



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Division of Health Professions Licensure
239 Causeway Street, Suite 500, Boston, MA 02114

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

Tel: 617-973-0800
TTY : 617-973-0988
www.mass.gov/dph/boards

MARYLOU SUDDERS
Secretary

MONICA BHAREL, MD, MPH
Commissioner

July 15, 2015

VIA FIRST CLASS AND CERTIFIED MAIL RETURN
RECEIPT REQUESTED NO. 7014 0510 0001 0375 2169

Adriana Bremermann
[REDACTED]

RE: In the Matter of Adriana Bremermann,
PT License No. 2408 & PI License No. 159330
Board of Registration in Pharmacy Docket No. PHA-2013-0093

Dear Ms. Bremermann:

Enclosed is the *Final Decision and Order by Default* ("Final Order") issued by the Board of Registration in Pharmacy (Board) in connection with the above-referenced matter. The effective date of the Board's Order is ten (10) days from the date appearing on page 6 of the *Final Order* ("Date Issued"). Your appeal rights are noted on page 6 of the *Final Order*.

Sincerely,

David Sencabaugh, R. Ph.
Executive Director

Enc.

cc: Beth Oldmixon, Prosecuting Counsel
Jason Barshak, Hearings Counsel

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION IN PHARMACY

In the Matter of)
Adriana Bremermann)
PT Registration No. 2408)
PT Reg. Exp. Date: 6/15/14)
PI Registration No. 159330)
PI Reg. Exp. Date: 4/4/2018)

Docket No. PHA-2013-0093

FINAL DECISION AND ORDER BY DEFAULT

Pursuant to Massachusetts General Laws Chapter 30A, § 10(2), 801 CMR

1.01(7)(g) (2), the failure of Adriana Bremermann ("Respondent"), after due notice, to appear and defend in this matter, the Board of Registration in Pharmacy ("Board") issues this Final Decision and Order by Default.

PROCEDURAL BACKGROUND

On September 25, 2014, the Board issued an Order to Show Cause¹ to Respondent. On November 7, 2014, the Board issued an Amended Order to Show Cause ("AOTSC")² ordering Respondent to show cause why the Board should not suspend, revoke, or otherwise take action against her license to practice as a Pharmacy Technician and as a Pharmacy Intern in the Commonwealth of Massachusetts ("Commonwealth") based on the allegations in the AOTSC.³ In the AOTSC, Respondent was advised: "Notwithstanding the earlier filing of an Answer and/or request for a hearing, your failure

¹ Due to a typographical error in Respondent's name, the Order to Show Cause was subsequently reissued as an Amended Order to Show Cause with Respondent's name corrected.

to respond to notices or correspondence, failure to appear for any scheduled status conference, pre-hearing conference or hearing dates, or failure to otherwise defend this action shall result in the entry of default". In the cover letter of the AOTSC Respondent was further advised:

"If you are defaulted, the Board may enter a Final Decision and Order that assumes the truth of the allegations in this Amended Order to Show Cause, and may revoke, suspend, or take other disciplinary action against your registration to practice as a Pharmacy Technician and Pharmacy Intern in Massachusetts, including any right to renew your license."

By letter dated November 11, 2014, Respondent filed an Answer to the Amended Order to Show Cause.

On February 4, 2015, the Administrative Hearings Counsel ("AHC") sent Respondent and Prosecuting Counsel a letter scheduling a status conference for March 10, 2015. In that letter, the AHC reminded Respondent: "that failure to appear for any scheduled conference or hearing shall result in the entry of default at which time the Board may issue a Final Decision and Order by Default with appropriate sanctions".

At the March 18, 2015⁴ status conference, Respondent and Prosecuting Counsel filed a Protective Order⁵ that was approved and signed by the AHC.

On May 1, 2015, Prosecuting Counsel filed a Motion to Request Status Conference ("motion"). As grounds for the motion, Prosecuting Counsel cited Respondent's failure to respond to Prosecuting Counsel's "repeated requests by telephone and first class mail". The AHC granted Prosecuting Counsel's motion on May 5, 2015

² Sent to Respondent at her Leominster address by First Class and Certified Mail No. 7014 0510 0001 0374 6465 and to Respondent at the Hopkinton address by First Class and Certified Mail No. 7014 0510 0001 0374 6472.

