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| IN THE MATTER OF | * | BEFORE THE |
| LAURIE PHILLIPS, PHARM TECH | * | STATE BOARD |
| Registration No.: T00946 | * | OF |
| Respondent | * | PHARMACY |
| | * | Case No. PT- 16-020 |

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ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. State Gov't. (SG) Code Ann. §10-226 (c) (2) (2014 Repl. Vol. II), the State Board of Pharmacy (the "Board") hereby suspends the registration to practice as a Pharmacy Technician (Pharm Tech) in Maryland issued to **LAURIE PHILLIPS** (the "Respondent"), under the Maryland Pharmacy Act (the "Act"), Md. Health Occ. (H.O.) Code Ann. §§ 12-101 *et seq.* (2014 Repl. Vol. II). 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 Pharm Tech in Maryland. The Respondent was first registered on June 25, 2008. The Respondent's registration expired on April 30, 2016.

2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at a pharmacy in a national chain store in Carroll County, Maryland, hereinafter "Pharmacy A."

¹ The allegations set forth in these charges are intended to provide the Respondent with notice of the Board's action. 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 these charges.

3. On February 15, 2016, the Board received notification from Pharmacy A that the Respondent had been terminated from employment from Pharmacy A for diversion of controlled substances, namely, Tylenol with Codeine² and Phentermine³.

4. The Board subsequently obtained Pharmacy A's investigative report, which disclosed the following:

- A. On January 20, 2016, Pharmacy A discovered that 75 units of Vyvanse⁴ were missing;
- B. Between January 26, 2016, and February 2, 2016, four drug counts were completed by Pharmacy A for APAP/Codeine 300-30⁵; APAP/Codeine 300-60⁶; Alprazolam⁷ .25; Alprazolam .5; Phentermine 37.5 CAP (capsules); Phentermine 37.5 Tab (tablets); and Tramadol⁸ 50. All drugs were noted with increased shortages;
- C. On February 2, 2016, an investigator employed with Pharmacy A completed a video review of the Respondent from January 15, 2016 and observed that she selected and concealed an undetermined quantity of APAP/Codeine 300-30 pills from a stock bottle;
- D. On February 8, 2016, Pharmacy A personnel reviewed video of the Respondent from January 11, 2016, through January 29, 2016, and

² Tylenol with Codeine is a combination medicine used to relieve moderate to severe pain.

³ Phentermine is used for a limited period of time to speed weight loss in overweight people who are exercising and eating a low-calorie diet. Phentermine is in a class of medications called anorectics. It works by decreasing appetite.

⁴ Vyvanse (lisdexamfetamine) is a central nervous system stimulant. It affects chemicals in the brain and nerves that contribute to hyperactivity and impulse control. Vyvanse is used to treat attention deficit hyperactivity disorder (ADHD) in adults and in children who are at least 6 years old. Vyvanse is also used to treat moderate to severe binge eating disorder in adults.

⁵ This combination means that there are 300 mgs of APAP (acetaminophen) and 30 mg of Codeine.

⁶ This combination means that there are 300 mg of APAP and 60 mg of Codeine.

⁷ Alprazolam is mostly used to treat anxiety disorders, panic disorders, and nausea due to chemotherapy.

⁸ Tramadol is a narcotic-like pain reliever used to treat moderate to severe pain.

observed the Respondent select random stock bottles from the shelf and divert unknown quantities of medication on 12 different occasions. Two drugs identified in these acts of diversion were APAP/Codeine 300-30 and Phentermine 37.5 tablets;

- E. On February 12, 2016, Pharmacy A personnel interviewed the Respondent and the Respondent admitted to diverting APAP/Codeine 300-30 and Phentermine 37.5 tablets from Pharmacy A by taking a handful of pills three or four times a week for the past six months;
- F. On February 12, 2016, Pharmacy A terminated the Respondent's employment and reported the theft to the Westminster Police Department.

5. The Respondent was criminally charged in the District Court of Maryland for Carroll County with Theft-Scheme \$1K to under \$10K.

6. Pharmacy A later submitted a Drug Enforcement Administration (DEA) "Report of Theft or Loss of Controlled Substances" to the Board.

7. Pharmacy A's DEA Report listed the losses caused by the Respondent as follows:

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| 1. Tramadol HCL, 50 mg | 103 tablets; |
| 2. Acetaminophen-Cod#3 , 300-30 | 339 tablets; |
| 3. Acetaminophen-Cod #4, 300-60 | 99 tablets; |
| 4. Alprazolam 0.25 mg | 218 tablets; |
| 5. Alprazolam 0.5 mg | 461 tablets; |
| 6. Acetaminophen-Cod #4,300-60 | 268 tablets; |

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| 7. Alprazolam 0.5 mg | 5 tablets; |
| 8. Acetaminophen-Cod#3 , 300-30 | 903 tablets; |
| 9. Acetaminophen-Cod #4, 300-60 | 84 tablets; |
| 10. Alprazolam 0.5 mg | 10 tablets; |
| 11. Phentermine 37.5 mg | 81 tablets; |
| 12. Phentermine 37.5 mg | 513 tablets; |
| 13. Phentermine 37.5 mg | 745 tablets; |
| 14. Tramadol HCL, 50 mg | 1 tablet; |
| 15. Tramadol HCL, 50 mg | 521 tablets; |
| 16. Phentermine 37.5 mg | 99 tablets. |

8. On April 26, 2016, the Respondent pled "not guilty" to the above criminal charges and was found guilty. She was order to pay \$57.50 in court costs. She was given a jail term of six months, with all six months suspended, and placed on Probation (PBJ) until April 26, 2018.

CONCLUSIONS OF LAW

Based on the foregoing, the Board finds that the public health, safety or welfare imperatively requires emergency action, pursuant to S.G. §10-226 (c) (2).

ORDER

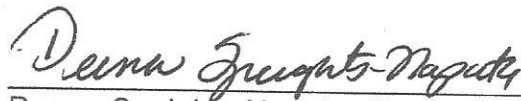
Based on the foregoing, it is therefore this 20th day of September, 2016, by a majority vote of a quorum of the State Board of Pharmacy, by authority granted to the Board by S.G. §10-226(c) (2), the registration held by the Respondent to practice as

a Pharm Tech in Maryland, Registration No. T00946, is hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED that, upon the Board's receipt of a written request from the Respondent, a Show Cause Hearing shall be scheduled within a reasonable time of said request, at which the Respondent will be given an opportunity to be heard as to whether the Summary Suspension should be continued, regarding the Respondent's fitness to practice as a Pharm Tech and the danger to the public; and be it further

ORDERED, that the Respondent shall immediately turn over to the Board her wall certificate and wallet-sized registration to practice as a Pharm Tech issued by the Board; and be it further

ORDERED, that this document constitutes a final Order of the Board and is, therefore, a public document for purposes of public disclosure, as required by Md. Code Ann. Gen. Prov., §§ 4-101 *et seq.*



Deena Speights-Napata, Executive Director
Board of Pharmacy

NOTICE OF HEARING

A Show Cause hearing to determine whether the Summary Suspension shall be continued will be held before the Board at 4201 Patterson Avenue, Baltimore, 21215 following a written request by the Respondent for same.