

IN THE MATTER OF	*	BEFORE THE
JESSICA MCCORKLE	*	STATE BOARD
PHARM TECH	*	OF
Registration No.: T09748	*	PHARMACY
Respondent	*	Case No. PT-16-024

* * * * *

ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. State Gov't. (SG) Code Ann. §10-226 (c) (2) (2014 Repl. Vol. II), the State Board of Pharmacy (the "Board") hereby suspends the registration to practice as a Pharmacy Technician (Pharm Tech) in Maryland issued to **JESSICA McCORKLE**, (the "Respondent"), under the Maryland Pharmacy Act (the "Act"), Md. Health Occ. Code Ann. §§ 12-101 *et seq.* (2014 Repl. Vol. II). 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 September 26, 2011. The Respondent's registration expired on September 30, 2016.

2. At all times relevant hereto, the Respondent was employed as a Pharmacy Technician at a pharmacy within a chain pharmacy in Baltimore, Maryland, hereinafter "Pharmacy A."

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.

3. On or about April 6, 2016, the Board received information from the Drug Enforcement Administration (DEA) that the Respondent, while employed at Pharmacy A, had been arrested in 2015 and had pled guilty to Controlled Dangerous Substances (CDS) theft.

4. Based upon this information, the Board began an investigation, requesting a copy of the Respondent's personnel record, which revealed the following:

- A. On or about June 11, 2015, Pharmacy A discovered that over the past two months, there was a shortage of Suboxone²;
- B. As a result, further research was conducted and, in addition to the Suboxone shortages, it was discovered that there were also shortages of Dextroamphetamine³ and Promethazine-Codeine Syrup⁴ was missing;
- C. A plan was implemented to do drug counts more often and to reposition a camera in the pharmacy area;
- D. As a result, on June 20, 2015, the Respondent was observed on camera opening a bottle of Tramadol, placing the tablets in her hand and then putting them into her left smock pocket;
- E. On June 30, 2015, the Asset Protection District Manager for Pharmacy A went to Pharmacy A and interviewed the Respondent,

² Suboxone contains a combination of buprenorphine and naloxone. Buprenorphine is an opioid medication. An opioid is sometimes called a narcotic. Naloxone blocks the effects of opioid medication, including pain relief or feelings of well-being that can lead to opioid abuse.

³ **Dextroamphetamine** is a potent central nervous system (CNS) stimulant and amphetamine enantiomer that is prescribed for the treatment of attention deficit hyperactivity disorder (ADHD) and narcolepsy.

⁴ Codeine is a narcotic, a pain reliever and a cough suppressant. Promethazine is an antihistamine that blocks the effects of the naturally occurring chemical histamine in the body. Codeine and promethazine is a combination medicine used to treat cold or allergy symptoms such as runny nose, sneezing, and cough.

who admitted, orally and in writing, that she began taking bottles of Promethazine with Codeine in mid-April 2015. The Respondent stated that she would buy front-end merchandise and then put the bottle of the medicine in that bag and leave the pharmacy saying she had to use the restroom. She would then place the bottle in her purse. She admitted to stealing the cough syrup, which she said she sold to a friend for \$200 each;

- F. The Respondent claimed that she stole the Tramadol for her mother who suffered as a result of a car accident;
- G. The Respondent agreed to make restitution to Pharmacy A for the stolen drugs;
- H. Pharmacy A called the Baltimore City Police Department and the Respondent was arrested for the theft.

5. In the Respondent's personnel file was a DEA "Report of Theft or Loss of Controlled Substances" which contained the following information, *inter alia*:

- A. The theft was dated June 15, 2015;
- B. The value was \$7770.73;
- C. The report states that an investigation resulted in an admission of theft from a pharmacy associate who was terminated and turned in to the police. A full audit was performed and losses noted. Proper procedures for security and accountability of controlled substances have been reviewed and reinforced with the remaining pharmacy associates;
- D. The losses/thefts were listed as follows:

Oxycodone ⁵ , 20 mg	90	tablets
Vyvanse ⁶ , 20 mg	34	capsules
Tramadol, 50 mg	111	tablets
Promethazine w/Codeine, 10 mg	25,070	liquid
Promethazine w/Codeine, 10 mg	1858	liquid ⁷
Phentermine ⁸ , 30 mg	107	caps
Lyrica ⁹ , 100 mg	242	caps
Lorazepam, 0.5 mg ¹⁰	32	tablets
Eszopiclone ¹¹ , 3 mg	113	tablets
Diphenoxylate-Atrop ¹² 2.5-0.025, 0.025 mg	112	tablets
Cheratussin DAC (Codeine) ¹³ , 10 mg	154	liquid.

