

<b>IN THE MATTER OF</b>	*	<b>BEFORE THE</b>
<b>SHANTEL HOWARD,</b>	*	<b>MARYLAND BOARD</b>
<b>PHARM TECH</b>	*	<b>OF PHARMACY</b>
<b>RESPONDENT</b>	*	<b>Case No.: 20-032</b>
<b>REGISTRATION NO.: T18720</b>	*	
* * * * *		

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

The Maryland State Board of Pharmacy (the “Board”) notified **SHANTEL HOWARD**, Pharm. Tech, **Registration Number T18720** (the “Respondent”), of the Board’s intent to revoke her registration to practice as a pharmacy technician, under the Maryland Pharmacy Act (the “Act”), Md. Code Ann., Health Occ. (“Heath Occ.”) §§ 12-101 *et seq.* (2014 Repl. Vol. & 2018 Supp.).

The Notice also informed the Respondent that unless she requested a hearing in writing within thirty (30) days of receipt of said Notice, the Board would sign the Final Order, which was enclosed. More than thirty (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 Act:

**§ 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 . . . reprimand a registered pharmacy technician, place any pharmacy technician’s registration on probation, or suspend or revoke a pharmacy technician’s registration if the . . . pharmacy technician registrant:

.....

- (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 this matter;

.....

- (25) Violates any regulation adopted by the Board;

.....

- (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. § 12-6B-09 (27), the underlying grounds for Board action under § 12-313 include:

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

The pertinent provision of the regulations adopted by the Board are as follows:

**COMAR 10.34.10.01 Patient Safety and Welfare**

.....

- B. A pharmacist may not:

.....

- (3) Engage in unprofessional conduct.

**FINDINGS OF FACT**

The Board finds the following facts:

## **Background**

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 October 21, 2016. The Respondent's registration expires on January 31, 2020.
2. At all times relevant hereto, the Respondent was employed as a pharmacy technician at a national chain pharmacy (the "Pharmacy").

## **Theft Investigation**

3. On or about July 30, 2019, the Board received notification from the Pharmacy that they had identified a "potential loss of [t]ramadol<sup>1</sup> 50 mg." The Pharmacy further stated that they had "confirmed the loss was a result of employee pilferage" by the Respondent.
4. On or about July 30, 2019, the Board also received a DEA (Drug Enforcement Agency) – 106 – Report of Theft or Loss of Controlled Substances (the "Report") from the Pharmacy related to the loss of tramadol.
5. The Report listed the controlled dangerous substance ("CDS") that was lost/stolen as: "2,685 [t]ramadol HCL 50 mg tablets."
6. In June 2019, the Pharmacy's Asset Protection Associate and District Pharmacy Manager began an investigation regarding "count changes in [t]ramadol 50" mg. As part of their investigation, they set up covert cameras in the Pharmacy.

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<sup>1</sup> Tramadol is an opioid analgesic and a Schedule IV Controlled Dangerous Substance ("CDS").

7. On July 18, 2019 at approximately 12:50 p.m., camera footage showed the Respondent removing a tramadol 50 mg container from the Pharmacy shelf. Then, at 1:15 p.m., camera footage captured the Respondent placing the container of tramadol back on the shelf as well as concealing a container of tramadol on her person.
8. On July 23, 2019, the Asset Protection Manager and District Pharmacy Manager interviewed the Respondent regarding the incident, and the Respondent gave a written admission to the theft of the tramadol.
9. As part of her written admission, the Respondent stated:

I Shantel Howard have been taking tramadol from [the Pharmacy] for the past year and was taking [*sic*] for my back pain.
10. On July 23, 2019, the Pharmacy terminated the Respondent's employment for dishonest theft.

### **Criminal Proceedings**

11. On or about July 23, 2019, the Respondent was charged in the District Court for Baltimore County, Maryland with two (2) criminal misdemeanor counts related to the theft from the Pharmacy. The Respondent was charged with the following: one (1) count of Theft Less Than \$100.00 and one (1) count of CDS: Possession-Not Marijuana.
12. On or about September 9, 2019, the Respondent was found guilty of one (1) count of Theft Less Than \$100.00. A nolle prosequi was entered for the charge of possession of a controlled dangerous substance. The Respondent was sentenced to

ninety (90) days of incarceration, all of which was suspended, and one (1) year of supervised probation.

**CONCLUSIONS OF LAW**

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

**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 15 day of January <sup>20</sup>~~2019~~, a majority of the quorum of the Board hereby

**ORDERED** that the Respondent, **SHANTEL HOWARD'S**, registration to practice as a pharmacy technician in the State of Maryland is hereby **REVOKED** and the Board will not accept, from the Respondent, any future applications for licensure, certification, and/or registration; and it is further


**ORDERED** that the Respondent shall return to the Board all Maryland pharmacy technician registrations within ten (10) days of the date of this Order; and it is further

**ORDERED** that the effective date of this Order is the date that it is signed by the Board; and it is further

**ORDERED** that this document constitutes a formal disciplinary action of the Board and this Order is final and a public document pursuant to Md. Code Ann., Gen. Prov. § 4-101 *et seq.* & § 4-333 (2014).

11/15/20

Date



Kevin M. Morgan, Pharm.D.  
President  
Maryland Board of Pharmacy