

**STATE OF NEW HAMPSHIRE
OFFICE OF PROFESSIONAL
LICENSURE AND CERTIFICATION**

BOARD OF PHARMACY

**In Re: Nikita S. Holt
Pharm Tech Reg. # PhT-128951**

Docket No.: 2023-PHARM-011

**ORDER OF EMERGENCY
SUSPENSION – 08/21/23**

I. CASE SUMMARY/PROCEDURAL HISTORY:

On or about 08/21/2023, the Office of Professional Licensure and Certification, Division of Enforcement (“OPLC Enforcement”) filed a *Verified Petition for Emergency Temporary Suspension of Licensure Pursuant to RSA 310:12, IV and N.H. Code Admin.R. Title Plc 206.07* pertaining to Nikita S. Holt, Pharmacy Technician (“Licensee”). On 08/21/23, the Board voted to suspend the Licensee’s privilege to practice in New Hampshire on an emergency basis pursuant RSA 310:12, IV and N.H. Code Admin. R., Title Plc 206.07 (“Plc”) (“Rules”). This Order of Emergency Suspension follows.

II. LEGAL STANDARD:

“In cases involving imminent danger to public health, safety, or welfare, a board may order immediate suspension of a license or certification pending an adjudicative proceeding before the board to determine if the suspension should remain in place pending final adjudication of the matter.” RSA 310:12, IV. The Office of Professional Licensure and Certification has further interpreted that to mean that the Board “... shall issue an order that immediately suspends the respondent’s license based on: (1) [a] determination that there is a reasonable basis to believe that public health, safety, or welfare requires emergency action...” Rule 206.07(a)(1).

III. EVIDENCE PRESENTED AND FINDINGS OF FACT:

A. Evidence Presented

The Board was presented with and/or considered the following evidence: the 08/21/23 Verified Petition for Emergency Temporary Suspension of Licensure Pursuant to RSA 310:12, IV and N.H. Code Admin.R. Title Plc 206.07 pertaining to the Licensee (“Verified Petition”), which was filed by Eric M. Goulet, OPLC Investigative Paralegal, OPLC Enforcement. The Board also relied on its expertise in the field it regulates. A review of the evidence presented, and the reasonable inferences taken there from, allows the Board to find the following facts.

B. Findings of Fact

The Board hereby adopts and incorporates by reference into its findings of fact the factual allegations contained in paragraphs 1-46 of the Verified Petition for Emergency Suspension filed by Eric Goulet, OPLC Investigative Paralegal, which is attached hereto.

IV. CONCLUSIONS OF LAW:

The Board concludes there is a reasonable basis to suspend the Licensee’s New Hampshire license on an emergency basis pursuant to RSA 310:12, IV. The central facts are straightforward— multiple witnesses have provided information that the Licensee has been using and under the influence of an illicit substance while working as a registered pharmacy technician, which performs the duties noted in Ph Rule 807.02. The Licensee's conduct on its face therefore warrants immediate emergency suspension of her registration pursuant to RSA 310:12, IV and Rule 206.07, pending a follow-up emergency suspension hearing/disciplinary hearing.

V. ORDER:

Pursuant to RSA 310:12, IV and Rule 206.07(a), the Board hereby orders the immediate emergency suspension of Nikita S. Holt’s registration as a Pharmacy Technician, pending a follow up

emergency hearing in this matter. A Notice of Emergency Hearing with an appropriate date/time shall follow forthwith.

DATED: 8/21/2023

_____/s/ Nikolas Frye_____
Hearings Examiner
Presiding Officer
New Hampshire Office of
Professional Licensure & Certification
7 Eagle Square
Concord, NH 03301