

IN THE MATTER OF * **BEFORE**
DEJON ROBINSON IV * **THE STATE**
PHARM TECH * **BOARD**
Registration Number: T18333 * **OF**
Respondent * **PHARMACY**
* **Case Number: 18-126**

* * * * *

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

On April 17, 2019, the State Board of Pharmacy (the "Board"), notified **DEJON ROBINSON IV**, Pharmacy Technician (Pharm Tech), **Registration Number T18333**, the Respondent, of its Intent to Revoke his Pharm Tech 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 Board based 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:

- (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 Any appeal or other proceeding is pending regarding the matter;
 - (ii) Any appeal or other proceeding is pending regarding the matter;
- (24) Is disciplined by a licensing, registering, or disciplinary authority of any state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes [;]

**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 July 22, 2016. The Respondent's registration expired on July 31, 2018.
2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at a pharmacy (the "Pharmacy") within a National chain in Landover, Prince George's County, Maryland.¹
3. By a letter dated December 18, 2017, the Pharmacy reported to the Board that there had been a loss or theft due to employee pilferage and, that the Respondent admitted to drug diversion and was terminated from employment as a result.

¹ The names of facilities and/or individuals are confidential.

4. The Pharmacy's Drug Enforcement Administration (DEA) Report showed the following controlled substances were lost or stolen:

Alprazolam ² , 1 mg	942 tablets
Alprazolam, 2 mg	2054 tablets

5. The Pharmacy's employment file received by the Board at a later date contained a handwritten admission of the theft by the Respondent.

6. As a result of the above thefts, the Respondent was charged with the following in the District Court for Prince George's County:

Count One: CDS Poss w/Int to Dist

Count Two: Theft: \$1500 to under \$25,000

Count Three: CDS Possess—Not Marijuana.

7. On January 19, 2018, in the aforesaid Court, the Respondent pled "Other Plea" to Counts One and Three and received a Nolle Pross.³ The Respondent pled guilty to Theft, \$100 to under \$1,500, and was found guilty on March 12, 2018. He was fined \$57.50 in court and other costs and sentenced to six months in prison, all suspended. The Respondent was given Probation until March 12, 2019 and ordered to pay \$1000 restitution to the Pharmacy.

8. Based upon the above, on May 31, 2018, the Board summarily suspended the Respondent's registration. The Respondent failed to request a hearing or contest the Investigative Findings.

² Alprazolam is a benzodiazepine used to treat anxiety and panic attacks.

³ Nolle Prossed is *Nolle prosequi*, a legal term of art and a Latin legal phrase meaning "be unwilling to pursue", a phrase amounting to "do not prosecute". It is a phrase used in many common law criminal prosecution contexts to describe a prosecutor's decision to voluntarily discontinue criminal charges either before trial or before a verdict is

9. As set forth above, by pleading guilty to theft and being disciplined by a Maryland court for same, the Respondent is in violation of § 12-6B-09 (22) and (24).

CONCLUSIONS OF LAW

10. Based upon the foregoing Findings of Fact, the Board concludes that the Respondent violated Health Occ. §12-6B-09 (22) and (24).

ORDER

As set forth above, the Board hereby Orders, that the registration to practice as a Pharmacy Technician in Maryland held by **DEJON ROBINSON IV, Registration No. T18333**, 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. and 2018 Supp.).

NOTICE OF RIGHT OF APPEAL

In accordance with §12-316 of the Act and Md. Code Ann., St. Gov't. §§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

rendered. It contrasts with an involuntary dismissal.