

IN THE MATTER OF * **BEFORE THE**
AMANDA ROLES, PHARM TECH * **STATE BOARD**
Registration No.: T15126 * **OF**
Respondent * **PHARMACY**
* **Case No. PT-15-012**

* * * * *

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

On March 16, 2016, the State Board of Pharmacy (the "Board"), notified **AMANDA ROLES**, Pharmacy Technician (Pharm Tech), the Respondent, of its Intent to Revoke her pharmacy technician 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 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., Heath 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:

- (3) Fraudulently uses a pharmacy technician's registration;
- (8) Willfully fails to file or record any report that is required by law;
- (25) Violates any regulation adopted by the Board [;].

The Board further charges the Respondent with a violation of its Pharmacist and Pharmacy Technician Code of Conduct, Code Md. Regs. tit. 10.34.10 (2001):

§.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 Pharmacy Technician in Maryland. The Respondent was first registered on September 3, 2014. The Respondent's registration expired on October 31, 2015.

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

3. By letter dated November 20, 2014, Pharmacy A notified the Board of a significant loss or theft of Controlled Dangerous Substances (CDS), enclosing a copy of a Drug Enforcement Administration (DEA) "Report of Theft or Loss of Controlled Substances",

4. The DEA form listed the following:

Clonazepam ¹ , 1 mg	30 tablets;
Clonazepam, 2mg	105 tablets;
Valium ² , 10 mg	4 tablets;
Alprazolam ³ , 2 mg	700 tablets
Oxycodone HCL ⁴ , 20 mg	100 tablets.

5. Pharmacy A also submitted a summary of its investigation which occurred as follows:

- A. On or about October 22, 2014, Pharmacy A's Regional Loss Personnel Manager (RLPM) was called to Pharmacy A after being advised by the Store Manager that the Respondent was in the Store Manager's office because the Respondent was caught leaving Pharmacy A with a bottle of Oxycodone 20 mg;
- B. The RLPM also determined that the pharmacist had received the CDS into the store from the supplier and allowed the Respondent to scan them in;
- C. When the Respondent asked to go on a break in the midst of checking in the CDS, the pharmacist's suspicions were aroused and he immediately paged her to come back to the pharmacy, where she was asked to remove her smock;

¹ Clonazepam treats seizures, panic disorder, and anxiety.

² Valium is the trade name for diazepam, which treats anxiety, muscle spasms, seizures, and other medical conditions. This medicine is a benzodiazepine.

³ Alprazolam treats anxiety and panic disorder.

⁴ Oxycodone HCl Controlled-Release Tablets are a controlled-release oral formulation of oxycodone hydrochloride indicated for the management of moderate to severe pain when a continuous, around-the-clock analgesic is needed for an extended period of time.

- D. Upon the removal, the pharmacist noticed a bulge in her clothing, which he questioned, whereupon the Respondent removed the bottle and started to cry;
- E. The Respondent stated that she had “anxiety issues” and had removed “a couple of pills” from the pharmacy—namely Clonazepam, 1 and 2 mgs;
- F. The Respondent also admitted taking drugs from two other stores in the pharmacy chain;
- G. In addition to the oral admissions, the Respondent signed a statement admitting to the thefts and she also signed a promissory note to repay Pharmacy A for the stolen merchandise.

6. As a result of the above, the Respondent was terminated from employment.

7. The Respondent was criminally charged in the District Court of Maryland for Anne Arundel County with the following:

- | | |
|---------|-------------------------|
| Count 1 | CDS Poss—Not Marijuana; |
| Count 2 | Theft, less \$1000. |

8. On March 16, 2015, the Board summarily suspended the Respondent’s registration. The Respondent failed to request a hearing.

9. On or about June 9, 2015 in the aforesaid Court, the Respondent pled “not guilty” to Count 1 and was given unsupervised Probation Before Judgment and assessed court and other costs. Count 2 was nolle prossed.

10. The Respondent's conduct as described above, constitutes a violation of H.O. §12-6B-09 (3), (8) and (25), and COMAR 10.34.10.01 B (3).

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that the Respondent violated §12-6B-09 (3), (8) and (25) of its Act 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 **AMANDA ROLES** the Respondent, be and is **REVOKED**, and that this Order is public, pursuant to Md. Code Ann. General Provisions §§ 4-101 *et seq.* (2014 Repl. Vol.).

NOTICE OF RIGHT OF APPEAL

In accordance with §12-316 of the Act and the 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 aforesaid authority.

7/20/2016
Date


Mitra Gavgani, Pharm.D., President
State Board of Pharmacy