

IN THE MATTER OF * **BEFORE THE MARYLAND**
BRITTANY C. HUDGINS * **STATE BOARD OF PHARMACY**
PHARMACY TECHNICIAN *
RESPONDENT * **Case No.: 24-047**
REGISTRATION NO.: T21147 *

* * * * *

FINAL ORDER OF REVOCATION
OF PHARMACY TECHNICIAN REGISTRATION

The Maryland State Board of Pharmacy (the “Board”) notified **BRITTANY C. HUDGINS**, Pharmacy Technician, Registration Number **T21147**, (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. (“Health. Occ.”) §§12-101 *et seq.* (2021 Repl. Vol. & 2023 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. Ground 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 ...
pharmacy technician registrant:

- (3) Fraudulently uses a pharmacy technician's registration;
- (23) Violates any provision of this title;
- (25) Violates any rule or 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[.]

The pertinent provision of the Board's regulations under the Code of Maryland Regulations ("COMAR") 10.34.10 provides:

.01 Patient Safety and Welfare

B. A pharmacist may not:

- (3) Engage in unprofessional conduct.

FINDINGS OF FACT

The Board makes the following Findings of Fact:

1. At all times relevant hereto, the Respondent was registered to practice as a pharmacy technician in the State of Maryland.
2. The Respondent was originally issued a registration to practice as a pharmacy technician in Maryland on or about June 15, 2018. The Respondent's registration expired on October 31, 2023, and has not been renewed.
3. At all times relevant hereto, the Respondent was employed at a retail pharmacy chain (the "Pharmacy")¹ located in Maryland.

¹ For confidentiality and privacy purposes, the names of Pharmacy staff and the Pharmacy involved in this case are not disclosed in this document. Upon written request, the Administrative Prosecutor will provide the information to the Respondent.

4. On or about April 26, 2023, the Board received notification from Pharmacy staff that the Respondent diverted medication from the Pharmacy. Pharmacy staff submitted DEA Form 106 - Report of Theft or Loss of Controlled Substances indicating that 268 tablets of Lorazepam 0.5 mg; 19 tablets of Diazepam 2 mg; 1 tablet of Oxycodone HCL(IR) 15 mg; 274 tablets of Alprazolam 0.25mg; 264 tablets of Alprazolam 0.5 mg; and 19 tablets of Oxycontin ER 30 mg.²
5. On or about February 23, 2023, the Respondent was interviewed by Pharmacy staff.
6. The Respondent provided a written statement to the Pharmacy confirming that she took multiple medications from the Pharmacy. The Respondent admitted in her written statement that she diverted Diazepam; Diltiazem; Trazadone 300mg; Xanax 2.5 mg; and Xanax 5 mg.
7. Following her interview, the Respondent was terminated by the Pharmacy.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent's conduct as described above constitutes violations of the Act and a basis on which to revoke the Respondent's pharmacy technician registration. Specifically: The Respondent's actions of diverting medications constitutes violations of Health Occ. § 12-6B-09 (3) (fraudulently uses a pharmacy technician's registration), (23) (violates any provision of this title), (25) (violates any regulation adopted by the Board), and (27)

² Lorazepam, Diazepam, and Alprazolam are each Schedule IV Controlled Dangerous Substances ("CDS"). Oxycodone and Oxycontin are both Schedule II CDS.

(participates in any activity that is grounds for Board action under § 12-313 or § 12-409 of this title).

ORDER

Based on the foregoing, it is this 16th day of October, 2024, by the Board hereby:


ORDERED that the Respondent, **BRITANY C. HUDGINS'**, registration to practice as a pharmacy technician in the State of Maryland is hereby **REVOKED**; 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 (2019 Repl. Vol.).

10/16/24
Date



Kristopher Rusinko, Pharm D, Board President
Maryland Board of Pharmacy

NOTICE OF RIGHT TO APPEAL

Pursuant to Md. Code Ann., Health Occ. § 12-316, the Respondent has the right to take a direct judicial appeal. A Petition for Judicial Review must be filed within thirty (30)

days of service of this Order and shall be made as provided for judicial review of a final decision in Md. Code Ann., State Gov't §§ 10-201 *et seq.* (2014 Repl. Vol. & 2019 Supp.) and Title 7, Chapter 200 of the Maryland Rules.