

BEFORE THE NORTH CAROLINA BOARD OF PHARMACY

In the Matter of:

Tammara E. Pittman
(Pharmacy Technician Registration No. 02306)

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FINAL DECISION

THIS MATTER came on for hearing pursuant to the request of Tammara E. Pittman (Respondent) for reinstatement of her pharmacy technician registration. A Notice of Hearing (Notice) was issued on March 2, 2006 by the North Carolina Board of Pharmacy (Board) pursuant to North Carolina General Statute §90-85.15A(d)(5), which provides that the Board may issue a letter of reprimand or suspend, restrict, revoke, or refuse to grant or renew the registration of a pharmacy technician if the pharmacy technician has:

“(5) Willfully violated any provision of the Article or rules adopted by the Board governing pharmacy technicians.”

The Notice set forth specific factual allegations and scheduled a hearing for March 21, 2006. The hearing was conducted on that date at the Board office before Board members Crocker, Dennis, Haywood, and Nelson. At the commencement of the hearing, Respondent stipulated to paragraphs 1 and 2 of the Notice. Respondent also stipulated that during 2003, she was employed as a pharmacy technician at Carolinas Medical Center Myers Park Pharmacy (the pharmacy) in Charlotte, North Carolina. During the hearing, the Board received evidence in the form of testimony and exhibits.

Based upon the record in this proceeding and the testimony, exhibits, and stipulations presented at the hearing, the Board makes the following:

FINDINGS OF FACT

1. Respondent was registered with the Board as a pharmacy technician, holding registration number 02306. Respondent was last registered for the year 2003.

2. Respondent has requested the Board to consider reinstatement of her pharmacy technician registration.

3. As a result of shortages of diazepam and hydrocodone products detected in the pharmacy's inventory, the State Bureau of Investigation installed a video surveillance system at the pharmacy on June 24, 2003. On June 26, 2003, Respondent was taped removing diazepam 10mg tablets from the pharmacy stock without authorization. Respondent was also taped on July 10, 2003 removing hydrocodone 7.5/500mg tablets from the pharmacy stock without authorization.

4. On July 11, 2003, Respondent was interviewed by State Bureau of Investigation Agent Judy S. Billings and Charlotte-Mecklenburg Police Detective E.L. Kirchin at the pharmacy. During the interview, Respondent admitted to removing hydrocodone, diazepam, and alprazolam products from the pharmacy without authorization. Respondent also had in her possession 200 dosage units of hydrocodone 7.5/500mg tablets, 100 dosage units of hydrocodone 6.5/500mg tablets, and 200 dosage units of alprazolam 1mg tablets that she had removed that day from the pharmacy stock without authorization.

5. A subsequent audit at the pharmacy revealed shortages of the controlled substances that Respondent admitted to diverting from the pharmacy stock.

CONCLUSION OF LAW

The actions of Respondent in removing controlled substances from the pharmacy's stock without authorization, as described above, constitute violations of G.S. §§90-95(a)(3), 90-106(c), 90-108(a)(14), 21 N.C.A.C. 46 .1805 and .2501, 21 U.S.C. §§353(b) and 829(b), 21 C.F.R. 1306.21(a), and G.S. §§90-85.3(q2) and 90-85.15A(d)(5).

IT IS, THEREFORE, ORDERED that:

1. Respondent's request to reinstate her pharmacy technician registration is denied.
2. Pharmacy technician registration no. 02306, originally issued to Respondent, is hereby revoked.

#196119

This the 27th day of March, 20 06.

NORTH CAROLINA BOARD OF PHARMACY

BY: David R. Work
David R. Work
Executive Director