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| IN THE MATTER OF | * | BEFORE THE STATE |
| BRITTANY NICOLE LIVERS | * | BOARD OF |
| RESPONDENT | * | PHARMACY |
| REGISTRATION NO.: T07898 | * | CASE NUMBER: PT-12-028/12-227 |

* * * * *

FINAL ORDER OF REVOCATION PHARMACY TECHNICIAN REGISTRATION

The State Board of Pharmacy (“the Board”) notified Brittany Nicole Livers, (“the Respondent”), d.o.b. 10/20/1990, Registration Number: T07898, of the Board’s intent to revoke her registration to practice as pharmacy technician under the Maryland Pharmacy Act (the “Act”), Md. Health Occ. Code Ann. (“H.O.”) §§ 12-101*et seq.* (2009 Repl. Vol.). Specifically, the Board charged the Respondent with violating the following provisions:

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:

- (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.

FININDINGS OF FACT

The Board finds that:

1. At all times relevant hereto, the Respondent was registered to practice as a registered pharmacy technician in the State of Maryland. The Respondent was originally registered to practice as a pharmacy technician in Maryland on or about August 11, 2010.

2. The Respondent's registration expires on October 31 2013.

3. On or about October 24, 2011, a Pharmacy Supervisor employed at a national pharmacy chain, notified the Board that the Respondent had stolen controlled substances from Store A, where she had worked as a pharmacy technician.¹

4. Store A is located in Charles County, Maryland.

5. The Pharmacy Supervisor reported to the Board that on or about October 12, 2012, an employee noticed discrepancies in the inventory for various controlled substances at Store A.

6. A subsequent audit conducted at Store A revealed that approximately 760 tablets of Buprenorphine 8 mg. with a total retail cost of \$4,059, were missing from the pharmacy.

7. Following the audit, the Respondent was questioned about the missing Buprenorphine by Store A's loss prevention manager. The Respondent admitted that she diverted 28 bottles of Buprenorphine 8mgs between May 2011 and October 2011.

¹ The name and location of Store A has not been disclosed in order to protect the confidentiality of the involved entity. The name and location of Store A is known to the Respondent.

8. The Respondent removed Buprenorphine from Store A by placing the medication in her purse when the pharmacist was not in the pharmacy area.

9. On or about December 2, 2011, the Respondent was indicted by the Grand Jurors for Charles County, Maryland for one (1) count of distribution of a controlled dangerous substance, to wit: Buprenorphine, in violation of Md. Crim. Law Code Ann. §5-602; one (1) count of conspiracy to distribute a controlled dangerous substance, to wit: Buprenorphine, in violation of the common law; and one (1) count of theft over \$1000 but less than \$10,00, in violation of Md. Crim. Law Code Ann. § 7-104.

10. On or about May 1, 2012, the Respondent pled guilty in the Circuit Court for Charles County, Maryland to one (1) count of Distribution of a controlled dangerous substance, to wit: Buprenorphine, in violation of Md. Crim. Law Code Ann. §5-602.

11. On or about May 31, 2012, the Respondent was sentenced by Circuit Court Judge Helen I. Harrington to twenty (20) years with all but six (6) months suspended. The Respondent was also placed on supervised probation for a period of five (5) years.

12. The facts, as set forth above, are grounds for the revocation of the Respondent's registration under H.O. § 12-6B-09 (22).

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated H.O. § 12-6B-09 (22).

ORDER

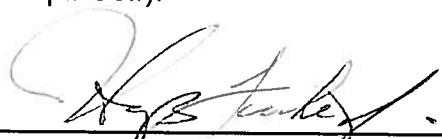
Based on the foregoing Findings of Fact and Conclusions of Law, it is this 21st day of August 2013, by a majority of the quorum of the Board, hereby

ORDERED that the Respondent's registration to practice as a pharmacy technician, is hereby **REVOKED** and the Board will not accept, from the Respondent, any future application for licensure, certification, and/or registration; and it is further

ORDERED that for purposes of public disclosure and as permitted by Md. State Govt. Code Ann. §§ 10-601 *et seq.* (2009 Repl. Vol.), this document consists of the contents of the foregoing Findings of Fact, Conclusions of Law, and Order, and is reportable to any entity to whom the Board is obligated to report; and it is further

ORDERED that this Order is final and a public document pursuant to Md. State Govt. Code Ann. §§ 10-601 *et seq.* (2009 Repl. Vol.).

8/21/13
Date



~~Lenna Israbian-Jamgochian, PharmD.~~
~~President~~ **SECRETARY** HARRY FROCK JR
State Board of Pharmacy