

IN THE MATTER OF * BEFORE THE
VANDEVER RASH, PHARM TECH * STATE BOARD
Registration No.: T14348 * OF
Respondent * PHARMACY
* Case No. PT-15-009

* * * * *

ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. State Gov't. (SG) Code Ann. §10-226 (c) (2) (2014 Repl. Vol.), the State Board of Pharmacy (the "Board") hereby suspends the registration to practice as a Pharmacy Technician (Pharm Tech) in Maryland issued to **VANDEVER RASH**, (the "Respondent"), under the Maryland Pharmacy Act (the "Act"), Md. Health Occ. Code Ann. §§ 12-101 *et seq.*, (2014 Repl. Vol.). This Order is based on the following investigative findings, which the Board has reason to believe are true:

INVESTIGATIVE FINDINGS

1. At all times relevant hereto, the Respondent was registered to practice as a Pharm Tech in Maryland. The Respondent was first registered on March 26, 2014. The Respondent's registration expires on July 31, 2015.
2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at a National chain pharmacy in Eldersburg, Maryland, hereinafter "Pharmacy A."
3. On or about September 8, 2014, the Board received a copy of a Drug Enforcement Administration (DEA) "Report of Loss/Theft" form from Pharmacy A which indicated that the theft/loss was due to employee pilferage. However, the name of the employee was not disclosed. Pharmacy A's Loss/Theft report indicated as follows:

A. \$655.73 was the amount of the loss;

B. The stolen medications were as follows:

(1) Alprazolam¹, 2 mg, 2000 tablets;

(2) Clonazepam², 5 mg, 500 tablets.

4. Subsequently, the Board was informed that the Respondent admitted, orally and in writing to stealing the drugs.

5. As a result of the above, the Respondent was terminated from his employment with Pharmacy A.

6. The Respondent was criminally charged in the District Court of Maryland for Carroll County with the following:

Count 1 Forgery-Prescription

Count 2 Theft-Scheme less \$1000.

7. On November 21, 2013, in the aforesaid court, the Respondent pled guilty to the forgery prescription charge and received supervised Probation Before Judgment (PBJ).

CONCLUSIONS OF LAW

Based on the foregoing, the Board finds that the public health, safety or welfare imperatively requires emergency action, pursuant to Md. St. Gov't. Code Ann. §10-226 (c) (2) (2014 Repl. Vol.).

¹ Xanax (Alprazolam) treats anxiety and panic disorder.

² Clonazepam treats seizures, panic disorder, and anxiety.

ORDER

Based on the foregoing, it is therefore this 30th day of December, 2014, by a majority vote of a quorum of the State Board of Pharmacy, by authority granted to the Board by Md. St. Govt. Code Ann. §10-226(c) (2) (2014 Repl. Vol.), the registration held by the Respondent to practice as a Pharm Tech in Maryland, Registration No. T14348, 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 his 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. General Provisions, §§ 4-101, *et seq.* (2014 Repl. Vol.).



Laverne G. Naesea, 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.