

**IN THE MATTER OF**

**ANDREA BAKER**

**PHARMACY TECHNICIAN**

**Registration Number: T05345**

**Respondent**

**\* BEFORE THE**

**\* STATE BOARD**

**\* OF**

**\* PHARMACY**

**\* Case Number: PT-19-243**

**\* \* \* \* \***

**ORDER FOR SUMMARY SUSPENSION**

Pursuant to Md. Code Ann., State Gov't §10-226 (c)(2) (2014 Repl. Vol. and 2018 Supp.), the State Board of Pharmacy (the "Board") hereby suspends the registration to practice as a Pharmacy Technician ("Pharm Tech") in Maryland issued to **ANDREA BAKER** (the "Respondent"), **Registration Number T05345**, under the Maryland Pharmacy Act (the "Act"), Md. Code Ann., Health Occ. §§ 12-101 *et seq.* (2014 Repl. Vol. and 2018 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:<sup>1</sup>

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<sup>1</sup> 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 May 6, 2009. The Respondent's registration expires on September 30, 2020.

2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at a pharmacy (the "Pharmacy") within a regional food chain, located in Rockville, Montgomery County, Maryland.<sup>2</sup>

3. On February 1, 2019, the Board received an "Initial Notification of Controlled Substance Theft or Potentially Significant Loss" and a Drug Enforcement Administration "Report of Theft or Loss of Controlled Substances" from the Pharmacy which both disclosed that 1570 tablets of Carisoprodol<sup>3</sup>, 350 mg was lost due to employee pilferage by the Respondent.

4. The Pharmacy reported that the Respondent admitted, orally and in writing, that she removed the drugs on her person since February 2018 twice a week due to pain she was "suffering from a car accident in 2016". The Respondent offered to pay back some kind of restitution. The Respondent was terminated from employment with the Pharmacy on January 21, 2019, as a result of the thefts.<sup>4</sup>

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

<sup>3</sup> Carisoprodol is a muscle relaxer that blocks pain sensations between the nerves and the brain. Carisoprodol is used together with rest and physical therapy to treat skeletal muscle conditions such as pain or injury. Carisoprodol should only be used for short periods (up to two or three weeks) because there is no evidence of its effectiveness in long term use and most skeletal muscle injuries are generally of short duration.

<sup>4</sup> As a result of the thefts, the Respondent was also criminally charged with Theft less than \$100 and CDS Poss, not marijuana, in the District Court for Montgomery County. Both Counts were stetted—placed on an inactive docket for one year with no conditions—on April 20, 2019.

5. By stealing drugs from her 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 Md. Code Ann., State Gov't §10-226(c) (2) (2014 Repl. Vol. and 2018 Supp.).


### ORDER

Based on the foregoing, it is therefore this 7<sup>th</sup> day of June, 2019, by a majority vote of a quorum of the Board, by authority granted to the Board by Md. Code Ann., State Gov't §10-226(c) (2) (2014 Repl. Vol. and 2018 Supp.), the registration held by the Respondent, **ANDREA BAKER**, to practice as a pharmacy technician in Maryland, Registration No. **T05345** 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 pharmacy technician 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 2018 Supp.).

  
Deena Speights-Wapata,  
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.