

IN THE MATTER OF

LAVERNE HIGHTOWER, PHARM TECH

Registration No.: T15546

Respondent

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BEFORE THE

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STATE BOARD

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OF

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PHARMACY

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Case No. PT- 15-015

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ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. State Govt (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 **LAVERNE HIGHTOWER**, (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 November 21, 2014. The Respondent's registration expires on October 31, 2016.
2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at a National chain pharmacy in Baltimore, Maryland, hereinafter "Pharmacy A."
3. On or about November 25, 2014, Pharmacy A notified the Board of a significant loss or theft of Controlled Dangerous Substances (CDS),
4. By communications dated January 5, 2014, Pharmacy A informed the Board that it had conducted an investigation, with the following findings:

- A. For over two weeks, missing waiting-bin scripts of CDS had been reported in one of the stores where the Respondent worked;
- B. As a result, attention focused on the Respondent, who had been “borrowed” to another store;
- C. Before an interview took place however about the first store, the second store where the Respondent had been “borrowed” reported two scripts missing from its waiting-bin;
- D. As a result of the above, Pharmacy A’s Loss Prevention personnel interviewed the Respondent, who, orally and in writing, admitted that she had taken the missing scripts at both stores;
- E. In addition, the Respondent reported stealing other drugs as set forth below:

Oxycodone/APAP ¹ 5-325 mg	180 tablets;
Hydrocodone-APAP ² 5-325 mg	30 tablets;
Oxycontin ³ , 20 mg	120 pills;
Alprazolam ⁴ , 1 mg	3 pills;

¹ Oxycodone/APAP (brand names include Endocet, Percocet, and Roxicet) is a prescription medication approved to treat moderate to moderately severe pain. All oxycodone/APAP products are narcotics and are classified as Schedule II controlled substances in the United States. This means that special laws and regulations control their sale and use. Of all legal prescription medications, Schedule II controlled substances have the highest abuse potential. In this combination, there are 5 mgs of Oxycodone and 325 mgs of APAP.

² Hydrocodone-APAP 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. In this combination, there are 5 mgs of Hydrocodone and 235 mgs of acetaminophen. As of August 14, 2014, hydrocodone was rescheduled by the DEA from Schedule III to Schedule II, a higher abuse potential.

³ Oxycontin treats moderate to severe pain when around-the-clock pain relief is needed for a long period of time. Slow-release oxycodone is a narcotic medicine that should not be taken more often than every 12 hours.

⁴ Alprazolam treats anxiety and panic disorder.

F. As a result of the above admissions, the Respondent was terminated from employment, and the Police were called and made an arrest.

5. On December 13, 2014, the Respondent was charged in the District Court of Baltimore City with 10 counts involving CDS distribution, illegal prescription manufacturing and theft less than \$1000.

6. The case was moved to the Circuit Court for Baltimore City and the Respondent was charged with 34 Counts, including CDS Distribution—Narcotics, CDS manufacturing, unlawful possession, illegal act—prescription drug, illegal possession with intent to distribute and theft less than \$1000.

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

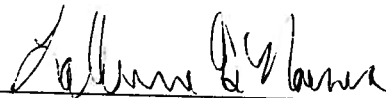
Based on the foregoing, it is therefore this 16th day of March, 2015 by a majority vote of a quorum of the State Board of Pharmacy by authority granted to the Board by SG. §10-226 (c) (2), the registration held by the Respondent to practice as a Pharm Tech in Maryland, Registration No. T15546, is hereby **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

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.).



Laverne G. Naesea, 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.