

IN THE MATTER OF

ASHLEY N. GRIMM,
Pharmacy Technician

Respondent

Registration Number: T06982

* BEFORE THE MARYLAND

* STATE BOARD OF

* PHARMACY

* Case Number 22-172

*

* * * * *

FINAL ORDER TO REVOKE
PHARMACY TECHNICIAN REGISTRATION

The Maryland State Board of Pharmacy (the "Board") notified Ashley N. Grimm (the "Respondent"), Registration Number T06982, of the Board's intent to revoke her registration to practice as a pharmacy technician in the State of Maryland under the Maryland Pharmacy Act (the "Act"), Md. Code Ann., Health Occ. §§ 12-101 *et seq.* (2021 Repl. Vol.)

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

The Board bases its action on the Respondent's violation of the following provisions of the Act:

§ 12-6B-09. Ground 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 . . . pharmacy technician registrant:

....

(25) Violates any regulation adopted by the Board;

....

(27) Participates in any activity that is grounds for Board action under § 12-313 or § 12-409 of this title[.]

With respect to Health Occ. § 12-6B-09(27), the underlying grounds for Board action under § 12-313 include:

(25) Violates any rule or regulation adopted by the Board[.]

The pertinent provisions of the regulations adopted by the Board are as follows:

COMAR 10.34.10.01. Patient Safety and Welfare.

....

B. A pharmacist may not:

....

(3) Engage in unprofessional conduct.

FINDINGS OF FACT

The Board finds the following facts:

1. The Respondent was originally registered to practice as a pharmacy technician in Maryland on February 17, 2010, under registration number T06982. The Respondent's registration is currently suspended and scheduled to expire on April 30, 2023.

2. At all times relevant hereto, the Respondent was employed as a pharmacy technician at a pharmacy (the “Pharmacy”)¹ located in Hagerstown, Maryland.

3. On or about January 14, 2022, the Board was notified by a representative of the Pharmacy that the Respondent had been terminated for diverting controlled dangerous substances. On or about January 17, 2022, the Pharmacy forwarded its investigative report (“Report”) and a written statement signed by the Respondent dated January 12, 2022.

4. The Report disclosed that on January 4, 2022, the Respondent diverted a customer’s prescription for 45 pills of oxycodone 5 mg/325 mg (oxycodone/acetaminophen). The Report described that the Respondent was given the prescription by the pharmacist on January 4, 2022, and walked the prescription along with two other prescriptions to the front register, but only gave one to the cashier. The Respondent subsequently placed the prescription for oxycodone back in the customer waiting area and later removed the prescription from the bag and placed the pills into her pocket.

5. On January 12, 2022, the Respondent was interviewed by the Pharmacy’s asset protection manager. During the interview, the Respondent admitted to diverting the oxycodone pills and stated that she took the pills in order to self-medicate a back injury she was suffering with.

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

6. In her written statement, the Respondent admitted that she took a patient's medication. She specifically stated:

On Wednesday January 5th 2022 a customer came in and ask for his wife[’s] medication. We was [*sic*] busy in the pharmacy and I took the patient up front for them to be rung up. He stated he only wanted the 1 medication and would see if he needed the other medication. After talking to the patient for a few minutes I walked back to the pharmacy and put the medication in the clear bag and hung the prescription back up. Toward the end of my shift I then went to the pickup area and grab [*sic*] the medication out of the bag and empty [*sic*] the bottle of 45 pills into my pocket and threw the bottle away in the plastic part and deleted the RX on hold. After my shift was over I clocked out and left the store to go home.

7. Based on the above information, the Board has reason to believe that the Respondent diverted oxycodone, a controlled dangerous substance.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated Health Occ. §§ 12-6B-09(25) and/or (27), and/or Health Occ. § 12-313(25), and/or COMAR 10.34.10.01(B)(3).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 15th day of February 2023, by a majority of the quorum of the Board, hereby

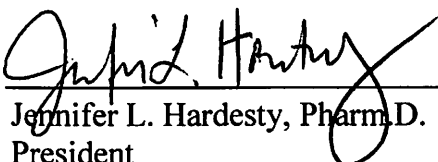
ORDERED that Respondent **ASHLEY N. GRIMM**'s registration to practice as a pharmacy technician in the State of Maryland is hereby **REVOKED**; and it is further

ORDERED that the Respondent shall return to the Board all Maryland pharmacy technician registrations within ten (10) days of the date of this Order; and it is further

ORDERED that the effective date of this Order is the date that it is signed by the Board; and it is further

ORDERED that this document constitutes a formal disciplinary action of the Board and this Order is final and a public document pursuant to Md. Code Ann., General Provisions §§ 4-101 *et seq.* & § 4-333 (2019 Repl. Vol. and 2021 Supp.).

2/15/03
Date



Jennifer L. Hardesty, Pharm.D.
President
Maryland Board of Pharmacy

NOTICE OF RIGHT TO APPEAL

In accordance with §12-316 of the Act and Md. Code Ann., State Government §§10-201 *et seq.* (2021 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 (30) days from your receipt of this Final Order and shall be made in accordance with the aforesaid authority.