

IN THE MATTER OF \* BEFORE THE STATE  
BRANDON MOORE \* BOARD OF  
RESPONDENT \* PHARMACY  
REGISTRATION NO.: T11076 \* CASE NUMBER: PT-13-028

\* \* \* \* \*

**FINAL ORDER OF REVOCATION PHARMACY TECHNICIAN REGISTRATION**

The State Board of Pharmacy (“the Board”) notified Brandon C. Moore (“the Respondent”), Registration Number: T11078, of the Board’s intent to revoke his 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.). The pertinent provisions state:

**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:

- (3) Fraudulently uses a pharmacy technician’s registration;
- (25) Violates any regulation adopted by the Board;
- (27) Participates in any activity that is grounds for Board action under § 12-313 or § 12-409 of this title;

**H.O. § 12-313. Denials, reprimands, suspensions, and revocations.**

(b) *In general.* - Subject to the hearing provisions of § 12-315 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving,

may deny a license to any applicant for a pharmacist's license, reprimand any licensee, place any licensee on probation, or suspend or revoke a license of a pharmacist if the applicant or licensee:

(25) Violates any rule or regulation adopted by the Board;

(32) Fails to dispense or dispose of prescription drugs or medical supplies in accordance with Title 15, Subtitle 6 of the Health – General Article.

**Code Md. Regs. Tit. 10 § 34.10.**

**.04 Competence.**

A pharmacy technician or a pharmacist shall:

A. Maintain knowledge of the current pharmacy and drug laws and health and sanitation laws relevant to the practice of pharmacy;

**Code Md. Regs. Tit. 10 § 34.20:**

**.01 Patient Safety and Welfare.**

B. A pharmacist may not:

(1) Engage in conduct which departs from the standard of care ordinarily exercised by a pharmacist;

(3) Engage in unprofessional conduct.

**FINDINGS OF FACT**

The Board finds that:

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 to practice as a pharmacy technician in Maryland on or about June 20, 2012.

2. The Respondent's registration expired on or about February 28, 2014.

3. On or about January 11, 2013, the Board received a Report of Theft or Loss of Controlled Substances ("DEA form 106") from Pharmacy A, national pharmacy

chain, showing various controlled substances with a retail value of \$3300 missing from the pharmacy.

4. Further investigation revealed that on or about January 8, 2013, the District Manager for Pharmacy A was contacted by the Winchester Virginia Police Department (Winchester Police") after the Respondent was arrested by the Winchester Police.

5. The District Manager for Pharmacy A was informed by the Winchester Police that the Respondent was in possession of numerous medications, including controlled substances when he was stopped by the police. Some of the medications in the Respondent's possession were in unlabeled Pharmacy A prescription bottles.

6. The Respondent told the Winchester Police that he was employed at Pharmacy A.

7. The Winchester Police found the Respondent was in possession of the following medications: 9 Suboxone Strips; 15 Suboxone tablets; 23 Hydrocodone/Acetaminophen 10-325 tablets; 7 Oxycodone Hydrochloride 5mg pills; 25 Hydrocodone/Acetaminophen 7.5-325; tablets; Alprazolam .5mg tablets; and 2 Cialis 20 mg tablets.

8. In a written statement, the Respondent admitted taking Hydrocodone tablets from Pharmacy A. The Respondent indicated that he found the medication on the pharmacy floor and placed the medication in his jacket pocket.

9. On or about May 20, 2013, the Board summarily suspended the Respondent's registration. The summary suspension of the Respondent's registration was based on the facts as set forth above.

**CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated H.O. § 12-6B-09 (3), (25), and (27); Code Md. Regs. Tit. 10 § 34.10. 4A and Code Md. Regs. Tit. 10 § 34.20. 01 B (1) and (3).

**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 21<sup>st</sup> day of January 2015, by a majority of the quorum of the Board, hereby

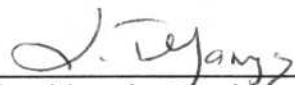
**ORDERED** that the Respondent's registration to practice as a pharmacy technician, is hereby **REVOKED** and the Board will not accept, from the Respondent, any future application for licensure, certification, and/or registration; and it is further

**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.).

Date

1/21/2015

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