuant to Md. Code Ann., State Gov't §§ 10-226(c)(2) (2014 Repl. Vol. and 2019 Supp.), concluding that the public health, safety or welfare imperatively requires emergency action.

This Order is based on the following investigative findings, which the Board has reason to believe are true:

INVESTIGATIVE FINDINGS¹

1. At all times relevant hereto, the Respondent practiced as a Pharm Tech in the State of Maryland. The Respondent was first registered as a Pharm Tech in Maryland on or about November 21, 2018. The Respondent's registration is scheduled to expire on November 30, 2020.

Complaint

¹ The statements regarding the Respondent's conduct are only intended to provide the Respondent with notice of the basis for the Board's action. 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 this matter.

2. On or about February 28, 2020, the Board received a Drug Enforcement Agency (DEA) Form 106, *Report of Theft or Loss of Controlled Substances* (the “Complaint”) from a national chain Pharmacy located in Bel Air, Maryland (the “Pharmacy”).²
3. Based on the Complaint, the Board initiated an investigation.

Investigation

4. Subsequently, on April 29, 2020, pursuant to a subpoena, the Board obtained additional documentation from the Pharmacy regarding the Pharmacy’s internal investigation into the theft.
5. The documentation indicated that after the Pharmacy’s manager detected inventory discrepancies, the Pharmacy initiated an investigation that included reviewing in-store security video and interviews with staff. The investigation concluded that the Pharmacy was missing approximately #43 tablets of opioid CDS in varying dosages.
6. The documentation obtained by the Board included a January 3, 2020 voluntary written statement by the Respondent stating that over the course of the prior several weeks, she had stolen CDS “on a couple of occasions,” but that she could not recall the exact number of tablets she took without authorization.
7. Shortly thereafter, the Respondent was terminated from the Pharmacy based on the theft.

² For confidentiality and privacy purposes, the names of individuals and facilities involved in this case are not disclosed in this document. Upon written request, the Administrative Prosecutor will provide the information to the Respondent.

8. Based on the information provided to the Board by the Pharmacy, the Board has reason to believe that the Respondent diverted multiple medications over an extended time span.

CONCLUSIONS OF LAW

Based on the foregoing investigative findings, the Board concludes as a matter of law that the public health, safety, and welfare imperatively require emergency action in this case, pursuant to Md. Code Ann., State Gov't § 10-226(c)(2) (2014 Repl. Vol. and 2019 Supp.).

ORDER

Based on the foregoing Investigative Findings and Conclusions of Law, it is this 14th day of August 2020, by 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) (2014 Repl. Vol. and 2019 Supp.), the Respondent's registration to practice as a Pharmacy Technician in the State of Maryland under registration number T21795 is hereby **SUMMARILY SUSPENDED**; and it is further

ORDERED that the Respondent is prohibited from practicing as a Pharmacy Technician in the State of Maryland; and it is further

ORDERED that the Respondent shall immediately return all copies of his registration 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**; and it is further

ORDERED that if the Respondent fails to request a post-deprivation show cause hearing in writing in a timely manner, or if the Respondent requests a post-deprivation show cause hearing but fails to appear when scheduled, the Respondent's registration will remain **SUSPENDED**; and it is further

ORDERED that this **ORDER FOR SUMMARY SUSPENSION** is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014).

8/14/2020
Date

Deena Speights-Napata
Deena Speights-Napata, Exec. Dir., M.A.
on behalf of
Kevin Morgan, Board President