³ The AOTSC alleged that Respondent presented numerous falsified prescriptions to various pharmacies.

⁴ Pursuant to Respondent's request for a continuance, the status conference was rescheduled and held on March 18, 2015.

⁵ ("Ruling") and scheduled a status conference for May 19, 2015. In that Ruling, the AHC again reminded Respondent that if she failed to appear, default would be entered against her at which time the Board would issue a Final Decision and Order by Default with appropriate sanctions. Respondent failed to appear at the May 19, 2015 status conference and failed to request a continuance of that conference. By letter dated May 19, 2015⁶, the AHC notified Respondent that default had been entered against her based on her failure to attend the May 19, 2015 status conference. The AHC also advised Respondent that she could file a motion to remove the default and that said motion "must be filed by May 26, 2015". Respondent was also advised that "any motion filed to remove the default must include demonstrated good cause for Respondent's failure to appear at the status conference". Respondent was also informed that if she failed to file said motion by May 26, 2015 or if she filed such a motion but failed to provide demonstrated good cause for her failure to attend the conference, the entry of default would remain in effect and the Board would issue a Final Decision and Order by Default with appropriate sanctions. Respondent failed to file a motion to remove the default by May 26, 2015. Respondent has to date failed to demonstrate any intention to defend against this matter or cooperate in any effort to resolve the matter.

⁵ In that signed Protective Order, Respondent provided the [REDACTED] as her current address of record.

The Board takes administrative notice of the following exhibits that are a part of the administrative record. The AOTSC is incorporated herein by reference and attached hereto:

EXHIBITS

1. Order to Show Cause, September 25, 2014
2. Amended Order to Show Cause, November 7, 2014
3. Respondent's Answer to Amended Order to Show Cause, dated November 11, 2014
4. Status Conference Letter, February 4, 2015
5. Stipulated Protective Order, March 18, 2015
6. Motion to Request Status Conference, May 1, 2015
7. Ruling on Motion to Request Status Conference, May 5, 2015
8. Entry of Default, May 19, 2015

DISCUSSION

By reason of Respondent's failure to appear and defend as required by the Board and her failure to respond to notices and directives, the Board enters default against Respondent and issues this Final Decision and Order. University Hospital v. MCAD, 396 Mass. 533, 539 (1986) (approving administrative agency's imposition of default where it provided reasonable procedural safeguards for notice of consequences of failure to answer and opportunity to object and where judicial review of entire proceeding was available if sought); Wang v. Board of Registration in Medicine, 405 Mass. 15, 19-20

⁶ Sent to Respondent by First Class and Certified Mail No 7009 1680 0000 6359 7834. The first class mail was not returned and is presumed received. On May 22, 2015, Respondent signed the certified mail receipt that was returned to the AHC by the U.S. Postal Service on May 26, 2015.

(1989) (where professional lacked current license to practice in the Commonwealth, board had jurisdiction based on professional's inchoate right to renew license).

The Board finds that the allegations in the AOTSC and the violations of statutes and regulations stated therein are deemed admitted and established. Productora e Importadora de Papel S. A. de C.V. v. Fleming, 376 Mass. 826, 833-835 (1978)(default establishes truth of allegations; Danca Corp. v. Raytheon Co., 28 Mass. App. Ct. 942, 943 (1990) (upon default, allegations of complaint are accepted as true); Respondent was afforded an opportunity for a full and fair hearing as required by G.L. c. 30A, §§ 10 and 11 (1), G.L. c. 112, § 62, and 801 CMR 1.01 (4) (c). Wherefore, in accordance with the Board's authority and statutory mandate, the Board orders as follows:⁷

ORDER BY DEFAULT

On June 30, 2015, in accordance with the Board's authority and statutory mandate, the Board voted to issue this Final Decision and Order by Default and **REVOKE** Respondent's pharmacy technician license (No. PT2408) and Respondent's Pharmacy Intern license (No. PI159330) effective ten days from the Date Issued, by the following vote:

In favor:	Patrick Gannon; Richard Tinsley; Timothy Fensky; Garrett Cavanaugh; Catherine Basile; Susan Cornacchio; William Cox; Michael Godek; Andrew Stein; Phillippe Bouvier; Karen Conley
Opposed:	None
Abstained:	None
Recused:	None
Absent:	Edmund Taglieri

⁷ In that the evidence in this default proceeding, consisting of the above-referenced exhibits, was before the Board no tentative decision is required. 801 CMR 1.01 (11).

