

IN THE MATTER OF * **BEFORE THE**
JIGAR PATEL * **STATE BOARD**
REGISTRATION NO.: T08246 * **OF**
Respondent * **PHARMACY**
* **Case No.: PT-14-010**

* * * * *

**FINAL ORDER OF REVOCATION
OF PHARMACY TECHNICIAN'S REGISTRATION**

On September 24 2015, the State Board of Pharmacy (the "Board"), notified **JIGAR PATEL**, Pharmacy Technician (Pharm Tech), the Respondent, of its Intent to Revoke his pharmacy technician registration.

The Notice also informed the Respondent that, unless he requested a hearing in writing within 30 days of receipt of said Notice, the Board would sign the Final Order, which was enclosed. More than 30 days have elapsed and the Respondent failed to timely request a hearing. Therefore, this revocation is final.

The basis for the Board's action was pursuant to State Gov't Code Ann. ("S.G.") § 10-226 (c) (1) (2014 Repl. Vol. II), and the Maryland Pharmacy Act (the "Act"), Md. Code Ann., Health Occ. ("H.O.") §§ 12-101 *et seq.* (2014 Repl. Vol. II).

The relevant provisions are as follows:

S.G. § 10-226:

(c) (1) Except as provided in paragraph (2) of this subsection, a unit may not revoke or suspend a license unless the unit first gives the licensee:

- (i) written notice of the facts that warrant suspension or revocation;
and
- (ii) an opportunity to be heard.

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:

- (22) Pleaded guilty or nolo contendere to, or has been found guilty of, a felony or a crime involving moral turpitude, regardless of whether:
 - (i) An adjudication of guilt or sentencing or imposition of sentence is withheld; or
 - (ii) Any appeal or other proceeding is pending regarding the matter [;].

**FACTS THAT WARRANT
THE REVOCATION OF THE RESPONDENT'S REGISTRATION**

1. At all times relevant hereto, the Respondent was registered to practice as a Pharm Tech in Maryland. The Respondent was first registered on November 10, 2010. The Respondent's registration expired on January 31, 2014.

2. At all times relevant hereto, the Respondent was employed as a Pharm Tech for a pharmacy chain but worked primarily in its Harford County location ("Pharmacy A").

3. On or about August 14, 2014 in the United States District Court for Maryland, the Respondent pled guilty to making false statements relating to health care matters:

4. The basis of the criminal charge was that, while working as a Pharm Tech, the Respondent knowingly and willingly participated in a scheme to defraud several insurers, including Medicare and Medicaid, by filling and billing for medications

for patients who did not seek a refill. After billing, the medication would be returned to stock and used to refill another unrequested order,

5. The Respondent was sentenced to 13 months imprisonment, followed by three years supervised release. The Respondent was required to pay restitution of \$102,066.25.

6. By pleading guilty to a crime of moral turpitude, the Respondent violated the Act.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that the Respondent violated §12-6B-09 (22) of the Act.

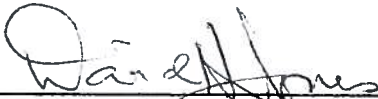
ORDER

As set forth above, the Board hereby Orders that the registration to practice as a Pharmacy Technician in Maryland held by **JIGAR PATEL**, the Respondent, be and is **REVOKED**, and that this Order is public, pursuant to Md. Code Ann. General Provisions §§4-101 *et seq.* (2014 Vol.).

NOTICE OF RIGHT OF APPEAL

In accordance with § 12-316 of the Act and SG. §§ 10-201, *et seq.* you have a right to a direct judicial appeal of this decision. A petition for appeal of the Final Board Order shall be filed within thirty days from your receipt of this Final Order and shall be made in accordance with the aforecited authority.

11/18/15
Date _____



Mitra Gavgani, Pharm.D., President
Board of Pharmacy
David H. Jones, Secretary
3