⁵ Oxycodone is a narcotic used to treat moderate to severe pain.

⁶ Vyvanse (lisdexamfetamine) is a central nervous system stimulant. It affects chemicals in the brain and nerves that contribute to hyperactivity and impulse control.

⁷ The Respondent stole different lot numbers.

⁸ Phentermine is a stimulant similar to an amphetamine. It acts as an appetite suppressant by affecting the central nervous system. Phentermine is used together with diet and exercise to treat obesity (overweight) in people with risk factors such as high blood pressure, high cholesterol, or diabetes.

⁹ Lyrica (pregabalin) is an anti-epileptic drug, also called an anticonvulsant. It works by slowing down impulses in the brain that cause seizures. Lyrica also affects chemicals in the brain that send pain signals across the nervous system. Lyrica is used to control seizures and to treat fibromyalgia. It is also used to treat pain caused by nerve damage in people with diabetes (diabetic neuropathy), herpes zoster (post-herpetic neuralgia, or neuropathic pain associated with spinal cord injury).

¹⁰ Lorazepam, sold under the brand name Ativan among others, is a benzodiazepine medication. It is used to treat anxiety disorders, trouble sleeping, active seizures including status epilepticus, for surgery to interfere with memory formation, sedate those who are being mechanically ventilated, alcohol withdrawal, and chemotherapy induced nausea and vomiting. It is also used, along with other treatments, for acute coronary syndrome due to cocaine use.

¹¹ Eszopiclone is a non-benzodiazepine, oral, sedative drug ("sleeping pill") that is used for treating insomnia, which can include difficulty falling asleep, awakening frequently during the night, waking up too early, an inability to fall back to sleep or awakening in the morning not feeling refreshed.) Eszopiclone is used for the treatment of insomnia characterized by difficulty falling asleep and/or difficulty maintaining sleep during the night and early morning.

¹² Atropine/diphenoxylate is an antidiarrheal and anticholinergic combination. It works by decreasing the motion of muscles in the intestines and prolonging the time it takes to move the contents through the body.

¹³ Cheratussin DAC: this combination medication is used to temporarily treat coughing and chest congestion symptoms caused by the common cold, flu or other breathing illnesses (e.g., sinusitis, bronchitis). Guaifenesin is an expectorant that helps thin and loosen mucus in the lungs, making it easier

6. As a result of the above thefts, on September 8, 2015, in the Circuit Court for Baltimore City, the Respondent pled guilty to Theft, \$1000 to under \$10,000 and received a Probation Before Judgement, supervised Probation for two years, wherein she agreed to repay Pharmacy A \$2202 during the period of Probation.

CONCLUSIONS OF LAW

Based on the foregoing, the Board finds that the public health, safety or welfare imperatively requires emergency action, pursuant to Md. St. Gov't. Code Ann. §10-226 (c) (2) (2014 Repl. Vol. II.).

ORDER

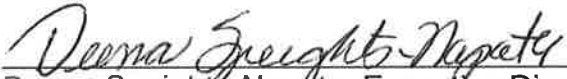
Based on the foregoing, it is therefore this 14th day of October, 2016, by a majority vote of a quorum of the State Board of Pharmacy, by authority granted to the Board by Md. St. Gov't. Code Ann. §10-226(c) (2) (2014 Repl. Vol. II), the registration held by the Respondent to practice as a Pharmacy Technician in Maryland, Registration No. T09748, is hereby **SUMMARILY SUSPENDED**; and be it 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, regarding the Respondent's fitness to practice as a Pharmacy Technician and the danger to the public; and be it further

to cough up the mucus. Codeine is a narcotic cough suppressant (antitussive) that affects a certain part of the brain, reducing the urge to cough.

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 be it further

ORDERED, that this document constitutes a final Order of the Board and is, therefore, a public document for purposes of public disclosure, as required by Md. Code Ann. Gen. Prov. §§ 4-101, *pet seq.*


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.