The Board will not review any petition for reinstatement of Respondent's pharmacy technician license prior to June 29, 2020. The Board will not review any petition for reinstatement of Respondent's pharmacy intern license.

EFFECTIVE DATE OF ORDER

The Final Decision and Order by Default shall be effective 10 days from the Date Issued.

RIGHT TO APPEAL

Respondent is hereby notified of the right to appeal this Final Decision and Order to the Supreme Judicial Court, pursuant to M.G.L. c. 112, § 64 and M.G.L. c. 30A, §§ 14 and 15, within thirty (30) days of receipt of notice of this Final Decision and Order by Default.

BOARD OF REGISTRATION
IN PHARMACY



David Sencabaugh, R. Ph.
Executive Director

Date Issued: 7/15/15

Notice to:

BY FIRST CLASS MAIL AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED

7014 0510 0001 0375 2169

Adriana Bremermann

BY HAND

Beth Oldmixon, Esq.
Office of Prosecutions
Department of Public Health
Division of Health Professions Licensure
239 Causeway Street
Boston, MA 02114



DEVAL L. PATRICK
GOVERNOR

JOHN W. POLANOWICZ
SECRETARY

CHERYL BARTLETT, RN
COMMISSIONER

1
The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Division of Health Professions Licensure
Office of General Counsel
239 Causeway Street, Suite 500, Boston, MA 02114

Tel: 617-973-0800
TTY: 617-973-0988
Fax: 617-973-0986
www.mass.gov/dph/boards

September 25, 2014

BY FIRST CLASS AND CERTIFIED
MAIL NO. 7014 0510 0001 0374 6144

Adriana Lourdes Bremermann
[REDACTED]

BY FIRST CLASS AND CERTIFIED
MAIL NO. 7014 0510 0001 0374 6151

Adriana Lourdes Bremermann
[REDACTED]

RE: In the Matter of Adriana Lourdes Bremermann, PT Registration No. 2408; PI
Registration No. 159330
Board of Registration in Pharmacy, Docket No. PHA-2013-0093

Dear Ms. Bremermann:

The Massachusetts Board of Registration in Pharmacy within the Department of Public Health, Division of Health Professions Licensure (Division), has completed its investigation of the above-listed complaint against your registration to practice as a Pharmacy Technician and Pharmacy Intern. For the reasons set forth in the attached Order to Show Cause, the Board is proposing to suspend, revoke or impose other discipline against your registration as a Pharmacy Technician (Registration No. PT8652) and registration as a Pharmacy Intern (Registration No. PI159330).

The Order to Show Cause and any subsequent hearing are governed by Massachusetts General Laws Chapter 30A, the State Administrative Procedure Act, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 et. seq. You must submit an

Answer to the Order to Show Cause and you have a right to request a hearing by filing a written request for a hearing, as specified in the Order to Show Cause.

Your failure to submit an Answer to the Order to Show Cause within twenty-one (21) days of receipt of the Order to Show Cause *shall result in the entry of default* in the above-referenced matter. Your failure to submit a written request for a hearing within twenty-one (21) days of receipt of this Order to Show Cause *shall constitute a waiver of the right to a hearing* on the allegations therein and on any Board disciplinary action. Notwithstanding the earlier filing of an Answer and/or request for a hearing, your failure to respond to notices or correspondence, failure to appear for any scheduled status conference, pre-hearing conference or hearing dates, or failure to otherwise defend this action shall result in the entry of default.

If you are defaulted, the Board may enter a Final Decision and Order that assumes the truth of the allegations in this Order to Show Cause, and may revoke, suspend, or take other disciplinary action against your registration to practice as a Pharmacy Technician and Pharmacy Intern in Massachusetts, including any right to renew your license.


