

IN THE MATTER OF * **BEFORE THE**
PATRICIA FLOWERS, Pharm Tech * **STATE BOARD**
Registration No.: T10562 * **OF**
Respondent * **PHARMACY**
* **Case No: PT-13-006/13-206**

* * * * *

**FINAL ORDER OF REVOCATION
OF PHARMACY TECHNICIAN'S REGISTRATION**

On March 18, 2015, the State Board of Pharmacy (the "Board"), notified **PATRICIA FLOWERS**, Pharmacy Technician (Pharm Tech), the Respondent, of its Intent to Revoke her pharmacy technician registration.

The Notice also informed the Respondent that, unless she requested a hearing in writing within 30 days of receipt of said Notice, the Board would sign the Final Order, which was enclosed. More than 30 days have elapsed and the Respondent failed to timely request a hearing. Therefore, this revocation is final.

The basis for the Board's action was pursuant to State Gov't Code Ann. ("S.G.") § 10-226 (c) (1) (2014 Repl. Vol.), and the Maryland Pharmacy Act (the "Act"), Health Occ. Code Ann. ("H.O."), §§ 12-101, *et seq.* (2014 Repl. Vol. II):

S.G. § 10-226. (c) (1) Except as provided in paragraph (2) of this subsection, a unit may not revoke or suspend a license unless the unit first gives the licensee:

- (i) written notice of the facts that warrant suspension or revocation;
- and
- (ii) an opportunity to be heard.

The pertinent provisions of § 12-6B-09 of the Act state: Grounds for reprimand or denial, probation, suspension, or revocation of registration:

Subject to the hearing provision of §12-315 of this title, the Board may deny a pharmacy technician's registration to any applicant, reprimand a registered pharmacy technician, place any pharmacy technician's registration on probation, or suspend or revoke a pharmacy technician's registration if the applicant or pharmacy technician registrant:

- (3) Fraudulently uses a pharmacy technician's registration;
- (25) Violates any regulation adopted by the Board [;].

The Board also charged the Respondent with a violation of its Pharmacist and Pharmacy Technician Code of Conduct, 10.34.10 (November 12, 2001):

.01 Patient Safety and Welfare.

B. A pharmacist may not:

- (3) Engage in unprofessional conduct.

**FACTS THAT WARRANT
THE REVOCATION OF THE RESPONDENT'S REGISTRATION**

1. At all times relevant hereto, the Respondent was registered to practice as a Pharm Tech in Maryland. The Respondent was first registered on April 4, 2012. The Respondent's registration expired on December 31, 2013.

2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at a National pharmacy chain located in Oxon Hill, Maryland, hereinafter "Pharmacy A."

3. On July 15, 2012, Loss Prevention personnel at Pharmacy A received information from a detective investigating the Respondent that she had taken pills from Pharmacy A.

4. When questioned by Loss Prevention, the Respondent claimed that the pills, Adderall, used for hyperactivity disorder, and which is a controlled substance

available by prescription only, fell into her smock by accident and she took them home without paying for them, against company policy. As a result of this admission, she was terminated from employment at Pharmacy A.

5. As a result of the above, on December 12, 2012, the Board summarily suspended the Respondent's registration. The Respondent requested a Show Cause hearing, informing the Board of her new contact information. The Respondent also requested that the Board lift the Summary Suspension until she returned from purported military duty. The Respondent sent no documentary evidence of deployment. The Board denied the request to lift the suspension and tried to contact the Respondent before her alleged deployment took effect in order to schedule a hearing before she went away. Despite numerous attempts to contact the Respondent, she failed to respond to the Board's attempts before or after the alleged deployment.

6. As set forth above, by stealing prescription medicine from her place of employment, the Respondent violated the Act and regulations thereunder.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that the Respondent violated §12-6B-09 (3) and (25) of its Act and § 10.34.10.01B.(3) of its regulations.

ORDER

As set forth above, the Board hereby Orders, that the registration to practice as a Pharmacy Technician in Maryland held by **PATRICIA FLOWERS**, the Respondent, be

and is **REVOKED**, and that this Order is public, pursuant to Md. Code Ann. Gen. Prov., §§ 4-101 *et seq.*

NOTICE OF RIGHT OF APPEAL

In accordance with HO. § 12-316 (2014 Repl. Vol. II) and SG §§ 10-201, *et seq.*, (2014 Repl. Vol.) you have a right to a direct judicial appeal of this decision. A petition for appeal of the Final Board Order shall be filed within thirty days from your receipt of this Final Order and shall be made in accordance with the *aforecited* authority.

Date

5/20/15

Lenna Israbian-Jangochian, Pharm. D., President
Board of Pharmacy