

IN THE MATTER OF * **BEFORE THE MARYLAND**
EMANI TYBIA TOLBERT * **STATE BOARD OF PHARMACY**
PHARMACY TECHNICIAN *
RESPONDENT * **CASE NO: 25-395**
REGISTRATION NO.: T28253 *

* * * * *

ORDER FOR SUMMARY SUSPENSION

The Maryland State Board of Pharmacy (the “Board”) hereby **SUMMARILY SUSPENDS** the registration of **Emani Tybia Tolbert** (the “Respondent”), Registration Number: **T28253**, to practice as a pharmacy technician in the State of Maryland under the Maryland Pharmacy Act (the “Act”), Md. Code Ann., Health Occ. (“Health. Occ.”) §§ 12-101 *et seq.* (2021 Repl. Vol. & 2024 Supp.).

The Board takes such action pursuant to its authority under Md. Code Ann., State Gov’t § 10-226(c) (2021 Repl. Vol. & 2024 Supp.) and Code of Maryland Regulations (“COMAR”) 10.34.01.12F, concluding that the public health, safety, or welfare imperatively requires emergency action.

INVESTIGATIVE FINDINGS

Based on information received by, and made known to the Board, and the investigatory information obtained by, received by, and made known to and available to

the Board, including the instances described below, the Board has reason to believe that the following facts are true:¹

1. The Respondent was originally issued a registration to practice as a pharmacy technician in Maryland on or about March 22, 2023. The Respondent's registration expires on or about March 31, 2027.

2. At all times relevant hereto, the Respondent was employed as pharmacy technician by an in-house pharmacy (the "Pharmacy")² for a medical system with locations throughout the United States.

3. The Respondent began working at the Pharmacy in January 2022.

4. The Respondent worked at Pharmacy locations in Maryland and the District of Columbia.

5. The Respondent resigned from the Pharmacy on or about May 6, 2025, while under investigation by Pharmacy staff for diverting medications.

6. On or about May 6, 2025, Pharmacy staff submitted a DEA Form 106 Report of Theft or Loss of Controlled Substances (the "DEA Form 106"). The DEA Form 106 identified the type of theft or loss as "Employee Theft (or Suspected)" and listed the theft or loss as 117 tablets of Acetaminophen with Codeine Phosphate 300mg/30mg and 105 tablets of Acetaminophen with Codeine Phosphate 300mg/60mg.³

¹ The statements regarding the Respondent's conduct are only intended to provide the Respondent with notice of the basis for 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 this matter.

² For confidentiality and privacy purposes, the names of individuals and the pharmacy involved in this case are not disclosed in this document. Upon written request, the Administrative Prosecutor will provide the information to the Respondent.

³ Acetaminophen with Codeine Phosphate is a Schedule III controlled substance and is used to treat pain.

7. On or about April 15, 2025, during a review of controlled substances inventory, Pharmacy staff discovered that a bottle of Acetaminophen with Codeine Phosphate 300mg/60mg containing 60 tablets was missing from the Pharmacy inventory. An investigation was conducted by Pharmacy staff to determine if the medication had been accidentally dispensed to a patient or discarded in the trash.

8. Pharmacy staff contacted the Respondent about the missing medication and the Respondent claimed that she did not know what happened to the missing medication.

9. The Respondent claimed that she later found the bottle missing of medication after she was questioned by Pharmacy staff about it.

10. Pharmacy staff inventoried the content of the missing bottle of medication allegedly found by the Respondent and discovered that the bottle contained 53 tablets of Acetaminophen with Codeine Phosphate 300mg/60mg and 7 tablets of Acetaminophen with Codeine Phosphate 300m/30mg.

11. After discovering the discrepancy in the missing bottle of medication found by the Respondent, Pharmacy staff reviewed CCTV video footage at the Pharmacy locations where the Respondent worked between March 20, 2025, and April 14, 2025.

12. CCTV footage from cameras located in the pharmacy area from March 20, 2025, shows the Respondent placing medication in a paper bag and placing the bag with the medication under the pharmacy counter. The CCTV video footage then shows the Respondent removing the bag from under the pharmacy counter and walking away with it.

13. CCTV footage from April 14, 2025, shows the Respondent placing medication in a paper bag and placing it on the counter. She is then seen removing the bag with the medication and walking with it to the locker room. Once in the locker room, CCTV footage shows the Respondent open a locker, take out a bookbag and place the bag with the medication in it.

14. On August 27, 2025, the Respondent was interviewed under oath by Board Staff.

15. During the interview, the Respondent was shown the Pharmacy CCTV video footage from March 30, 2025, and April 14, 2025. The Respondent admitted that she was the person depicted in the CCTV video footages.

16. On or about September 3, 2025, the District of Columbia Department of Health summarily suspended the Respondent's registration for diversion of controlled substances while working as a pharmacy technician at the Pharmacy.

CONCLUSIONS OF LAW

Based on the foregoing Investigative Findings, the Board concludes that the public health, safety, or welfare imperatively requires emergency action in this case, pursuant to Md. Code Ann., State Gov't. § 10-226(c)(2) (2021 Repl. Vol. & 2024 Supp.) and COMAR 10.34.01.12F.

ORDER

Based on the foregoing Investigative Findings and Conclusions of Law, it is this 13th day of November 2025, by a majority of the quorum of the Board, hereby

ORDERED that the registration issued to the Respondent to practice as a pharmacy technician in the State of Maryland under registration number: **T28253** is hereby **SUMMARILY SUSPENDED**; and it is further

ORDERED that the Respondent is prohibited from practicing as a pharmacy technician in the State of Maryland; and it is further

ORDERED that the Respondent has the opportunity to appear before the Board for a post-deprivation show cause hearing for a determination of whether the Summary Suspension should be continued. A request for a post-deprivation show cause hearing must be made in writing to the Board and be made **WITHIN THIRTY (30) CALENDAR DAYS** of the date of this Order; and it is further

ORDERED that if the Respondent fails to request a post-deprivation show cause hearing in writing in a timely manner, or if the Respondent requests a post-deprivation show cause hearing but fails to appear before the Board when the hearing is scheduled, the Respondent's registration shall remain **SUSPENDED**; and it is further

ORDERED that the Respondent shall immediately return all registrations (wall and wallet sized) to the Board; and it is further

ORDERED that this Order for Summary Suspension is a **PUBLIC** document, as defined in Md. Code Ann., General Provision §§ 4-101 *et seq.* & § 4-333 (2019 Rep. Vol. & 2024 Supp.).

11-13-25
Date


Deena Speights-Napata, M.A.
Executive Director