

IN THE MATTER OF	*	BEFORE
KAMEARA TYNES	*	THE
PHARM TECH	*	STATE BOARD
Registration Number: T18182	*	OF
Respondent	*	PHARMACY
	*	Case Number: PT-18-001

* * * * *

ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. Code Ann., State Gov't ("SG") §10-226 (c)(2) (2014 Repl. Vol. and 2017 Supp.), the State Board of Pharmacy (the "Board") hereby suspends the registration to practice as a Pharmacy Technician ("Pharm Tech") in Maryland issued to **KAMEARA TYNES** (the "Respondent"), **Registration Number: T18182**, under the Maryland Pharmacy Act (the "Act"), Md. Code Ann., Health Occupations (Health Occ.) §§ 12-101 *et seq.* (2014 Repl. Vol. and 2017 Supp.). This Order is based on the following investigative findings, which the Board has reason to believe are true:

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 statements regarding the Respondent's conduct are intended to provide the Respondent with notice of the basis of the summary suspension. 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 matter.

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 June 15, 2016. The Respondent's registration expired on October 31, 2017.

2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at a pharmacy (the "Pharmacy") within a National chain in Baltimore, Maryland.²

3. On May 19, 2017, the Pharmacy reported to the Board that there had been employee pilferage.

4. On July 6, 2017, the Board received documentation from the Pharmacy that included the internal investigation, which stated, *inter alia*:

A. While visiting the Pharmacy on May 12, 2017, the Regional Loss Prevention Manager (RLPM) was notified by the Staff Pharmacist that she was suspicious about shortage of Alprazolam ER³, 2 mg. She stated that, upon completing the Biennial Inventory on April 30th, the Pharmacy had two full bottles (120 units), but when she tried to dispense it sometime shortly afterwards, there was none present, with only 30 dispensed since the inventory count;

B. The RLPM requested that the Staff Pharmacist and the Pharmacy Manager immediately begin daily counts for all strengths of Alprazolam, which disclosed that both Alprazolam ER, 2 mg, and Alprazolam, 2 mg had recent losses;

² The names of facilities and/or individuals are confidential but may be disclosed to the Respondent by contacting the Administrative Prosecutor.

³ Alprazolam is a benzodiazepine used to treat anxiety and panic attacks. ER is the Extended Release version.

- C. After making an initial notification to the Drug Enforcement Administration (DEA), the RLPM reviewed DVR footage for where the Alprazolam was located on the shelf. On May 4, 2017, he found suspicious behavior by the Respondent who removed four bottles of Alprazolam from the shelf, looked around and exited camera view. When the Respondent returned to camera view, she appeared to have at least one stock bottle and appeared to be tucking something in her waistband with her back to the camera. Afterwards, the Respondent exited the camera angle and walked to the registers where she clocked out for the day. The Respondent then exited into the Breakroom and went out the front door without attempting to have a bag check completed;
- D. The Respondent discussed his findings with the Staff Pharmacist who informed him that the Respondent recently found a new job with a health plan and now works for the Pharmacy one to two times a month;
- E. When the Respondent reported for work on May 31, 2017, she was interviewed by the RLPM, with the Pharmacy Manager as a witness, at which time she initially admitted to the theft of five tablets of Tramadol⁴, 50 mg, and one bottle (473 ML) of Promethazine with Codeine syrup⁵. With further questioning about her involvement with drug diversion, the Respondent admitted diverting an additional bottle of Promethazine with

⁴ Tramadol is a pain reliever used to treat moderate to severe pain in adults.

⁵ Promethazine with Codeine syrup is a combination medication used to treat symptoms caused by the common cold, flu, allergies, or other breathing illnesses (e.g., sinusitis, bronchitis). Promethazine is an antihistamine that relieves watery eyes, itchy eyes/nose/throat, runny nose, and sneezing. Codeine is a narcotic cough suppressant (antitussive) that affects a certain part of the brain, reducing the urge to cough.

Codeine syrup and 10-25 units of Alprazolam (Xanax), 2 mg. The Respondent stated that she would remove the drugs from the Pharmacy when a pharmacist was outside the Pharmacy and take them to the Breakroom to conceal them before taking them to her car. The Respondent further stated that she was able to get the Promethazine with Codeine syrup from incoming deliveries or the safe because she saw the safe combination on the floater information when a floater pharmacist was working at one point;

- F. The Respondent stated that she diverted these drugs in order to sell them to raise funds for a car. When asked how she sold the drugs, the Respondent stated that she would walk down streets near her house and talk to known drug addicts and tell them what she had for sale. The Respondent stated that she would make sure to sell all quantities as fast as possible so that she no longer had any on her or in her place of residence;
- G. The Respondent completed a voluntary written statement and added to her thefts two more bottles of Promethazine with Codeine syrup, one full bottle (60 units) of Alprazolam ER, 2 mg, and three full bottles (300 units) of Alprazolam, 2 mg.;
- H. The Respondent completed a Promissory Note for what she believed was the financial amount of the drug losses;
- I. The Respondent was terminated from the Pharmacy by the Pharmacy Manager that day.

5. The Pharmacy also completed a DEA "Report of Theft or Loss of Controlled Substances", as required, which showed the following:

- A. The Respondent was identified as being the one responsible for the pilferage;
- B. The amount of controlled substances was valued at \$3,386;
- C. The Pharmacy indicated that all loss prevention policy and procedures will be reviewed with the pharmacy team, including diligent inventory management, bag and smock checks, and no personal items in the pharmacy;
- D. The losses were listed as follows:

Alprazolam, 2 mg	1,318 tablets
Alprazolam ER, 2 mg	308 tablets
Promethazine-Codeine syrup 10mg-6.5 mg/5ml	7,707 ml

6. By stealing drugs from his employer, the Respondent is a threat to the public health, safety or welfare.

CONCLUSIONS OF LAW

Based on the foregoing, the Board finds that the public health, safety or welfare imperatively requires emergency action, pursuant to SG §10-226(c) (2).


ORDER

Based on the foregoing, it is therefore this 22nd day of June, 2018, by a majority vote of a quorum of the Board, by authority granted to the Board by SG §10-226(c) (2), the registration held by the Respondent, **KAMEARA TYNES**, to practice as a Pharm Tech in Maryland, **Registration No. T18182** is hereby **SUMMARILY SUSPENDED**; and it is 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; and it is further

ORDERED that the Respondent shall immediately turn over to the Board her wall certificate and wallet-sized registration to practice as a Pharm Tech issued by the Board; and it is further

ORDERED that this document constitutes an Order of the Board and is a public document for purposes of public disclosure, as required by Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014 Vol. and 2017 Supp.).



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.