

**IN THE MATTER OF** \* **BEFORE THE**  
**SIRON RICHARDSON** \* **STATE BOARD**  
**PHARM TECH** \* **OF**  
**Registration Number: T13890** \* **PHARMACY**  
**Respondent** \* **Case Number: PT-17-036**

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

On March 21, 2019 the State Board of Pharmacy (the "Board"), notified **SIRON RICHARDSON, PHARMACY TECHNICIAN** (Pharm Tech), the Respondent, **Registration No. T13890**, of its Intent to Revoke her Pharm Tech registration.

The Notice also informed the Respondent that, unless she 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 Board bases its action on the Respondent's violation of the following provisions of its Act, Md. Code Ann., Health Occupations ("Health Occ."), §§ 12-101 *et seq.* (2014 Repl. Vol. and 2018 Supp.):

Health Occ. § 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;
- (27) Participates in any activity that is grounds for Board action under § 12-313 or § 12-409 of this title [;].

With respect to Health Occ. § 12-6B-09, the underlying grounds for Board action under § 12-313 include:

- (25) Violates any rule or regulation adopted by the Board [;].

The pertinent provision of the Board's regulations under Code Md. Regs. ("COMAR") § 10.34.10, Pharmacist, Pharmacy Intern, and Pharmacy Technician Code of Conduct, provides:

.01 Patient Safety and Welfare.

B. A pharmacist may not:

- (3) Engage in unprofessional conduct.

**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 the State of Maryland. The Respondent was first registered on January 2, 2014. The Respondent's registration expired on November 30, 2017.

2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at a pharmacy within a grocery store (the "Pharmacy") in Hyattsville, Prince George's County, Maryland.<sup>1</sup>

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<sup>1</sup> For confidentially purposes, the names of pharmacies and all individuals referenced herein will not be identified by name in this document.

3. By a letter dated May 2, 2017, the Pharmacy reported to the Board that the Respondent had been terminated from employment with the Pharmacy because she was allegedly involved with filling fraudulent prescriptions for lorazepam.<sup>2</sup>

4. The Pharmacy informed the Board that the termination date was March 25, 2017.

5. By letter from the Pharmacy's Compliance Manager, dated May 24, 2017, the Board received a report of investigation which contained the following information, *inter alia*:

- A. The Pharmacy was contacted by a physician's office who stated that he had been contacted by Medicaid Insurance regarding prescriptions filled for a Pharmacy client ("Client A");
- B. The physician stated that Client A was not his patient and he did not write the prescriptions the Pharmacy filled for Client A;
- C. After examining the scripts, it was determined that the scripts were in the Respondent's handwriting and written on a generic refill authorization request form;
- D. The Respondent's handwriting was verified by both the Pharmacy Manager and the Staff Pharmacist at the Pharmacy;

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<sup>2</sup> Lorazepam is used to treat anxiety disorders. It is also used for short-term relief of the symptoms of anxiety or anxiety caused by depression. Lorazepam is a benzodiazepine that works in the brain to relieve symptoms of anxiety. Benzodiazepines are central nervous system (CNS) depressants, which are medicines that slow down the nervous system.

- E. Client A's scripts were filled when the regular staff pharmacists were not on duty, in violation of the rule that technicians are not allowed to obtain refill orders of controlled substances;
- F. The prescriptions were paid for with insurance, but the insurance card did not belong to Client A, the client for whom the scripts were written;
- G. The Pharmacy reviewed video surveillance tapes to determine when the fraudulent prescriptions were filled. The surveillance tapes from the following dates and times were reviewed:
  - 7/25/16 @3:41PM;
  - 8/31/16 @7:50PM;
  - 10/25/16@2:02PM;
  - 11/23/16@2:24PM.
- H. On 8/31/16 and 11/23/16, the Respondent can be seen on video taking a filled script from the shelf to the place where scripts are waiting for pick-up;
- I. The Respondent can then be seen accessing the register with no customer present and ringing up scripts she picked up from the prescription counter. At the end of her shift, the Respondent retrieved a bag from the closet and took it with her;
- J. Further investigation showed that on 8/31/16 and 11/23/16 prescriptions were filled for the Respondent's children and Client A;

- K. When Human Resources interviewed the Respondent regarding this matter, the Respondent denied any involvement, even though her signature was on Client A's scripts;
- L. Client A's profile was changed more than 40 times, from changing the date of birth to the spelling of her first and last name. Many of these changes happened within minutes of the processing of the scripts with the Respondent's ID user credentials and, at times, when the Respondent was the only associate present on duty other than the pharmacist;
- M. A further check showed that on 11/23/16, the Respondent picked up five prescriptions for her children and Client A that she rang up when no one else was around.

6. The Respondent claimed that she did not know Client A and did not have a reason to pick up Client A's scripts.

7. As a result of the above, the Respondent's employment was terminated with the Pharmacy.

8. On May 4, 2017, the Respondent was hired in the pharmacy department of a medical center.

9. Based upon the events that occurred at the Pharmacy in the grocery store for which the Respondent was terminated, the Board issued a Summary Suspension Order of the Respondent's registration on September 29, 2017.

10. Despite receiving notice of the Board's Suspension of her registration, the Respondent continued to work at the medical center until November 8, 2017, when the medical center discovered that her registration had been suspended when attempting to determine whether she had renewed her registration.

11. Based upon her continuing to work while her registration was suspended, the medical center suspended her employment on November 8, 2017.<sup>3</sup>

12. The Respondent requested a Show Cause hearing of her Summary Suspension, which was held on November 15, 2017. Afterwards, by a notice dated November 27, 2017, a quorum of the Board determined that her registration should remain suspended.

13. The medical center advised the Respondent that, if her registration remained suspended through November 30<sup>th</sup>, she would be terminated from employment, which occurred.

14. The Respondent failed to request an evidentiary hearing regarding the Summary Suspension.

15. By filling unauthorized prescriptions, the Respondent violated Health Occ. § 12-6B-09 (3) and (27), Health Occ. § 12-313 (25), and COMAR 10.34.10.01. B.3.

16. By continuing to work as a Pharm Tech when her registration was suspended, the Respondent violated Health Occ. § 12-6B-09 (3) and (27), Health Occ. § 12-313 (25), and COMAR 10.34.10.01. B.3.

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<sup>3</sup> Based on the Maryland Board's suspension of the Respondent's registration on September 27, 2017, the D.C.

## CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that the Respondent violated Health Occ. §§12-6B-09 (3) and (27), Health Occ. § 12-313 (25), and COMAR § 10.34.10.01 B (3).

## ORDER

As set forth above, the Board hereby Orders, that the registration to practice as a Pharmacy Technician in Maryland held by **SIRON RICHARDSON** the Respondent, Registration Number **T13890** be and is **REVOKED**, and that this Order is public, pursuant to Md. Code Ann., General Provisions §§ 4-101 *et seq.* (2014 Vol. and 2018 Supp.).

## NOTICE OF RIGHT OF APPEAL

In accordance with §12-316 of the Act and Md. Code Ann., State Government §§10-201, *et seq.* (2014 Repl. Vol. and 2018 Supp.), 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 aforesaid authority.

6/19/2019  
Date

Kevin Morgan  
Kevin Morgan, Pharm.D., President  
State Board of Pharmacy

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Board also suspended the Respondent's authority to practice as a pharm tech in the District of Columbia.