

IN THE MATTER OF \* BEFORE THE  
 CONTESSA L. MELTON \* MARYLAND STATE BOARD  
 APPLICANT FOR PHARMACY \* OF PHARMACY  
 TECHNICIAN REGISTRATION \*

\* \* \* \* \*

**CONSENT ORDER FOR INITIAL REGISTRATION**

**BACKGROUND**

On or about February 23, 2018, Contessa L. Melton (the "Applicant") applied to the Maryland State Board of Pharmacy (the "Board") for registration as a pharmacy technician. On her application, the Applicant disclosed that she has a criminal history; an online search of publicly-available information indicated an additional case not disclosed by the Applicant. In accordance with Md. Code Ann., Health Occ. § 12-6B-02(c), the Applicant submitted to a Maryland Criminal Justice Information System ("CJIS") background check, which confirmed the Applicant's criminal history.

In lieu of instituting formal proceedings against the Applicant, in accordance with the Maryland Pharmacy Act, Md. Code Ann., Health Occ. § 12-6B-01 *et seq.*, the Board has offered the Applicant the opportunity to resolve this matter by agreeing to the terms set forth in this Consent Order.

**FINDINGS OF FACT**

1. On or about February 23, 2018, the Applicant applied to the Board for registration as a pharmacy technician.
2. On her application, the Applicant answered "yes" to the questions "Have you committed a criminal act for which you pled guilty or nolo contendere, or for

which you were convicted or received probation before judgment? and "Have you committed an offense involving alcohol or controlled substances to which you pled guilty or nolo contendere, or for which you were convicted or received probation before judgment?" The Applicant included an explanation disclosing incidents relating to assault in 2006 and possession of marijuana in 2014, including detailed descriptions and mitigating factors.

- 3. A search of the public case judiciary website confirmed that the applicant received probation before judgment for one count of second-degree assault on June 28, 2006, and received probation before judgment for one count of possession of marijuana on May 1, 2014; however, it also revealed that the Applicant received probation before judgment for one count of theft on September 18, 2014, a fact that was not disclosed by the Applicant on her application.
- 4. The CJIS report confirmed that the Applicant has a criminal history.

**CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes that the Applicant is subject to discipline pursuant to Md. Code Ann., Health Occ. §§ 12-6B-09(b)(1) and 12-6B-09(2) and (23).

**ORDER**

Based on an affirmative vote of the Board, it is this 30 day of May, 2018, hereby:

**ORDERED** that the Applicant be GRANTED a pharmacy technician registration; and be it further,

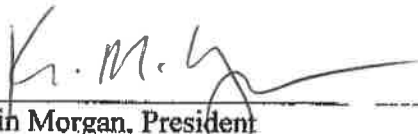
**ORDERED** that upon the first renewal of her pharmacy technician registration, the Applicant shall submit to a State criminal history records check; and be it further,

**ORDERED** that in the event the Applicant's criminal history records check indicates further criminal activity, the Board may impose further disciplinary action against her registration, including suspension or revocation, after notice and an opportunity for a hearing; and be it further,

**ORDERED** that the Applicant shall be responsible for all costs associated with this Consent Order; and be it further,

**ORDERED** that this is a formal order of the Maryland Board of Pharmacy and as such is a public document pursuant to Md. Code Ann., Gen. Provisions § 4-31 (b).

6/6/18  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Kevin Morgan, President  
Maryland Board of Pharmacy

CONSENT

1. By signing this Consent, I hereby affirm the findings of fact contained herein and agree to be bound by the foregoing Consent Order and its conditions.
2. I understand and agree that in the event the criminal history records check performed upon renewal of my registration indicates further criminal activity, the Board may impose disciplinary action against me, including denial of my pharmacy technician registration, after notice and an opportunity for a hearing.
3. By signing this Consent, I submit to the foregoing Consent Order as a resolution of this matter.
4. I acknowledge that this is a formal order of the Board and as such is a public document.
5. By signing this Consent, I waive any rights I may have had to contest the findings and determinations contained in this Consent Order.
6. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.
7. I sign this Consent Order freely and voluntarily, aware of my right to consult with counsel. I fully understand the language, meaning, and effect of this Consent Order.


5/30/18  
Date

  
Contessa L. Melton

STATE OF MARYLAND  
COUNTY/CITY OF Baltimore:

I hereby certify that on this 30<sup>th</sup> day of May, 2018, before me, a  
Notary Public of the State of Maryland and County/City aforesaid, personally appeared  
CONTESSA L. MELTON, and made an oath in due form that the foregoing consent was  
her voluntary act and deed.

GAMERON ALLEN WADE  
NOTARY PUBLIC  
BALTIMORE CITY  
MARYLAND  
My Commission Expires 11-28-2021

  
Notary Public  
My commission expires: 11/28 '21