The request for a hearing and your Answer must be filed with Beth A. Oldmixon, Prosecuting Counsel at the following address:

Beth A. Oldmixon
Prosecuting Counsel
Department of Public Health
Office of the General Counsel
239 Causeway Street, Suite 500, 5th Floor
Boston, Massachusetts 02114

If you are represented by an attorney in this matter, all communications should be made through your attorney.

You may contact me at (617) 973-0923 if you have any questions regarding this matter.

Sincerely,


Beth A. Oldmixon
Prosecuting Counsel

Encl: Order to Show Cause
Certificate of Service

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION IN PHARMACY

IN THE MATTER OF
ADRIANNA BREMERMAN
PT REGISTRATION NO. 2408
PT REG. EXP. DATE: 06/15/2014
PI REGISTRATION NO. 159330
PI REG. EXP. DATE: 04/04/2018

DOCKET NO. PHA-2013-0093

ORDER TO SHOW CAUSE

Adrianna Bremermann, you are hereby ordered to appear and show cause why the Massachusetts Board of Registration in Pharmacy (Board) should not suspend, revoke or otherwise take action against your pharmacy technician registration, Registration No. 2408 and your pharmacy intern registration, Registration No. 159330, or your right to renew such registrations, pursuant to Massachusetts General Laws Chapter 112, §§ 42A and 61, and Board regulations 247 CMR 2.00 et seq., based upon the following facts and allegations:

1. On or about December 31, 2002, the Board issued to you a pharmacy technician registration, Registration No. 2408. Your registration expired on June 15, 2014 and has not been renewed.
2. On or about April 4, 2013, the Board issued to you a pharmacy intern registration, Registration No. 159330. Your registration is current and unless renewed will expire on April 4, 2018.
2. During or about October 2012 through on or about April 26, 2013, you were employed by Hopkinton Drug located at 52 Main Street Hopkinton, Massachusetts 01748 (Hopkinton Drug).
3. On or about October 24, 2012, you presented to Hopkinton Drug a prescription (prescription number [REDACTED] written on October 19, 2012 for Adriana Bremermann for sixty (60) tablets of Concerta 36mg (Schedule II Controlled Substance).
4. On or about October 24, 2012, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
5. On or about October 24, 2012, you caused Hopkinton Drug to report to the Prescription Monitoring Program (PMP) Patient Prescription History (PPH) database that prescription number [REDACTED] was filled for "Adriaana Bremermann."
6. On or about November 8, 2012, you presented to Hopkinton Drug a prescription (prescription number [REDACTED] written on October 19, 2012 for Adriana Bremermann

for ninety (90) tablets of Clonazepam 2mg (Schedule IV Controlled Substance) with three (3) refills.

7. On or about November 8, 2012, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
8. On or about November 8, 2012, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for "Adriaana Bremermann."
9. On or about December 11, 2012, you requested and received from Hopkinton Drug a refill of prescription number [REDACTED]
10. On or about December 11, 2012, you caused Hopkinton Drug to report to the PMP/PPH that the refill for prescription number [REDACTED] was filled for "Adri Bremermann."
11. On or about January 9, 2013, you requested and received from Hopkinton Drug a refill of prescription number [REDACTED]
12. On or about January 9, 2013, you caused Hopkinton Drug to report to the PMP/PPH that the refill for prescription number [REDACTED] was filled for "Adriaana Bremermann."
13. On or about February 1, 2013, you requested and received from Hopkinton Drug a refill for prescription number [REDACTED]
14. On or about February 1, 2013, you caused Hopkinton Drug to report to the PMP/PPH that the refill for prescription number [REDACTED] was filled for "[REDACTED]"
15. On or about February 1, 2013, you caused Hopkinton Drug to report to the PMP Pharmacy Dispensing History database (PDH) that the refill for prescription number [REDACTED] was filled for "[REDACTED]"
16. On or about November 15, 2012, you presented to Hopkinton Drug a prescription (prescription number [REDACTED] written on November 15, 2012 for Adriana Bremermann for two hundred forty (240) mls of Codeine Phosphate Promethazine HCL (Schedule V Controlled Substance).
17. On or about November 15, 2012, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
18. On or about November 15, 2012, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for "Adriaana Bremermann."
19. On or about December 10, 2012, you presented to Hopkinton Drug, a prescription (prescription number [REDACTED]) written on December 5, 2012 for Adriana Bremermann for sixty (60) tablets of Concerta 36mg (Schedule II Controlled Substance).
20. On or about December 10, 2012, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for "Adri Bremermann."
21. On or about January 17, 2013, you presented to Hopkinton Drug a prescription (prescription number [REDACTED] written on January 17, 2013 for Adriana Bremermann

