

IN THE MATTER OF	*	BEFORE THE
JAIME L. BAKER,	*	STATE BOARD OF
PHARMACY TECHNICIAN	*	PHARMACY
Registration No.: T22609	*	Case No. 20-019
Respondent	*	

* * * * *

ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. Code Ann., State Gov't. §10-226(c)(2) (2014 Repl. Vol. and 2019 Supp.), the State Board of Pharmacy (the "Board") hereby suspends the registration to practice as a pharmacy technician in Maryland issued to **JAIME L. BAKER, Pharmacy Technician** (the "Respondent"), under the Maryland Pharmacy Act (the "Act"), Md. Code Ann., Health Occ. §§ 12-101 *et seq.* (2014 Repl. Vol. & 2019 Supp.). This Order is based on the following investigative findings, which the Board has reason to believe are true:

INVESTIGATIVE FINDINGS¹

1. At all times relevant hereto, the Respondent was registered to practice as a pharmacy technician in Maryland. The Respondent was first registered on June 19, 2019, and her registration expires on May 31, 2021.

2. At all times relevant hereto, the Respondent was employed as a pharmacy

¹ The allegations set forth in this notice are intended to provide the Respondent with notice of the Board's action. 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 action.

technician at a national chain pharmacy (“the Pharmacy”)² in Washington County, Maryland.

3. On or about July 12, 2019, the Board received an Initial Notice by facsimile captioned, “CONTROLLED SUBSTANCE THEFT/SIGNIFICANT LOSS ONE BUSINESS DAY NOTIFICATION” (the “Initial Notice”) from the Pharmacy. The Notice advised that the Pharmacy would investigate and provide the Board, with DEA Form 106 if the investigation determined a theft or loss of a Controlled Substance.

4. On or about August 14, 2019, the Board received a copy of DEA Form 106, “CONTROLLED SUBSTANCE/THEFT SIGNIFICANT LOSS” (the “Notice”). The Notice reported that a Pharmacy employee committed a theft of an estimated 56 tablets of Zubsolv (11.4 -- 2.9 mg)³.

5. The Pharmacy identified the Respondent as the employee responsible for the theft of controlled substances identified in paragraph 4 above.

6. After receiving the Initial Notice, the Board opened an investigation.

7. On or about July 16, 2019, the Board issued a subpoena and requested that the Pharmacy provide the Respondent’s employment file, including, investigation report interviews, surveillance videos and/or photographs, and any police or incident report.

8. On or about August 13, 2019, the Board received a copy of the Respondent’s employment file and the Pharmacy’s investigative report.

² For confidentially purposes, the names of pharmacies and all individuals referenced herein will not be identified in this document, but the Respondent or counsel may request this information from the Administrative Prosecutor.

³ Zubsolv (buprenorphine/naloxone) is a schedule III drug. Zubsolv belongs to a class of drugs called mixed opioid agonist-antagonists used to treat opioid addiction.

9. The investigative report included the Respondent's statement admitting she stole Zubsolv from the Pharmacy.

10. The Pharmacy manager, ("Witness A") reported that on or about July 5, 2019, the Respondent removed one package of Zubsolv (11.4 mg.) from the Pharmacy. Surveillance footage recorded the Respondent removing the drug from inventory and concealing it on her person.

11. On or about July 10, 2019, the Asset Protection Manager ("APM") ("Witness B") interviewed the Respondent about the missing drugs. The interview was witnessed by another Pharmacy employee ("Witness C"). During the interview the Respondent admitted that she stole Zubsolv from the Pharmacy.

12. In a hand-written Statement dated July 10, 2019, the Respondent stated she stole drugs from the Pharmacy to give to a pregnant friend who had a drug addiction. The Respondent admitted that she was afraid that without the medication her friend might have a drug overdose.

13. The Respondent also claimed that she [the Respondent] used this drug in the past to treat an addiction to prescription pain medication.

14. The Respondent admitted in the written statement that she stole an undetermined amount of Zubsolv (11.4 mg). Subsequently, the Respondent provided "Voluntary Restitution" to the Pharmacy in the amount of \$20.00. The payment was received and recorded on a store cash register.

15. On or about July 10, 2019, the Pharmacy terminated the Respondent's employment.

16. Pharmacy staff reported the theft to the Washington County Sherriff's Department, but the Sherriff's Department declined to file a report.⁴

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).

ORDER

Based on the foregoing, it is therefore this 18th day of November, 2019, by a majority vote of a quorum of the State Board of Pharmacy, by authority granted to the Board by Md. Code Ann, State Gov't §10-226(c)(2), the registration held by the Respondent to practice as a pharmacy technician in Maryland, Registration No. T22609 is hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED that the Respondent shall immediately return all registrations and licenses to the Board; and it is further

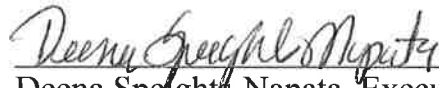
ORDERED that the Respondent has the opportunity to appear before the Board for a post-deprivation show cause hearing. A request for a post-deprivation show cause hearing must be in writing and be made **WITHIN THIRTY (30) DAYS** of receipt of this order; and it is further

ORDERED that if the Respondent does not submit a timely written request to the Board for a post-deprivation show cause hearing, or if the Respondent requests a post-

⁴ A deputy in the Sherriff's Department filed an event report, indicating that the Pharmacy reported the theft to the Washington County Sherriff's Department.

deprivation show cause hearing but fails to appear when scheduled, the investigative findings contained in this Order shall stand and the Respondent's pharmacy technician registration will remain **SUSPENDED** absent any further action by the Board; and be it further

ORDERED that this is a **PUBLIC DOCUMENT** pursuant to the Maryland Public Information Act. Md. Code Ann., Gen. Prov. §§ 4-101 – 4-601 (2019 Repl. Volume).



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.