

IN THE MATTER OF
JEDA WILLIAMS
PHARMACY TECHNICIAN
Registration No. T26042

*** BEFORE THE MARYLAND**
*** STATE BOARD OF**
*** PHARMACY**
*** Case No.: 24-186(A)**

* * * * *

FINAL DECISION AND ORDER

Procedural Background

On February 8, 2024, the Maryland Board of Pharmacy (the “Board”) received notification from a chain pharmacy in Prince Georges County (“Pharmacy A”) that pharmacy technician Jeda Williams, Registration No. T26042 (the “Respondent”), had been terminated for theft of prescription drugs. On May 23, 2024, following an investigation, the Board issued an Order of Summary Suspension, summarily suspending the Respondent’s registration to practice as a pharmacy technician. The Respondent requested a show hearing on the Order of Summary Suspension, which was held on June 26, 2024. Based on arguments presented by the State and the Respondent at the show cause hearing, the Board voted to continue the summary suspension. The Respondent thereafter requested an evidentiary hearing on the summary suspension. On July 17, 2024, the Board issued charges based on the same allegations. The Board sent a notice of the evidentiary hearing in this matter to the Respondent via certified mail and electronic mail to the Respondent’s address of record on September 5, 2024. The Board held a consolidated evidentiary hearing for the summary suspension and charges on October 16, 2024, in accordance with the Maryland Administrative Procedure Act, Md. Code Ann., State Gov’t § 10-201 *et seq.*, and the Board’s regulations, COMAR 10.34.01. The Respondent failed to appear, and the Board proceeded with the hearing in accordance with Health Occ. § 12-315(g). Following the hearing, the same

quorum of the Board convened to deliberate and voted unanimously to revoke the Respondent's registration for the reasons set forth in this Final Decision and Order.

SUMMARY OF THE EVIDENCE

A. Documents

The following documents were admitted into evidence.

- State's Exhibit No. 1 - Pharmacy A Case Report
- State's Exhibit No. 2 - Pharmacy A Closed Circuit Television Videos (a-g)
- State's Exhibit No. 3 - J. Williams Voluntary Statement, dated Nov. 8, 2023
- State's Exhibit No. 4 - J. Williams Agreement to Repay, dated Nov. 8, 2023
- State's Exhibit No. 5 - Copies of Prescriptions
- State's Exhibit No. 6 - Email from Pharmacy A, dated Feb. 8, 2024
- State's Exhibit No. 7 - DEA Form 106 – Report of Theft or Loss of Controlled Substances, dated Feb. 15, 2024
- State's Exhibit No. 8 - Registration information for J. Williams
- State's Exhibit No. 9 - Maryland State Board of Pharmacy Report of Investigation, dated Mar. 1, 2024
- State's Exhibit No. 10 - Notice of Hearing to J. Williams, dated Sept. 5, 2024
- State's Exhibit No. 11 - Email to J. Williams confirming hearing, dated Oct. 2, 2024
- State's Exhibit No. 12 - Email from J. Williams, dated Oct. 10, 2024

B. Witnesses

State: Virginia Harrison, Asset Protection Manager, Pharmacy A

Kimberley Goodman, Compliance Investigator, Maryland Board of Pharmacy

FINDINGS OF FACT

Based upon the documentary and testimonial evidence admitted at the evidentiary hearing, the Board finds the following:

1. At all times relevant hereto, the Respondent was registered to practice as a pharmacy technician in the State of Maryland. The Respondent was originally registered to practice as a pharmacy technician in Maryland on January 28, 2022, under registration number T26042. The Respondent's registration is scheduled to expire on August 31, 2025. [State's Exhibit No. 8]

2. At all times relevant hereto, the Respondent was employed as a pharmacy technician at a pharmacy ("Pharmacy A")¹ located in Prince George's County, Maryland.

3. On February 8, 2024, Pharmacy A notified the Board that "[d]uring an internal investigation it was determined that [the Respondent] was stealing drugs from the pharmacy. She admitted to the theft during an interview with our loss prevention team. She has since been terminated." [State's Exhibit No. 6]

4. Pharmacy A submitted an Amended DEA Form 106 – Report of Theft or Loss of Controlled Substances dated February 15, 2024. The report identified the type of theft or loss as "EMPLOYEE THEFT (OR SUSPECTED)." [State's Exhibit No. 7]

5. The Board obtained an internal Pharmacy case report dated February 16, 2024. According to the report, on July 1, 2023, Pharmacy A discovered a drug shortage at the pharmacy, but, after investigation, was unable to determine the cause. On August 17, 2023, Pharmacy A discovered a missing prescription in the ready bins, but, after investigation, was unable to determine the cause. Pharmacy A discovered a missing prescription in the ready bins on

¹ In order to maintain confidentiality, names of individuals and facilities involved in this matter will not be used in this document but were available to the Respondent on request.