for thirty (30) tablets of Fiorinal 325 mg/50mg/40mg (Schedule III Controlled Substance).

22. On or about January 17, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
23. On or about January 17, 2013, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for "Adriaana Bremermann."
24. On or about January 26, 2013, you presented to Hopkinton Drug a prescription (prescription number [REDACTED] written on January 26, 2013 for Adriana Bremermann for sixty (60) tablets of Concerta 36mg (Schedule II Controlled Substance) with no refills.
25. On or about January 26, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
26. On or about January 26, 2013, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for "Adriaana Bremermann."
27. On or about January 26, 2013, you caused Hopkinton Drug to report to the PMP/PDH that prescription number [REDACTED] was filled for "Adriana Bremermann" and [REDACTED].
28. On or about February 15, 2013, you presented to Hopkinton Drug a prescription (prescription number [REDACTED] written on February 15, 2013 for Adriana Bremermann for ten (10) tablets of Fiorcet with Codeine 325mg/50mg/40mg/30mg (Schedule III Controlled Substance) with no refills.
29. On or about February 15, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
30. On or about February 15, 2013, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for "Adriaana Bremermann."
31. On or about February 15, 2013, you caused Hopkinton Drug to report to the PMP/PDH that prescription number [REDACTED] was filled for "Adriana Bremermann" and [REDACTED].
32. On or about February 25, 2013, you presented to Hopkinton Drug a prescription (prescription number [REDACTED] written on January 26, 2013 for Adriana Bremermann for sixty (60) tablets of Concerta 36mg (Schedule II Controlled Substance) with no refills.
33. On or about February 25, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
34. On or about February 25, 2013, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for [REDACTED]."

35. On or about February 25, 2013, you caused Hopkinton Drug to report to the PMP/PDH that prescription number [REDACTED] was filled for [REDACTED]."
36. On or about March 4, 2013, you requested from Hopkinton Drug a refill of a prescription (prescription number [REDACTED] originally written on January 26, 2013 for Adriana Bremermann for ninety (90) tablets of Clonazepam 2mg (Schedule IV Controlled Substance) with three (3) refills.
37. On or about March 4, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
38. On or about March 4, 2013, you caused Hopkinton Drug to report to the PMP/PPH that the refill of prescription number [REDACTED] was filled for "Adriaana Bremermann."
39. On or about April 17, 2013, you requested from Hopkinton Drug a refill for prescription number [REDACTED].
40. On or about April 17, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
41. On or about April 17, 2013, you caused Hopkinton Drug to report to the PMP/PPH that the refill for prescription number [REDACTED] was filled for [REDACTED]."
42. On or about March 18, 2013, you presented to Hopkinton Drug a prescription (prescription number [REDACTED] written on March 12, 2013 for Adriana Bremermann for ten (10) tablets of Vicodin (Schedule III Controlled Substance).
43. On or about March 18, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
44. On or about March 18, 2013, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for "Adriaana Bremermann."
45. On or about April 10, 2013, you presented to Hopkinton Drug a prescription (prescription number [REDACTED] written on April 10, 2013 for Adriana Bremermann for sixteen (16) tablets of Vicodin (Schedule III Controlled Substance) with no refills.
46. On or about April 10, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
47. On or about April 10, 2013, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for "Adriaana Bremermann."
48. On or about April 10, 2013, you caused Hopkinton Drug to report to the PMP/PDH that prescription number [REDACTED] was filled for [REDACTED]."
49. On or about April 16, 2013, you presented to Hopkinton Drug a prescription (prescription number [REDACTED] written on April 12, 2013 for Adriana Bremermann for sixty (60) tablets of Concerta 36 mg (Schedule II Controlled Substance) with no refills.

