

IN THE MATTER OF	*	BEFORE THE
CIARA MAPLES	*	MARYLAND BOARD
Pharmacy Technician	*	OF
Registration Number: T17954	*	PHARMACY
Respondent	*	Case Number: 18-158

* * * * *

ORDER FOR SUMMARY SUSPENSION

Procedural Background

On July 30, 2018, the Maryland Board of Pharmacy (the "Board") issued a Notice of Intent to Summarily Suspend against the pharmacy technician registration held by CIARA MAPLES (the "Respondent"), Registration Number: T17954, finding that the public health, safety, or welfare imperatively requires emergency action, pursuant to Md. Code Ann., State Gov't Art. §10-226 (c) (2) (2014 Repl. Vol. and 2017 Supp.). The Board duly notified the Respondent that it would hold a show cause hearing on August 15, 2018, at 1:30 p.m., to determine whether to execute an order summarily suspending the Respondent's registration. The Respondent was also notified that the Board may proceed with the hearing and determine the matter despite the Respondent's failure to appear. The Board staff engaged in subsequent communications with the Respondent to confirm her attendance at the Show Cause hearing. The Respondent indicated that she was out of town handling a personal matter and would not attend. The Respondent did not request a postponement of the hearing.

INVESTIGATIVE FINDINGS

Based on information received by, and made known to the Board, and the investigatory information obtained by, received by and made known to and available to the Board, including the instances described below, the Board has reason to believe that the following facts are true:¹

1. At all times relevant hereto, the Respondent was registered to work as a pharmacy technician in the State of Maryland. The Respondent was first registered on April 22, 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 pharmacy (the "Pharmacy") within a medical system in Baltimore, MD.²

3. By a letter dated January 19, 2018, the Pharmacy reported to the Board that on January 16, 2018, the Respondent's employment was suspended pending investigation into fraudulent prescriptions and theft of controlled substances.

4. The Respondent resigned from her employment at the Pharmacy on January 17, 2018, without being interviewed as part of the Pharmacy's investigation into the fraudulent prescriptions and theft.

5. The Pharmacy's investigation revealed the following:

¹ The statements regarding the Respondent's conduct are intended to provide the Respondent with notice of the basis of the suspension. 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 connection with this matter.

² The names of facilities and/or individuals are confidential but may be disclosed to the Respondent by contacting the Administrative Prosecutor.

- a. Five (5) fraudulent prescriptions for Oxycodone³, 30 mg, quantity 90 tablets each, were entered into the Pharmacy system by the Respondent. The prescriptions were printed to resemble a hospital's prescription blank and contained a forged signature of a nurse practitioner.
- b. Each prescription was for a purported new patient and each prescription was to be paid for in cash. The Pharmacy's policy is that pharmacy staff must flag these types of prescriptions for the attention of the supervising pharmacist. The Respondent failed to do so.
- c. The Respondent then retrieved each of the filled prescriptions from the Pharmacy's "will-call" bins.
- d. The Respondent also had entered a sixth fraudulent prescription using the same prescription blank, for the same drug, dosage and amount, and for a "new patient" paying cash. This time the supervising pharmacist caught the prescription and confirmed with the purported prescribing nurse practitioner that it was fraudulent.
- e. The Pharmacy reported the incidents on a Drug Enforcement Administration (DEA)-106 form for "Report of Theft or Loss of Controlled Substances", and listed the substances as 450 Oxycodone HCL, 30 mg tablets.

³ Oxycodone is a Schedule II, opioid pain medication, sometimes called a narcotic, used to treat moderate to severe pain.

CONCLUSIONS OF LAW

Based on the foregoing Investigative Findings, the Board concludes as a matter of law that the public health, safety or welfare imperatively requires emergency action, pursuant to State Gov't Art. §10-226(c) (2).

ORDER

Based on the foregoing Investigative Findings and Conclusions of Law, it is therefore this 21st day of August, 2018, by a majority of the Board considering this matter:

ORDERED that the registration held by the Respondent, Registration Number T17954, is hereby SUMMARILY SUSPENDED; and be it further,

ORDERED that the Respondent may submit a written request for an evidentiary hearing before the Board, and such hearing will be held in accordance with the Board's regulations, COMAR 10.34.01 and the Maryland Administrative Procedure Act, State Gov't Art. § 10-201, *et seq.*; and be it further

ORDERED that if the Respondent does not submit a written request to the Board for an evidentiary hearing, the investigative findings contained in this Order shall stand and the Summary Suspension will continue absent any further action by the Board; and be it further,

ORDERED that this Order for Summary Suspension is a public document in accordance with General Provisions Art. § 4-333.



Deena Speights-Napata
Executive Director for

Kevin Morgan, Pharm.D.
President