

IN THE MATTER OF * BEFORE THE
JACOB WINDSOR, PHARM. TECH. * STATE BOARD PHARMACY
Registration No.: T00734 * OF
Respondent * CASE NO. PT-10-010

* * * * *

ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. State Govt. Code Ann. §10-226 (c) (2) (2009 Repl. Vol.), the State Board of Pharmacy (the "Board") hereby suspends the registration to practice as a Pharmacy Technician in Maryland issued to Jacob Windsor, Pharmacy Technician (Pharm Tech), (the "Respondent"), under the Maryland Pharmacy Act (the "Act"), Md. Health Occ. Code Ann. § 12-101, et seq., (2009 Repl. Vol.). This Order is based on the following investigative findings, which the Board has reason to believe are true:

BACKGROUND

1. At all times relevant hereto, the Respondent was registered to practice as a Pharm Tech in Maryland. The Respondent was first registered on June 16, 2008. The Respondent's registration expires on January 31, 2012.
2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at Community Pharmacy in Salisbury, Maryland.
3. On or about October 7, 2009, Inspectors from the Division of Drug Control (DDC), James Polek and Peter Smith, inspected Community Pharmacy and discovered that he inventory was missing 511 tablets of Oxycodone, 10 mg tablets.
4. On February 20, 2010, upon further checking the discrepancy, the Respondent was asked about same and admitted to taking three of the pills and

manipulating the computer inventory. A total of 983 Oxycodone, 30 mg pills were missing. The Respondent admitted that he was using the drugs himself and had started stealing them in either June or July 2009. He was terminated February 24, 2010.

5. Subsequently, reports regarding the loss and termination were filed with DEA, DDC, the Board and the Salisbury Police Department. Subsequently, the following criminal charges were filed against the Respondent in the District Court of Wicomico County:

Count 1: Theft, less than \$500;

Count 2: CDS Possession, not marijuana;

Count 3: Theft, less than \$1000;

Count 4: CDS Possession, not marijuana;

Count 5: Theft scheme, less than \$500.

FINDINGS OF FACT

As set forth above, by stealing narcotics from his employer for personal use, the Respondent is a threat to the public health, welfare or safety.

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) (2009 Repl. Vol.).

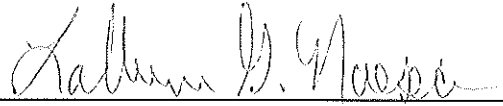
ORDER

Based on the foregoing, it is therefore this 21st day of **June**, 2010, by a majority vote of a quorum of the State Board of Pharmacy, by authority granted by the Board by Md. St. Govt. Code Ann. § 10-226(c)(2) (2009 Repl. Vol.), the registration held by the Respondent to practice as a Pharm Tech in Maryland, Registration No. T00734, 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 Pharm Tech and the danger to the public; and be it further

ORDERED, that the Respondent shall immediately turn over to the Board his wall certificate and wallet-sized registration to practice as a Pharm Tech 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. State Gov't Code Ann. §10-617(h) (2009 Repl. Vol.).



LaVerne G. Naesea, 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.