

IN THE MATTER OF	*	BEFORE THE
FELISA AUSTIN, Technician	*	MARYLAND STATE
Registration No. T03346	*	BOARD OF PHARMACY
(Expired)	*	Case No. 22-334
* * * * *		

PRE-CHARGE CONSENT ORDER

Background

The Maryland Board of Pharmacy (the “Board”) received credible information from the former pharmacy employer of Felisa Austin (the “Respondent”) indicating that the Respondent performed delegated pharmacy acts as a pharmacy technician on staff at the pharmacy after the Respondent’s technician registration expired on November 30, 2021. The Respondent also submitted a Reinstatement Application to the Board in March 2022 in which she falsely affirmed that she had not worked as a technician since the expiration of her registration.

In lieu of instituting formal proceedings against the Respondent, in accordance with the Maryland Pharmacy Act, Md. Code Ann., Health Occ. § 12-101 *et seq.*, the Board and Respondent have agreed to resolve this matter as set forth in this Pre-Charge Consent Order.

FINDINGS OF FACT

1. On or about November 5, 2008, the Respondent was issued a registration to work as a pharmacy technician in Maryland under Technician Registration Number T03346.
2. The Respondent’s registration expired on November 30, 2021.
3. On or about August 26, 2022, the Board received information from the

Respondent's former pharmacy employer (Pharmacy A) indicating that the Respondent worked as a pharmacy technician at Pharmacy A from approximately December 6, 2021, to December 30, 2021.

4. On March 29, 2022, the Respondent submitted a Reinstatement Application to the Board. On the application, the Respondent falsely answered "no" to Question 11 which asks, "Have you practiced as a pharmacy technician during the expiration of your pharmacy technician registration?"
5. The Respondent signed the application under the statement, "I affirm that the information I have given in answer to these questions is true and correct to the best of my knowledge and belief."
6. The Respondent engaged in unauthorized work as a pharmacy technician from December 6, 2021, through December 30, 2021, when she worked at Pharmacy A with a registration that expired on November 30, 2021.
7. The Respondent fraudulently or deceptively attempted to obtain a pharmacy technician registration when she falsely indicated on her application that she had not worked as a pharmacy technician during the expiration of her registration.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Felisa Austin, Registration Number T03346, is subject to discipline in accordance with Md. Code Ann., Health Occ. §§ 12-6B-09(2) and (23), and 12-6B-12.

ORDER

Based upon an affirmative vote of the Board under the authority of Md. Code Ann., Health Occ. Art. § 12-6B-09, it is this 7th day of Nov., 2022, hereby,

ORDERED that the Respondent, FELISA AUSTIN, Registration No. T03346, shall pay a FINE of TWENTY-FIVE DOLLARS (\$25.00) in the form of a certified check or money order made payable to the Maryland Board of Pharmacy and submitted with the execution of this Order, and sent to:

Wells Fargo
Attn: State of MD - Board of Pharmacy
Lockbox 2051
401 Market Street
Philadelphia, PA 19106

(Please include the Case Number 22-334 to ensure proper assignment.)
and be it further,

ORDERED that the Respondent shall successfully complete a total of six (6) Board-approved continuing education credits in healthcare ethics as follows:


- a. complete three (3) credits within thirty (30) days of the date of this Order and submit to the Board proof of completion; and
- b. complete three (3) additional credits before the Respondent's next renewal and submit to the Board proof of completion; and be it further,

ORDERED that the Respondent shall comply with all laws and regulations governing the performance of delegated pharmacy acts, and all other relevant provisions of the Maryland Pharmacy Act; and be it further,

ORDERED that in the event that the Respondent violates any of the terms above, the Board, after notice and an opportunity for a hearing, and a determination of a violation, may impose any disciplinary sanction it deems appropriate, including probation, suspension, revocation, and fines, said violation being proven by a preponderance of the evidence; and be it further,

ORDERED that this is a formal order and as such is a public document pursuant to Md. Code Ann., General Provisions Article § 4-333.

11-7-22
Date


Deena Speights-Napata, M.A.
Executive Director for:

Jennifer Hardesty, Pharm.D.
Board President

CONSENT

1. By signing this Consent, Felisa Austin submits to the foregoing Consent Order as a resolution of this matter and agrees to be bound by its terms and conditions.

2. Ms. Austin acknowledges the validity of this Consent Order as if it were made after a hearing in which Ms. Austin would have had the right to counsel, to confront witnesses, and to all other substantial procedural protections provided by law.

3. Ms. Austin acknowledges that, by entering into this Consent Order, she is waiving her right to appeal any adverse ruling of the Board that might have followed such an evidentiary hearing.

4. Ms. Austin acknowledges the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.

5. Ms. Austin acknowledges that this Consent Order is a public document under the Maryland Public Information Act, Gen. Provisions Art., § 4-333, and shall be posted and reported in accordance with State and federal laws.

6. Ms. Austin signs this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. Ms. Austin fully understands the language, meaning, and effect of this Consent Order.

11/2/22
Date

Felisa Austin
Felisa Austin

STATE OF MARYLAND,
COUNTY/CITY OF Baltimore:



I hereby certify that on this 2nd day of November, 2022, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared FELISA AUSTIN, and made an oath in due form that the foregoing Consent was her voluntary act and deed.

Aissatou Diallo

Notary Public

My commission expires: March 26, 2026

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Handwritten date: 4/2/22

My Commission Expires Mar. 26, 2023
Maryland
Baltimore County
Notary Public
AISSATOU DIALLO

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