

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

In Re: Emergency Suspension of the Registration of
 Katrina Marie Fahlberg, R.P.T.
 Registration Number: RPT 49102
 Case Number: 2019-50287

ORDER OF EMERGENCY SUSPENSION OF REGISTRATION

Scott A. Rivkees, M.D., State Surgeon General, ORDERS the emergency suspension of the registration of Katrina Marie Fahlberg, R.P.T., (Ms. Fahlberg) to practice as a registered pharmacy technician in the State of Florida. Ms. Fahlberg holds registration number RPT 49102. Her address of record is 20042 29th Drive, Wellborn, Florida 32094. The following Findings of Fact and Conclusions of Law support the emergency suspension of Ms. Fahlberg's registration to practice as a registered pharmacy technician in the State of Florida.

FINDINGS OF FACT

1. The Department of Health (Department) is the state agency charged with regulating pharmacy technicians pursuant to chapters 20, 456, and 465, Florida Statutes (2019). Section 456.073(8), Florida Statutes (2019), authorizes the State Surgeon General to summarily suspend Ms. Fahlberg's registration to practice as a registered pharmacy technician in the

State of Florida in accordance with section 120.60(6), Florida Statutes (2019).

2. At all times material to this Order, Ms. Fahlberg was a registered pharmacy technician in the State of Florida, pursuant to chapter 465.

3. At all times material to this Order, Ms. Fahlberg was employed by Genoa Healthcare, LLC, a pharmacy located in Lake City, Florida.

4. On or about November 21, 2019, the site manager at Genoa Healthcare filled a prescription for tramadol¹ and noted a discrepancy in the inventory.

5. To determine whether there was a discrepancy, the site manager reviewed ordered records and compared those with the dispensing records and discovered the disparity between ordered amounts and dispensed amounts.

6. The site manager confronted Ms. Fahlberg who admitted to taking the tramadol 50 mg tablets while at work.

7. Ms. Fahlberg admitted to Genoa Healthcare employees that she

¹ Tramadol, commonly known by the brand name Ultram, is an opioid-class narcotic medication prescribed to treat pain. According to section 893.03(4), Florida Statutes (2018-2019), tramadol is a Schedule IV controlled substance that has a low potential for abuse relative to the substances in Schedule III and has a currently accepted medical use in treatment in the United States. Tramadol, like all opioid-class drugs, can affect mental alertness, is subject to abuse, and can be habit forming.

started diverting the tramadol tablets in August of 2018.

8. Ms. Fahlberg admitted that she took the bottles of tramadol off the shelf, poured out five-to-ten tablets, and consumed them.

9. Ms. Fahlberg also admitted that she concealed stolen tablets of tramadol in her bra and bottles in her purse.

10. Ms. Fahlberg concealed her theft by ordering tramadol without a purchase order since the automated system would not re-order due to the low demand of the medication.

11. Ms. Fahlberg estimated that she took approximately 1,200 tramadol tablets while working at Genoa Healthcare.

12. Registered pharmacy technicians assist pharmacists in the counting, weighing, measuring, pouring, and mixing of prescription medication or stock legend drugs and controlled substances, among various other tasks. Because registered pharmacy technicians are entrusted with such important tasks which include the handling, counting, and reporting of the drugs in the pharmacy, it is imperative that a registered pharmacy technician have good judgment and moral character while working in a pharmacy.

13. Ms. Fahlberg's behavior in stealing a controlled substance from

her employer for her own use demonstrates that she lacks the judgment and moral character needed to practice as a registered pharmacy technician.

14. As a result of her employment and training as a registered pharmacy technician, Ms. Fahlberg was aware that prescription medications and controlled substances may only be dispensed to patients who have valid prescriptions and need the medications for a legitimate health reason. Despite this, Ms. Fahlberg illegally diverted a controlled substance for her own use when she knew, or should have known, that she needed a valid prescription for the medication.

15. Ms. Fahlberg's diversion of a controlled substance from her employer shows her lack of good judgment and moral character and her disregard for the laws and rules governing the practice of pharmacy in the State of Florida, and represents a significant likelihood that Ms. Fahlberg will continue her illegal behavior. This probability constitutes an immediate, serious danger to the health, safety, and welfare of the citizens of the State of Florida.

16. Restricting Ms. Fahlberg's registration would not adequately protect the public because the essence of practicing as a registered pharmacy technician puts Ms. Fahlberg in contact with legend drugs and

controlled substances, creating the risk of further theft of the drugs. Additionally, Ms. Fahlberg diverted these medications and used them herself without a lawful prescription. As a result, nothing short of the immediate suspension of Ms. Fahlberg's registration to practice as a pharmacy technician will protect the public from this danger.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the State Surgeon General concludes as follows:

1. The State Surgeon General of the Department of Health has jurisdiction over this matter pursuant to sections 20.43 and 456.073(8), Florida Statutes (2019), and chapter 465, as set forth above.

2. Section 465.016(1)(e), Florida Statutes (2018-2019), subjects registered pharmacy technicians to discipline, including suspension, for violating chapter 893, Florida Statutes (2018-2019).

3. Section 893.13(6)(a), Florida Statutes (2018-2019), states in pertinent part: "A person may not be in actual or constructive possession of a controlled substance unless such controlled substance was lawfully obtained from a practitioner or pursuant to a valid prescription or order of a practitioner while acting in the course of his or her professional practice..."

4. Ms. Fahlberg violated section 465.016(1)(e) through a violation of section 893.13(6)(a) by stealing tramadol from her employer without obtaining it from a practitioner or pursuant to a valid prescription or order of a practitioner.

5. Section 456.072(1)(m), Florida Statutes (2018-2019), subjects registered pharmacy technicians to discipline, including suspension, for making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession.

6. Ms. Fahlberg violated section 456.072(1)(m) by purposely ordering medications for Genoa Healthcare outside their company procedures to not raise suspicion or call attention to her diversion of a controlled substance.

7. Section 120.60(6) authorizes the Department to suspend a registered pharmacy technician's registration upon a finding that the registered pharmacy technician presents an immediate, serious danger to the public health, safety, or welfare.

8. Ms. Fahlberg's continued ability to practice as a registered pharmacy technician constitutes an immediate, serious danger to the health,

safety, or welfare of the public and this summary procedure is fair under the circumstances to adequately protect the public.

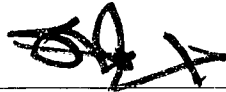
WHEREFORE, in accordance with section 120.60(6), it is **ORDERED**

THAT:

1. The registration of Katrina Marie Fahlberg, R.P.T., registration number RPT 49102, is immediately suspended.

2. A proceeding seeking formal discipline of the registration of Ms. Fahlberg to practice as a pharmacy technician will be promptly instituted and acted upon in compliance with sections 120.569 and 120.60(6).

DONE and ORDERED this 9th day of June, 2019



Scott A. Rivkees, M.D.
State Surgeon General

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NOTICE OF RIGHT TO JUDICIAL REVIEW

Pursuant to Sections 120.60(6) and 120.68, Florida Statutes, this Order is judicially reviewable. Review proceedings are governed by the Florida Rules of Appellate Procedure. Review proceedings are commenced by filing a Petition for Review, in accordance with Florida Rule of Appellate Procedure 9.100, with the District Court of Appeal, accompanied by a filing fee prescribed by law, and a copy of the Petition with the Agency Clerk of the Department within 30 days of the date this Order is filed.