50. On or about April 16, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
51. On or about April 16, 2013, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for [REDACTED]
52. On or about April 18, 2013, you presented to Hopkinton Drug, a prescription (prescription number [REDACTED] written on April 18, 2013 for Adriana Bremermann for fourteen (14) tablets of Percocet 5mg (Schedule II Controlled Substance) with no refills.
53. On or about April 18, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
54. On or about April 18, 2013, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for "[REDACTED]"
55. On or about April 19, 2013, you presented to Hopkinton Drug a prescription (prescription number [REDACTED] written on April 19, 2013 for Adriana Bremermann for ten (10) tablets of Fiorcet with Codeiene 325mg/50mg/40mg/30mg (Schedule IV Controlled Substance) with no refills.
56. On or about April 19, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
57. On or about April 19, 2013, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for "[REDACTED]"
58. On or about October 25, 2013, as a result of your conduct described in paragraphs three (3) through fifty-two (52) you were charged in Framingham District Court [REDACTED] with twenty-eight (28) counts of Uttering a False Prescription for a Controlled Substance and twenty-eight (28) counts of Obtaining Possession of a Controlled Substance by Forgery, Fraud, Deception or Subterfuge.
59. On or about September 9, 2013, in Framingham District Court [REDACTED] you were charged with one count of Operating Under the Influence of Liquor and one count of Child Endangerment While Operating Under the Influence.

GROUND FOR DISCIPLINE

- A. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as a pharmacy technician and your registration to practice as a pharmacy intern pursuant to G.L. c. 112, §§ 24D and 42A.
- B. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as a pharmacy technician and your registration to practice as a pharmacy intern as pursuant to G.L. c. 112, § 61, for deceit, malpractice, gross misconduct in the practice of the profession, or any offense against the laws of the Commonwealth relating thereto.

- C. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as a pharmacy technician and your registration to practice as a pharmacy intern pursuant to G.L. c. 94C, § 34, for conduct in violation of the Massachusetts Controlled Substances Act.
- D. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as a pharmacy technician and your registration to practice as a pharmacy intern pursuant to Board regulation 247 CMR 10.03(l) for engaging in conduct that has the capacity or potential to deceive or defraud.
- E. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as a pharmacy technician and your registration to practice as a pharmacy intern pursuant to Board regulation 247 CMR 10.03(r) for engaging in conduct that demonstrates a lack of good moral character.
- F. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as a pharmacy technician and your registration to practice as a pharmacy intern pursuant to Board regulation 247 CMR 10.03(u) for engaging in conduct which undermines public confidence in the integrity of the profession.
- G. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as a pharmacy technician and your registration to practice as a pharmacy intern pursuant to Board regulation 247 CMR 10.03(w) for failing to comply with recognized ethical standards of the profession, including, but not limited to, the standards of practice of pharmacists, pharmacy interns, pharmacies and pharmacy departments set forth in 247 CMR 9.01: *Code of Conduct for Registered Pharmacists, Pharmacies and Pharmacy Departments*.
- H. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as a pharmacy technician and your registration to practice as a pharmacy intern pursuant to Board regulation 247 CMR 10.03(aa) for failing to report to the Board, in writing, within 30 days, any pending criminal charge or conviction, as defined in 247 CMR 10.02, of a registrant or licensee, in Massachusetts or any other jurisdiction.
- I. Your conduct as alleged also constitutes unprofessional conduct and conduct which undermines public confidence in the integrity of the profession. *Sugarman v. Board of Registration in Medicine*, 422 Mass. 338, 342 (1996); see also *Kvitka v. Board of Registration in Medicine*, 407 Mass. 140, cert. denied, 498 U.S. 823 (1990); *Raymond v. Board of Registration in Medicine*, 387 Mass. 708, 713 (1982).

* * * * *

You have a right to an adjudicatory hearing ("hearing") on the allegations contained in the Order to Show Cause before the Board determines whether to suspend, revoke, or impose other discipline against your registration. G.L. c. 112, § 61. Your right to a hearing may be claimed by submitting a written request for a hearing *within twenty-one (21) days of receipt of this Order to Show Cause*. You must also submit an Answer to this Order to Show Cause in accordance with 801 CMR 1.01(6)(d) *within twenty-one (21) days of receipt of this Order to Show Cause*. The Board will give you prior written notice of the time and place of the hearing following receipt of a written request for a hearing.

