

IN THE MATTER OF

*** BEFORE THE**

MORGAN E. OUELLETTE
Pharmacy Technician
Respondent

*** MARYLAND STATE**

*** BOARD OF PHARMACY**

Registration Number: T23741

*** Case Number: 23-170**

*** * * * ***

ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. Code Ann., State Gov’t §§ 10-226(c)(2) (2021 Repl. Vol.) and Md. Code Regs. (“COMAR”) 10.34.01.12, the Maryland Board of Pharmacy (the “Board”), having concluded that the public health, safety, or welfare imperatively requires emergency action, hereby summarily suspends the registration of **Morgan E. Ouellette, Registration Number T23741** (the “Respondent”), to practice as a pharmacy technician, under the Maryland Pharmacy Act (the “Act”), Md. Code Ann., Health Occ. §§ 12-101 *et seq.* (2021 Repl. Vol.).

INVESTIGATIVE FINDINGS¹

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:

1. At all relevant times, the Respondent was and is registered to practice as a pharmacy technician in the State of Maryland. The Respondent was originally registered

¹ The statements about the Respondent’s conduct set forth in this document are intended to provide the Respondent with reasonable notice of the basis for this 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 action.

to practice as a pharmacy technician in Maryland on or about April 30, 2020. The Respondent's registration expires on March 31, 2024.

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

3. On or about October 7, 2022, the Board received a letter from the Pharmacy regarding theft of controlled substances by the Respondent along with a DEA Form 106 Report of Theft or Loss of Controlled Substances. Both the letter and the DEA form were dated September 27, 2022.

Pharmacy Internal Investigation

4. On or about September 22, 2022, one of the Pharmacy's pharmacists (the "Pharmacist") noticed that a 2 mg clonazepam³ bottle was out of place on the shelf after the Respondent had left the pharmacy. The Pharmacist conducted an inventory and noticed that seventeen (17) 2 mg clonazepam tablets were missing from the bottle.

5. On or about September 26, 2022, Pharmacy security reported to the Pharmacy to review security footage which revealed the following: On September 22, 2022, at approximately 6:11 pm, the Respondent was standing in the left aisle of the Pharmacy looking around when she took a pill bottle off the shelf and poured pills into her hand. The Respondent then walked over to her bag and put the pills inside before placing the bottle in a different location on the shelf and then leaving the Pharmacy.

² For confidentiality and privacy purposes, the names of individuals and facilities involved in this case are not disclosed in this document. Upon written request, the Administrative Prosecutor will provide the information to the Respondent.

³ Clonazepam is a benzodiazepine that is used to control certain types of seizures and/or relieve panic attacks. It is a Schedule IV Controlled Dangerous Substance ("CDS").

6. On or about September 26, 2022, the Respondent was later interviewed by Pharmacy security regarding the seventeen (17) 2 mg clonazepam tablets that were missing from the Pharmacy as of September 22, 2022. The Respondent admitted that she took the tablets after she was confronted with the security footage. The Respondent could not remember how many tablets she had taken but claimed that it was the first and only time that she had taken pills from the Pharmacy and that she had taken them for personal use. The Respondent was subsequently terminated from employment at the Pharmacy. Later that day, it was discovered that eleven (11) 1 mg alprazolam⁴ tablets were also missing.

7. Further investigation by the Pharmacy revealed security footage which showed the following: On September 23, 2022, at approximately 6:23 pm, the Respondent walked into the left aisle of the Pharmacy and bent down. She then took a bottle off the shelf, poured pills into her hand, and then put the bottle back on the shelf. She subsequently put the pills into her bag and left the Pharmacy shortly thereafter.

8. Based on the above information, the Board has reason to believe that the Respondent diverted the aforementioned CDS from the Pharmacy.

CONCLUSIONS OF LAW

Based on the foregoing investigative findings, the Board concludes as a matter of law that the public health, safety, and welfare imperatively require emergency action in this case, pursuant to State Gov't § 10-226(c)(2) and COMAR 10.34.01.12.

⁴ Alprazolam is a benzodiazepine used to treat anxiety and panic disorder. It is a Schedule IV CDS.

ORDER

Based on the foregoing Investigative Findings and Conclusions of Law, it is this 10th day of January 2023, by a majority of the quorum of the Board, hereby

ORDERED that pursuant to the authority vested in the Board by Md. Code Ann., State Gov't § 10-226(c)(2), the Respondent's registration to practice as a pharmacy technician in the State of Maryland under registration number **T23741** is hereby **SUMMARILY SUSPENDED**; and it is further

ORDERED that the Respondent is prohibited from practicing as a pharmacy technician in the State of Maryland; and it is further

ORDERED that the Respondent shall immediately return all copies of her registration 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**; and it is further

ORDERED that if the Respondent fails to request a post-deprivation show cause hearing in writing in a timely manner, or if the Respondent requests a post-deprivation show cause hearing but fails to appear when scheduled, the Respondent's registration will remain **SUSPENDED**; and it is further

ORDERED that this **ORDER FOR SUMMARY SUSPENSION** is a **Public Document** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2021).

1-10-23

Date



Deena Speights-Napata, M.A.
Executive Director *for*
Jennifer L. Hardesty, Pharm.D.
President
Maryland State Board of Pharmacy