

IN THE MATTER OF	*	BEFORE THE
AMANDA KOSINSKI, Pharm Tech	*	STATE BOARD
Registration No.: T10129	*	OF
Respondent	*	PHARMACY
	*	Case No. PT-13-020/13-220
* * * * *		

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

On June 19, 2013, the Maryland Board of Pharmacy (the "Board"), notified **AMANDA KOSINSKI**, Pharmacy Technician (Pharm Tech), the Respondent, of its Intent to Revoke her Pharm Tech 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 Md. State Govt. Code Ann. § 10-226(c) (1) (2009 Repl. Vol. and 2012 Supp.) and the Maryland Pharmacy Act, codified at Md. Health Occ. Code Ann. § 12-101, et seq., (the "Act") (2009 Repl. Vol. and 2012 Supp.).

The pertinent provision of § 10-226(c) (1) of the APA states:

Revocation of suspension. (sic)— (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.

The pertinent provisions of 12-6B-09 of the Act state: 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:

(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 the matter [;].

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 December 12, 2011. The Respondent's registration expired on May 31, 2013.

2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at a National pharmacy chain located in Havre de Grace, Maryland hereinafter known as "Pharmacy A".

3. On October 26, 2012, management at Pharmacy A noted an increase in the inventory of Hydrocodone-Acetaminophen 10/325¹ over the previous few months. Upon conducting an actual count of same, management discovered that there were only a few pills at the store, resulting in a shortage of 2786 pills since the biennial inventory.

¹Hydrocodone Acetaminophen 10-325 is a Schedule II, habit-forming narcotic pain reliever, which requires a prescription. It contains 10 mgs of Hydrocodone and 325 mgs of Acetaminophen, and goes by the brand

4. Thereafter, an investigation was begun and the Pharmacist-In-Charge (PIC) was directed to conduct a daily count, every morning and night. The PIC informed the Investigator that, on 11/5, 11/7 and 11/8/12, pills were missing even though no drugs had been dispensed since 10/31/12.

5. An interview was subsequently conducted of the Respondent who admitted that she had been stealing pills from Pharmacy A for approximately six months by concealing them in her pockets. The Respondent further stated that, after she stole them, she would give them to a friend of hers who would sell them to others and return the money to her from the sales, which she would use for her daily living expenses. The Respondent also admitted stealing blood pressure medicine for her own needs.

6. In addition to stealing 2000 Hydrocodone-Acetaminophen 10-325 pills, the Respondent admitted to stealing the following: 200 Hydrocodone-Acetaminophen 7.5-325 (7.5 mgs of Hydrocodone/325 mgs acetaminophen) pills; 400 Hydrocodone-Acetaminophen, 5-325 mg (5 mg Hydrocodone/325 mg Acetaminophen) pills; 100 Diazepam (Valium, used to treat anxiety disorders, alcohol withdrawal symptoms, or muscle spasms) pills, 30 Losartan Potassium (blocks vasoconstriction and aldosterone-secreting effects of angiotensin II at various receptor sites, including vascular smooth muscle and adrenal glands; also increases urinary flow and enhances excretion of chloride, magnesium, calcium, and phosphate) pills; 200 Phentermine (amphetamine prescribed for appetite suppression) pills; and 30 Sertraline HCL (Zoloft; a SSRI that is used to treat mental depression and a variety of other disorders) pills.

name of either Vicodin or Lortab.

7. The Respondent also submitted a written statement admitting the theft. Thereafter, on or about November 12, 2012, the Respondent was terminated from employment at Pharmacy A, and was arrested and criminally charged with nine separate counts in the District Court for Harford County. Pharmacy A also filed a theft/loss report, indicating that the loss totaled \$2,416.53.

8. On February 25, 2013, the following occurred at the Circuit Court for Harford County, to which the case had been transferred:

- A. Count 1-CDS Intent to Dist. Narc---Nolle Prossed;
- B. Count 2-CDS Possess-, Not Marijuana—Guilty--4 years' incarceration, all suspended, Community Work Service;
- C. Count 3—Prescription Illegal Poss, w/Intent to Distrib—Nolle Prossed;
- D. Count 4---CDS Possess w/Intent to Distrib—Nolle Prossed;
- E. Count 5—CDS Possess, not Marijuana—Guilty--4 years' incarceration, all suspended, community service;
- F. Count 6---Prescription, Illegal Possess, w/Intent to Distrib—Nolle Prossed;
- G. Count 7—CDS Possess, w/Intent to Distrib—Nolle Prossed;
- H. Count 8—CDS Possess, not Marijuana—Guilty--4 years' incarceration, suspended, community service;
- I. Count 9—Prescription Illegal Possess w/Intent to Distrib—Nolle Prossed;
- J. Count 10—CDS Possess w/Intent to Distrib—Nolle Prossed;

K. Count 11—CDS Possess-not Marijuana—Guilty--4 years' incarceration—suspended, community work service;

L. Count 12—Prescription-Illegal Possess w/Intent to Distrib—no disposition;

M. Count 13—Theft, \$100 to under \$10,000—Guilty----10 years' incarceration, 9 years suspended, six months incarceration. After 84 days, eligible for work release. Supervised Probation for three years. Restitution to Pharmacy A of \$2,416.53.

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 the Maryland Pharmacy Act, codified at Md. Health Occ. Code Ann. § 12-6B-09 (22) (i) and (ii).

ORDER

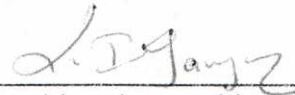
As set forth above, the Board hereby **ORDERS** that the registration to practice as a Pharmacy Technician in Maryland held by Amanda Kosinski, the Respondent, be and is **REVOKED**, and that this Order is a public document, pursuant to §10-617(h), Md. State Govt. Code Ann. (2009 Repl. Vol. and 2012 Supp.).

NOTICE OF RIGHT OF APPEAL

In accordance with Md. Health Occ. Code Ann. § 12-316 (2009 Repl. Vol. and 2012 Supp.), 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

11/25/2013



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