

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

* * * * *

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

The Maryland State Board of Pharmacy (the “Board”) notified **Emani Tybia Tolbert** (the “Respondent”), Registration Number: **T28253**, of the Board’s intent to **REVOKE** her registration to practice as a pharmacy technician in the State of Maryland under the Maryland Pharmacy Act (the “Act”), codified Md. Code Ann., Health Occ. (“Health. Occ.”) §§12-101 *et seq.* (2021 Repl. Vol. & 2025 Supp.).

The Board bases its action on the following provision of the Act:

§ 12-6B-09. Ground 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;
- (23) Violates any provision of this title;
- (25) Violates any rule or regulation adopted by the Board;
- (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(27), the underlying grounds for Board action under § 12-313 include:

§ 12-313. Denials, reprimands, suspensions, and revocations – Grounds.

...

- (b) Subject to the hearing provisions of § 12-315 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a license to any applicant for a pharmacist's license, reprimand any licensee, place any licensee on probation, or suspend or revoke a license of a pharmacist if the applicant or licensee:

...

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

The pertinent provisions of the Board's regulations under the Code of Maryland Regulations ("COMAR") provide:

COMAR 10.34.10.01 Patient Safety and Welfare.

B. A pharmacist may not:

- (1) Engage in conduct which departs from the standard of care ordinarily exercised by pharmacist;
- (3) Engage in unprofessional conduct.

FINDINGS OF FACT

The Board finds the following facts:

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")¹ 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. 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.

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

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

8. Pharmacy staff inventoried the content of the missing bottle of medication the Respondent claimed to have found 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.

¹ 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.

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

10. 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.

11. CCTV footage from April 14, 2025, shows the Respondent place medication in a paper bag and then place the paper bag on the counter. CCTV footage then shows the Respondent remove the paper bag with the medication and walk with it to the locker room. Once in the locker room, CCTV footage shows the Respondent opening a locker, taking out a bookbag, and placing the paper bag with the medication in it.

12. 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.

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

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

15. During the interview, Board Staff showed the Respondent 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 footage.

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

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent violated Health Occ. § 12-6B-09 (3), (23), (25), and/or (27); Health Occ. § 12-313(b)(25); and/or COMAR 10.34.10.01 B(1) and/or (3).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 20th day of May, 2026 by the Board hereby:

ORDERED the registration number: **T28253** issued to Respondent, **EMANI TYBIA TOLBERT** to practice as a pharmacy technician in the State of Maryland is hereby **REVOKED**; and it is further


ORDERED that the Respondent shall return to the Board all Maryland pharmacy technician registrations within ten (10) days of the date of this Order; and it is further

ORDERED that the effective date of this Order is the date that it is signed by the Board; and it is further

ORDERED that this Order is reportable to the National Practitioner Bank; and it further

ORDERED that this document constitutes a formal disciplinary action of the Board, and this Order is final and a public document pursuant to Md. Code Ann., Gen. Prov. § 4-101 *et seq.* & § 4-333 (2019 Repl. Vol. & 2025 Supp.).

5-20-26
Date


Akash Patel, Pharm.D.
President
Maryland Board of Pharmacy

NOTICE OF RIGHT TO APPEAL

Pursuant to Md. Code Ann., Health Occ. § 12-316, the Respondent has the right to take a direct judicial appeal. A Petition for Judicial Review must be filed within thirty (30) days of service of this Order and shall be made as provided for judicial review of a final decision in Md. Code Ann., State Gov't §§ 10-201 *et seq.* (2021 Repl. Vol. & 2025 Supp.) and Title 7, Chapter 200 of the Maryland Rules.