

IN THE MATTER OF
JESSICA R. McLAUGHLIN
License No: 22852
Respondent

*** BEFORE THE STATE**
*** BOARD OF**
*** PHARMACY**
*** CASE No.: 15-098**

* * * * *

ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. State Govt. Code Ann. ("S.G.") §10-226 (c) (2014 Repl. Vol.), the Maryland Pharmacy Act (the "Act"), Md. Health Occ. Code Ann. ("H.O.") §§ 12-101 *et seq.* (2014 Repl. Vol.), and Code Md. Regs. tit. 10, § 34.01.12, the State Board of Pharmacy (the "Board") hereby summarily suspends the license of **JESSICA R. McLAUGHLIN, License Number 22852, (the "Respondent")**, to practice as a pharmacist under the Act. This Order is based on the following investigative findings, which the Board has reason to believe are true:¹

FINDINGS OF FACT

1. The Respondent is licensed to practice as a pharmacist in the State of Maryland under license number 22852. The Respondent was first licensed on September 25, 2014. The Respondent's license is current and is scheduled to expire on September 30, 2016.
2. At all times relevant, Respondent was employed as a pharmacist at CVS Pharmacy #1831 ("CVS") in Bethesda, Maryland.
3. On or about May 1, 2015, the Board received information from CVS that the Respondent was terminated on March 3, 2015 for "employee pilferage." Specifically,

¹ The statements regarding the Respondent's conduct are only intended to provide the Respondent with notice of the basis of the suspension. They are not intended as, and do not necessarily represent a completed description of the evidence, either documentary or testimonial, to be offered against the Respondent in this matter.

the Respondent admitted to fraudulently filling prescriptions for herself and her husband.

4. According to information received from CVS, on or about March 2, 2015, the Regional Loss Prevention Manager of CVS received an email from the Ethics Line of CVS Corporate regarding a possible prescription fraud observation made by a caller to the Ethics Line.

5. CVS conducted an investigation and determined via close caption television (CCTV) that the Respondent was fraudulently filling prescriptions for herself and for her husband. The CCTV revealed that the Respondent would fill out the telephone script pad without being on the telephone with a doctor. The Respondent would then fill the prescription and validate it before using the drive-thru register to ring herself up and complete the sale.

6. The Respondent admitted to fraudulently filling prescriptions for herself and her husband and confirmed the process by which she filled the prescriptions.

7. The Respondent filled prescriptions for a variety of medications, including two for controlled dangerous substances (tramadol² and diazepam³).

8. The Respondent caused a total loss of \$518.83.

9. CVS filed criminal charges against the Respondent in the District Court of Maryland for Montgomery County (case number: 5D00332456). The Respondent was charged with 21 separate counts relating to prescription fraud. A *nolle prosequi* was entered on all charges.

² Tramadol is a narcotic-like pain reliever. It is a schedule IV controlled dangerous substance ("CDS").

³ Diazepam is a benzodiazepine and a schedule IV CDS.

CONCLUSIONS OF LAW

Accordingly, the Board concludes that the public health, safety or welfare imperatively requires emergency action in this case, pursuant to Md. State Gov't Code Ann. § 10-226(c)(2)(i) (2014 Repl. Vol.).

ORDER

Based on the foregoing, it is this 24 day of June 2015, by a majority vote of a quorum of the Board, hereby:

ORDERED that pursuant to the authority vested by Md. State Gov't Code Ann., § 10-226(c)(2), the Respondent's license (22852) to practice as a pharmacist in Maryland, is hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED that the Respondent must request a post-deprivation show cause hearing in writing **WITHIN 30 DAYS** of her receipt of this notice. The written request should be made to: LaVerne Naesea, Executive Director, Maryland Board of Pharmacy, Department of Health & Mental Hygiene, 4201 Patterson Avenue, Baltimore, Maryland 21215 with copies mailed to: Tracee Orlove Fruman, Assistant Attorney General, Office of the Attorney General, Health Occupations Prosecution and Litigation Unit, 300 West Preston Street, Suite 207, Baltimore, Maryland 21201, and Linda Bethman, Assistant Attorney General, Office of the Attorney General, 300 West Preston Street, Suite 302, Baltimore, Maryland 21201; and be it further

ORDERED that if the Respondent fails to request a post-deprivation show cause hearing, the Respondent's registration will remain suspended; and it is further

ORDERED that the Respondent shall immediately turn over to the Board her license to practice pharmacy issued by the Board; and be it further

ORDERED that this document constitutes an Order of the Board and is therefore a public document for purposes of public disclosure, as required by Md. State Gov't Code Ann. § 10-617(h) (2014 Repl. Vol.).



LaVerne G. Naesea, Executive Director
Maryland Board of Pharmacy