Hearings shall be conducted in accordance with the State Administrative Procedure Act, G.L. c. 30A, §§ 10 and 11, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1:01 and 1.03, under which you are granted certain rights including, but not limited to, the rights: to a hearing, to secure legal counsel or another representative to represent your interests, to call and examine witnesses, to cross-examine witnesses who testify against you, to testify on your own behalf, to introduce evidence, and to make arguments in support of your position.

The Board will make an audio recording of any hearing conducted in the captioned matter. In the event that you wish to appeal a final decision of the Board, it is incumbent on you to supply a reviewing court with a "proper record" of the proceeding, which may include a written transcript. *New Bedford Gas and Light Co. v. Board of Assessors of Dartmouth*, 368 Mass. 745, 749-750 (1975). Upon request, the Board will make available a copy of the audio recording of the proceeding at your own expense. Pursuant to 801 CMR 1.01 (10) (i)(1), upon motion, you "may be allowed to provide a public stenographer to transcribe the proceedings at [your] own expense upon terms ordered by the Presiding Officer." Those terms may include a requirement that any copy of the transcript produced must be sent promptly upon completion and on an ongoing basis directly to the Presiding Officer by the stenographer or transcription service. The transcript will be made available to the Prosecutor representing the Board. Please note that the administrative record of the proceedings, including but not limited to, the written transcript of the hearing is a public record and subject to the provisions of G.L. c. 4, § 7 and G.L. c. 66, § 10.

Your failure to submit an Answer to the Order to Show Cause within 21 days of receipt of the Order to Show Cause *shall result in the entry of default* in the captioned matter. Your failure to submit a written request for a hearing within 21 days of receipt of this Order to Show Cause *shall constitute a waiver of the right to a hearing* on the allegations herein and on any Board disciplinary action.

Notwithstanding the earlier filing of an Answer and/or request for a hearing, your failure to respond to notices or correspondence, failure to appear for any scheduled status conference, pre-hearing conference or hearing dates, or failure to otherwise defend this action shall result in the entry of default.

If you are defaulted, the Board may enter a Final Decision and Order that assumes the truth of the allegations in this Order to Show Cause, and may revoke, suspend, or take other disciplinary action against your registration to practice as a pharmacy technician and pharmacy intern in the Commonwealth of Massachusetts, including any right to renew your registrations.

Your Answer to the Order to Show Cause and your written request for a hearing must be filed with Beth A. Oldmixon at the following address:

Beth A. Oldmixon
Prosecuting Counsel
Department of Public Health
Office of the General Counsel
239 Causeway Street, Suite 500, 5th Floor
Boston, MA 02114

You or your representative may examine Board records relative to this case prior to the date of the hearing during regular business hours at the office of the Prosecuting Counsel. If you

elect to undertake such an examination, then please contact Prosecuting Counsel in advance at (617) 973-0923 to schedule a time that is mutually convenient.

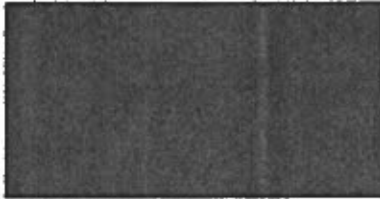
BOARD OF REGISTRATION
IN PHARMACY,
Karen Ryle, R.Ph., President

By: Beth A. Oldmixon
Beth A. Oldmixon
Prosecuting Counsel
Department of Public Health

Date: September 25, 2014

CERTIFICATE OF SERVICE

I, Beth A. Oldmixon, hereby certify that a copy of the foregoing Cover Letter, Order to Show Cause and Certificate of Service was served upon the Respondent, Adriana Lourdes Bremermann, at the following address:



by Certified Mail No. 7014 0510 0001 0374 6144 and by first class mail on this 25th day of September, 2014

and the following address:



by Certified Mail No. 7014 0510 0001 0374 6151 and by first class mail on this 25th day of September, 2014.

