

IN THE MATTER OF
KATRICE JOE, Pharm Tech
Registration No.T04389
Respondent

* BEFORE THE
* STATE BOARD
* OF
* PHARMACY
* Case No. PT-12-004/12-203

* * * * *

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

On November 20, 2013, the State Board of Pharmacy (the "Board"), notified **KATRICE JOE**, Pharmacy Technician (Pharm Tech), the Respondent, of its Intent to Revoke her pharmacy technician registration.

The Notice also informed the Respondent that, unless she requested a hearing in writing within 30 days of receipt of said Notice, the Board would sign the Final Order which was enclosed. More than 30 days have elapsed and the Respondent failed to timely request a hearing. Therefore, this revocation is final.

The basis for the Board's action was pursuant to State Gov't Code Ann. ("S.G.") § 10-226 (c) (1) (2009 Repl. Vol.), the Maryland Pharmacy Act (the "Act"), Heath Occ. Code Ann. ("H.O.") § § 12-101, *et seq.* (2009 Repl. Vol.), and Code Md. Regs. (COMAR) tit. 10 § 34.10 *et seq.* (November 12, 2001).

S.G. § 10-226. Licenses.-Special Provisions:

(c) *Revocation of (sic) suspension.*— (1) Except as provided in paragraph (2) of this subsection, a unit may not revoke or suspend a license unless the unit first gives the licensee:

- (i) written notice of the facts that warrant suspension or revocation;
and

- (ii) an opportunity to be heard.

H.O. § 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 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 if the applicant or pharmacy technician registrant:

- (3) Fraudulently uses a pharmacy technician's registration;
- (25) Violates any regulation adopted by the Board [;].

The Board also charged the Respondent with violating the following provision of its Pharmacist and Pharmacy Technician Code of Conduct, (COMAR) §10.34.10.

.01 Patient Safety and Welfare.

B. A pharmacist may not:

* * *

- (3) Engage in unprofessional conduct.

**FACTS THAT WARRANT
THE REVOCATION OF THE RESPONDENT'S REGISTRATION**

1. At all times relevant hereto, the Respondent was registered to practice as a Pharm Tech in Maryland. The Respondent was first registered on March 10, 2009. The Respondent's registration expired on November 30, 2012.

2. At all times relevant hereto, the Respondent was employed as a Pharm Tech in a pharmacy at a National store in Glen Burnie, Maryland, hereinafter, "Pharmacy A".

3. On June 28, 2011, another Pharm Tech was observed on camera taking a prescription from the Respondent in the parking lot and processing the prescription. Upon checking, it was discovered that the other Pharm Tech had filled that prescription

for 15 mg Oxycodone¹ for a purported patient from a hospital in Baltimore City. Upon further investigation, it was determined that the prescription was forged. The Respondent's boyfriend had had four other forged prescriptions for patients from that same hospital filled since March 9, 2011 by either the Respondent or the other Pharm Tech and these were picked up by the Respondent's boyfriend in the Respondent's car.

4. The Respondent later admitted in a written statement that she had participated in the forged prescription scheme.

5. As a result of the above actions, on July 7, 2011, the Respondent was terminated from employment from the pharmacy.

6. As a result of the above, on October 19, 2011, the Board summarily suspended the Respondent's registration. The Respondent failed to request a hearing.

CONCLUSIONS OF LAW

Based upon the foregoing Facts, the Board concludes that the Respondent violated its Act and that the revocation is warranted, pursuant to § 12-6B-09 (3) and (25) of the Act; and COMAR. §10.34.10.01 B (3).

ORDER

As set forth above, the Board hereby **ORDERS** that the registration to practice as a Pharmacy Technician in Maryland held by **KATRICE JOE**, the Respondent, be and is **REVOKED**, and that this Order is public, pursuant to §10-617(h), Md. State Govt. Code Ann. (2009 Repl. Vol.).

¹Oxycodone is an opioid pain medication. An opioid is sometimes called a narcotic. Oxycodone is used to treat moderate to severe pain.

NOTICE OF RIGHT OF APPEAL

In accordance with Md. Health Occ. Code Ann. § 12-316 (2009 Repl. Vol.), you have a right to a direct judicial appeal of this decision. A petition for appeal of the Final Board Order shall be filed within thirty days from your receipt of this Final Order and shall be made in accordance with the aforementioned authority.

Date

6/18/2014

Lenna Israbian-Jamgochian, Pharm. D.
President
Board of Pharmacy