

IN THE MATTER OF	*	BEFORE THE
PATRICE SHELTON, PHARM TECH	*	STATE BOARD
Registration No.: T17157	*	OF
Respondent	*	PHARMACY
	*	Case No. PT-17-012

* * * * *

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 **PATRICE SHELTON**, (the "Respondent"), under the Maryland Pharmacy Act (the "Act"), Md. Health Occ. 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 Pharmacy Technician in Maryland. The Respondent was first registered on October 20, 2015. The Respondent's registration expires on June 30, 2017.

2. At all times relevant hereto, the Respondent was employed as a Pharmacy Technician at a pharmacy in Berlin, Worcester County, Maryland, hereinafter "Pharmacy A."

¹ The allegations set forth in this Order 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 this action.

3. The Board received documentation dated September 6, 2016 from Pharmacy A that a theft of control (*sic*) substance (*sic*) had occurred. The details were, *inter alia*, as follows:

- A. On September 1, 2016, the Co-Owner of Pharmacy A discovered that Alprazolam², 1 mg, tablets were missing when attempting to fill a prescription for one of Pharmacy A's "patients";
- B. The incident was not discovered until the Co-Owner of Pharmacy A found a bottle missing from Pharmacy A;
- C. The Co-Owner of Pharmacy A reviewed a purchase history and determined that the purchase date for the Alprazolam was August 16, 2016, for a bottle of 1000 tablets;
- D. The Co-Owner of Pharmacy A completed a report of all prescriptions dispensed in the month of August and determined that Pharmacy A only dispensed 370 tablets of the medication, meaning that a theft had occurred;
- E. The Co-Owner of Pharmacy A then reviewed Pharmacy A's prior purchases and determined that the thefts occurred from November 2015 to August 2016 inasmuch as a bottle of 1000 tablets was purchased each month and approximately only 350 tablets were filled per month;
- F. After doing an inventory check, it was discovered that a total of 8, 294 tablets of the drug were missing;

² Alprazolam, available under the trade name Xanax is a short-acting anxiolytic of the benzodiazepine class. It is commonly used for the treatment of panic disorder, and anxiety disorders, such as generalized anxiety disorder (GAD) or social anxiety disorder (SAD)¹

G. The Respondent confessed to stealing the medication from Pharmacy A.

H. As a result, the Respondent's employment with Pharmacy A was terminated;

4. Pharmacy A submitted a Drug Enforcement Administration (DEA) "Report of Theft or Loss of Controlled Substances", as required, reiterating the information contained in the letter to the Board.

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. II.).

ORDER

Based on the foregoing, it is therefore this 22nd day of November, 2016, by a majority vote of a quorum of the State Board of Pharmacy, by authority granted to the Board by Md. St. Gov't. Code Ann. §10-226(c) (2) (2014 Repl. Vol. II), the registration held by the Respondent to practice as a Pharm Tech in Maryland, Registration No.T17157 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 Pharmacy 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 Pharmacy Technician 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.* (2014 Vol.).


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.