September 15, 2023, and then an additional missing prescription on September 16, 2023. After investigation, Pharmacy A obtained surveillance video showing the Respondent handle the prescriptions in a suspicious manner. Pharmacy A then conducted additional investigations of the missing prescription discovered on August 17, 2023, and obtained surveillance video showing the Respondent again handling a prescription in a suspicious manner. [State's Exhibit No. 1-2]

6. On November 8, 2023, the Asset Protection Manager and the Store Manager for Pharmacy A interviewed the Respondent. During the interview, the Respondent "verbally admitted to removing drugs from the pharmacy on multiple occasions and selling them to a dealer." The Respondent further provided a written statement, which stated, in part, "I did take some drugs. I do not do drugs. I was giving them to anothe[r] employee." The Respondent also signed an Agreement to Repay by which the Respondent "voluntary promise[d] to repay [the Pharmacy] restitution in the sum of \$381.47." The Respondent signed the Agreement to R epay "in recognition of [her] wrongful appropriation of money and/or property from [the Pharmacy]." [State's Exhibits No. 1, 3-4]

7. The Board obtained copies of the three prescriptions from Pharmacy A. The prescription stolen on or about August 12, 2023, contained 5 tablets of Oxycodone² 10mg Immediate Release. The prescriptions stolen on or about September 15, 2023, contained 60 tablets of Oxycodone 10mg Immediate Release and 110 tablets of Oxycodone-Acetaminophen 10-325mg. [State's Exhibit No. 5]

8. The Respondent diverted multiple controlled dangerous substances while employed as a registered pharmacy technician at Pharmacy A in order to sell those drugs to another individual for profit.

² Oxycodone, a Schedule II controlled dangerous substance, is an opioid pain medication used to treat moderate to severe pain.

OPINION

Pharmacy technicians play an integral role in the provision of healthcare services to Maryland patients. Not only do pharmacy technicians provide invaluable support to pharmacists and the public, they are entrusted with direct access to drugs, many of which are addictive and can be dangerous if not dispensed in accordance with a legitimate medical prescription. Because of this access, pharmacy technicians are expected to act with integrity with respect to drug laws generally, and specifically, laws relating to controlled dangerous substances. As pharmacy professionals, pharmacy technicians are acutely aware of the heightened scrutiny afforded to the handling of controlled dangerous substances. Indeed, due to the ongoing opioid epidemic, you need not be a pharmacy professional to understand the dangers of unauthorized use of controlled dangerous substances such as Oxycodone.

The Respondent's diversion of drugs from her pharmacy through her role as a registered pharmacy technician, particularly for purposes of personal financial profit, violates basic ethical principles and obligations of the profession. The Respondent was, at minimum, expected to exercise professional judgment and adhere to pharmacy laws and regulations. The Respondent failed to do so by stealing dangerous drugs from the pharmacy. The Respondent acted dishonestly, betrayed her employer's trust, and posed significant harm to the public by facilitating dangerous drugs to be distributed illegally. The Board believes that a pharmacy technician who steals drugs from a pharmacy to sell to a dealer poses a significant risk to the health and safety of the public, and that such actions warrant a revocation of the Respondent's pharmacy technician registration.

The Board's sanctioning guidelines provide for revocation as a potential sanction in cases where a pharmacy technician diverts drugs. COMAR 10.34.11.05. Furthermore, although not required, reviewing the aggravating and mitigating factors in COMAR 10.34.11.08 further

buttresses the sanction of revocation. There are two arguable mitigating factors: that the Respondent admitted her unethical conduct once she was questioned, and the Respondent's lack of prior disciplinary history (although the Respondent has only been registered since 2022, and has been summarily suspended since May 2024). However, the Board finds three significant aggravating factors: that the Respondent acted deliberately, that there was the potential for significant harm to the public, and that the Respondent's misconduct was motivated by financial gain. Upon review of the evidence in the record, the Board believes revocation is the appropriate sanction in this case to protect the public and the integrity of the profession

CONCLUSIONS OF LAW

Based upon the foregoing summary of evidence, findings of fact, and opinion, the Board concludes that the Respondent is subject to discipline pursuant to the Act, Md. Code Ann., Health Occ. §§ 12-6B-09(3), (25), and (27) and 12-313(25), and COMAR 10.34.10.01A(1) and B(3) and COMAR 10.19.03.08A(1).


ORDER

Based on the foregoing Findings of Fact, Opinion, and Conclusions of Law, by a unanimous decision of a quorum of the Board, it is hereby:

ORDERED that the Respondent's registration with the Board to practice as a pharmacy technician in Maryland, Registration No. T26042, shall be and is **REVOKED**; and be if further,

ORDERED that this is a final order of the Maryland Board of Pharmacy and as such is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Provisions Art. § 4-333(b).

1-7-24
Date


Deena Speights-Napata, M.A.
Executive Director for
Kristopher Rusinko, Pharm. D.
President

NOTICE OF RIGHT TO APPEAL

Pursuant to Md. Code Ann., Health Occ. § 12-316, the Respondent has the right to seek judicial review of this Order. Any petition for judicial review shall be filed within thirty days from the date of mailing of this Order. The cover letter accompanying this Order indicates the date the decision is mailed. Any petition for judicial review shall be made as provided for in the Administrative Procedure Act, Md. Code Ann., State Gov't § 10-201 *et seq.*, and Title 7, Chapter 200 of the Maryland Rules of Procedure.

If the Respondent files a petition for judicial review, the Board is a party and should be served with the court's process at the following address:

Maryland State Board of Pharmacy
Deena Speights-Napata, MA, Executive Director
4201 Patterson Avenue, 5th Floor
Baltimore, Maryland 21215

Notice of any petition should also be sent to the Board's counsel at the following address:

Linda M. Bethman
Assistant Attorney General
Maryland Department of Health
300 West Preston Street, Suite 302
Baltimore, Maryland 21201