

IN THE MATTER OF * BEFORE THE STATE
CYNTHIA R. PRICE * BOARD OF
RESPONDENT * PHARMACY
REGISTRATION NO.: T09577 * CASENO: 18-130

* * * * *

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

The State Board of Pharmacy (“the Board”) notified Cynthia R. Price (the “Respondent”), Registration Number: T09577, of the Board’s intent to revoke her registration to practice as pharmacy technician under the Maryland Pharmacy Act (the “Act”), Md Code Ann., Health Occ. (“Health Occ.”) §§ 12-101*et seq.* (2014 Repl. Vol. and 2018 Supp.). The pertinent provisions of the Act and the regulations state:

H. O. § 12- 6B-09. 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;
- (22) Pleaded guilty or nolo contendere to, or has been found guilty of, a felony or a crime involving moral turpitude, regardless of whether:
 - (i) An adjudication of guilt or sentencing or imposition of sentence is withheld; [and]
- (27) Participates in any activity that is grounds for Board action under § 12-313 or § 12-409 of this title[.]

H.O. § 12-313. Denials, reprimands, suspensions, and revocations.

(b) *In general.* - Subject to the hearing provisions of § 12-315 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a license to any applicant for a pharmacist's license, reprimand any licensee, place any licensee on probation, or suspend or revoke a license of a pharmacist if the applicant or licensee:

(25) Violates any rule or regulation adopted by the Board;

COMAR 10.34.10

.01 Patient Safety and Welfare.

B. A pharmacist may not:

(3) Engage in unprofessional conduct.

FINDINGS OF FACT

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

2. The Respondent was originally registered to practice as a pharmacy technician in Maryland on or about August 4, 2011.

3. The Respondent's registration expired on October 31, 2018.

4. At all times relevant hereto, Respondent worked as a pharmacy technician at a retail pharmacy chain ("Pharmacy A"), located in Maryland.¹

5. On or about December 22, 2017, the Board received information from Pharmacy A's pharmacy compliance manager that the Respondent had diverted prescription medication from Pharmacy A.

¹Pharmacy A is not identified in this document for privacy reasons, but this information will be provided to the Respondent upon request.

6. In or around December 2017, an investigation conducted by Pharmacy A staff and the Anne Arundel County Police Department (“Anne Arundel Police”), revealed that between September 2017 and December 2017, Respondent diverted controlled substances from Pharmacy A. The Respondent diverted Oxycodone 30mg -1980 tablets, Oxycodone 10mg- 180 tablets, Alprazolam 2 mg - 9269 tablets, and Tramadol HCL 50 mg – 989 tablets from Pharmacy A.

7. Pharmacy A staff and the Anne Arundel Police viewed videotape taken from a Pharmacy A security camera that showed the Respondent placing a prescription bottle inside the pocket of her pharmacy smock.

8. Pharmacy A staff and the Anne Arundel Police also viewed videotape from a Pharmacy A security camera that showed the Respondent receiving fraudulent prescriptions from friends and a family member.

9. Once the Respondent received the fraudulent prescriptions, she entered the prescriptions into Pharmacy A’s pharmacy system and assigned the prescriptions an insurance discount code.

10. Pharmacy A staff and the Anne Arundel Police also observed the Respondent on videotape from a Pharmacy A security camera entering fraudulent controlled substance prescriptions in the computer system without the prescriptions being dropped-of at Pharmacy A by anyone between September 1, 2017 and December 16, 2017.

11. The Respondent was terminated from Pharmacy A on or about December 21, 2017.

12. On or about April 6, 2018, the Respondent was indicted by the Grand Jury for Anne Arundel County, Maryland (“Grand Jury”) with numerous felony and misdemeanor drug offenses, including distribution of Oxycodone. The Grand Jury also indicted the Respondent with felony theft of prescription medication from Pharmacy A.

13. On August 13, 2018, the Board summarily suspended the Respondent’s registration to practice as a pharmacy technician.

14. On or about October 2, 2018, the Respondent plead guilty to one (1) count Distribution of a Controlled Dangerous Substance, in the Circuit Court for Ann Arundel County, Maryland.

15. The Respondent received probation before judgement and supervised probation for a period of three (3) years.

CONCLUSIONS OF LAW

The Board concluded that the Respondent violated Health Occ. §12-6B-09(3), (22), and (27); Health Occ. §12-313 (25); and COMAR 10.34.10.01B (3).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, a majority of a quorum of the Board hereby:

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

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

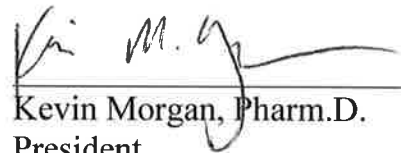
ORDERED that the effective date of this Order is the date that it is signed by the Board; and it is further

ORDERED that this Order is reportable to the National Practitioner Bank; and it further

ORDERED that this document constitutes a formal disciplinary action of the Board of Pharmacy and is a public document for purposes of public disclosure, pursuant to Md. Code Ann., General Provisions §§ 4-101 *et seq.* (2014 Repl. Vol and 2018 Supp.).

1/15/20

Date



Kevin Morgan, Pharm.D.
President
State Board of Pharmacy