

IN THE MATTER OF * **BEFORE THE MARYLAND**
GLORIA S. MARTINEZ * **STATE BOARD OF**
Pharmacy Technician * **PHARMACY**
Registration Number: T20955 * **Case Number: 24-032**
Respondent *

* * * * *

**ORDER FOR SUMMARY SUSPENSION OF
PHARMACY TECHNICIAN REGISTRATION**

The Maryland Board of Pharmacy (the “Board”) hereby summarily suspends the registration of Gloria S. Martinez (the “Respondent”), Registration Number T20955, to practice as a pharmacy technician in the State of Maryland. The Board takes such action pursuant to the Board’s authority under Md. Code Ann., State Gov’t § 10-226(c)(2) (2021 Repl. Vol.) and Code of Maryland Regulations (“COMAR”) 10.34.01.12F, concluding that the public health, safety, or welfare imperatively requires emergency action. This Order is based on the following investigative findings, which the Board has reason to believe are true:

INVESTIGATIVE FINDINGS¹

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

¹ The statements regarding the Respondent’s conduct are intended to provide the Respondent with notice of the allegations. 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.

to practice as a pharmacy technician in Maryland on May 1, 2018, under registration number T20955. The Respondent's registration is scheduled to expire on August 31, 2025.

2. At all times relevant hereto, the Respondent was employed as a pharmacy technician at a pharmacy (the "Pharmacy")² located in Howard County, Maryland.

3. On August 15, 2023, the Pharmacy notified the Board that the Respondent "admitted to taking oxycodone from the pharmacy and was terminated based on that behavior."

4. The Pharmacy completed a Drug Enforcement Administration Form 106 (Report of Theft or Loss of Controlled Substances). The Pharmacy identified the type of theft or loss as "Employee Theft (or Suspected)" and listed the controlled substances lost or stolen as Roxycodone (Oxycodone): 12 tablets of 10 mg and 30 tablets of 20 mg.

5. The Pharmacy completed an Incident Report and corresponding Theft Investigation Recap dated June 21, 2023. According to the Report and Recap, the Pharmacy discovered that "one pre-pack card each of Oxycodone IR 15 and 20 [mg] were missing from the pre-pack area within the control room." The Pharmacy reviewed closed-circuit television footage from May 29, 2023, and June 6, 2023. On both dates, while filling patient prescriptions, the footage depicted the Respondent diverting controlled dangerous substances. On June 21, 2023, Pharmacy staff conducted an interview of the Respondent. During the interview, the Respondent admitted to diverting "approximately

² In order to maintain confidentiality, names of individuals and facilities involved in this matter will not be used in this document but will be provided to the Respondent on request.

12 units of Oxy IR 10 [mg]” on June 6, 2023. The Respondent also admitted diverting Oxycodone on May 29, 2023, but could not recall the exact milligram or quantity. The Respondent further admitted that the diverted Oxycodone was for personal consumption.

6. The Respondent completed and signed a written statement dated June 21, 2023. In her statement, the Respondent admitted that she “took drug oxycy [*sic*] on two occasions out of the narc room.”

7. Based on the above information, the Board has reason to believe that the Respondent diverted multiple controlled dangerous substances while employed as a pharmacy technician at the Pharmacy.

8. On or about August 21, 2023, the Respondent submitted an online renewal application for her registration to practice as a pharmacy technician. As part of the application, the Respondent answered “YES” to question number five (5): “Has your employment by any pharmacy, clinic, healthcare practice or wholesale drug distributor been terminated for disciplinary reasons?” The Board asked the Respondent via email for additional information regarding this answer. The Respondent replied, effectively denying that she had been terminated for disciplinary reasons. The Board responded, asking the Respondent to “[p]lease clarify that you answered ‘yes’ to attestation question #5 in error” and “that your response to the attestation question #5 should be ‘no’ based on the response you provided.” The Respondent replied, “The answer is no to question #5.”

CONCLUSION 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 in this case, pursuant to State Gov't. § 10-226(c)(2) and COMAR 10.34.01.12F.

ORDER

Based on the foregoing Investigative Findings and Conclusions of Law, it is this 5th day of January 2024, by a majority of the quorum of the Board, hereby:

ORDERED that pursuant to the authority vested in the Board by Md. Code Ann., State Gov't § 10-226(c)(2), the Respondent's registration to practice as a pharmacy technician, Registration Number T20955, in the State of Maryland be and is hereby **SUMMARILY SUSPENDED**; and it is further

ORDERED that the Respondent shall immediately return all registrations and licenses to the Board; and it is further

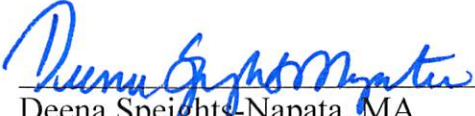
ORDERED that the Respondent has the opportunity to appear before the Board for a post-deprivation show cause hearing. A request for a post-deprivation show cause hearing must be in writing and be made **WITHIN THIRTY (30) DAYS** of receipt of this order; and it is further

ORDERED that if the Respondent does not submit a timely written request to the Board for a post-deprivation show cause hearing, or if the Respondent requests a post-deprivation show cause hearing but fails to appear when scheduled, the investigative findings contained in this Order shall stand and the Respondent's pharmacy technician

registration will remain **SUSPENDED** absent any further action by the Board; and be it further

ORDERED that this is a **PUBLIC DOCUMENT** pursuant to the Maryland Public Information Act. Md. Code Ann., Gen. Prov. §§ 4-101 – 4-601 (2019 Repl. Vol. and 2022 Supp.).

1-5-24
Date


Deena Speights-Napata, MA
Executive Director
Maryland Board of Pharmacy