

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

* * * * *

ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. Code Ann., State Gov't §§ 10-226(c)(2) (2014 Repl. Vol. and 2018 Supp.), the Maryland Board of Pharmacy (the "Board") hereby summarily suspends the registration of Shantel Howard, Pharm. Tech., Registration Number T18720 (the "Respondent"), to practice as a pharmacy technician, under the Maryland Pharmacy Act (the "Act"), Md. Code Ann., Health Occ. §§ 12-101 *et seq.* (2014 Repl. Vol. & 2018 Supp.). 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 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").²

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.

3. On or about July 30, 2019, the Board received notification from the Pharmacy that they had identified a “potential loss of [t]ramadol^[3] 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.”

Pharmacy Internal Investigation

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.

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.

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.

³ Tramadol is an opioid analgesic and a Schedule IV Controlled Dangerous Substance (“CDS”).

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 Charges

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.

13. Based on the above information, the Board has reason to believe that the Respondent repeatedly stole CDS from her employer over an extended time period.

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).

ORDER

Based on the foregoing Investigative Findings and Conclusions of Law, it is this 23 day of October 2019, 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), the Respondent's registration to practice as a pharmacy technician in the State of Maryland under registration number T18720 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 registrations 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 & 2018 Supp.).

10-23-19

Date

Deena Speights-Napata
Deena Speights-Napata, Executive
Director, for
Kevin Morgan, Pharm.D.
President
Maryland Board of Pharmacy