Beth A. Oldmixon

Beth A. Oldmixon
Prosecuting Counsel

7014 0510 0001 0374 6144

7014 0510 0001 0374 6151



DEVAL L. PATRICK
GOVERNOR

JOHN W. POLANOWICZ
SECRETARY

CHERYL BARTLETT, RN
COMMISSIONER

2

The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Division of Health Professions Licensure
Office of General Counsel
239 Causeway Street, Suite 500, Boston, MA 02114

Tel: 617-973-0800
TTY: 617-973-0988
Fax: 617-973-0988
www.mass.gov/dph/boards

November 7, 2014

BY FIRST CLASS AND CERTIFIED
MAIL NO. 7014 0510 0001 0374 6472

Adriana Lourdes Bremermann



BY FIRST CLASS AND CERTIFIED
MAIL NO. 7014 0510 0001 0374 6465

Adriana Lourdes Bremermann



RE: In the Matter of Adriana Lourdes Bremermann, PT Registration No. 2408; PI
Registration No. 159330
Board of Registration in Pharmacy, Docket No. PHA-2013-0093

Dear Ms. Bremermann:

The Massachusetts Board of Registration in Pharmacy within the Department of Public Health, Division of Health Professions Licensure (Division), has completed its investigation of the above-listed complaint against your registration to practice as a Pharmacy Technician and Pharmacy Intern. For the reasons set forth in the attached Amended Order to Show Cause, the Board is proposing to suspend, revoke or impose other discipline against your registration as a Pharmacy Technician (Registration No. PT8652) and registration as a Pharmacy Intern (Registration No. PI159330).

The Amended Order to Show Cause and any subsequent hearing are governed by Massachusetts General Laws Chapter 30A, the State Administrative Procedure Act, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 et. seq. You must submit an Answer to the Amended Order to Show Cause and you have a right to request a hearing by filing a written request for a hearing, as specified in the Amended Order to Show Cause.

Your failure to submit an Answer to the Amended Order to Show Cause within twenty-one (21) days of receipt of the Amended Order to Show Cause *shall result in the entry of default* in the above-referenced matter. Your failure to submit a written request for a hearing within twenty-one (21) days of receipt of this Amended Order to Show Cause *shall constitute a waiver of the right to a hearing* on the allegations therein and on any Board disciplinary action. Notwithstanding the earlier filing of an Answer and/or request for a hearing, your failure to respond to notices or correspondence, failure to appear for any scheduled status conference, pre-hearing conference or hearing dates, or failure to otherwise defend this action shall result in the entry of default.

If you are defaulted, the Board may enter a Final Decision and Order that assumes the truth of the allegations in this Amended Order to Show Cause, and may revoke, suspend, or take other disciplinary action against your registration to practice as a Pharmacy Technician and Pharmacy Intern in Massachusetts, including any right to renew your license.

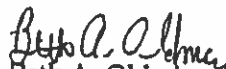
The request for a hearing and your Answer must be filed with Beth A. Oldmixon, Prosecuting Counsel at the following address:

Beth A. Oldmixon
Prosecuting Counsel
Department of Public Health
Office of the General Counsel
239 Causeway Street, Suite 500, 5th Floor
Boston, Massachusetts 02114

If you are represented by an attorney in this matter, all communications should be made through your attorney.

You may contact me at (617) 973-0923 if you have any questions regarding this matter.

Sincerely,


Beth A. Oldmixon
Prosecuting Counsel

Encl: Amended Order to Show Cause
Certificate of Service

This is an important notice. Please have it translated.

Este é um aviso importante. Queira mandá-lo traduzir.

Este es un aviso importante. Sirvase mandarlo traducir.

ĐÂY LÀ MỘT BẢN THÔNG CÁO QUAN TRỌNG
XIN VUI LÒNG CHO DỊCH LẠI THÔNG CÁO ẤY

Ceci est important. Veuillez faire traduire.

本通知很重要。请将之译成中文。

នេះគឺជាជំនាញសំខាន់ សូមមេត្តាបកប្រែជូនផង

ΠΡΟΣΟΧΗ, ΑΥΤΟ ΕΙΝΑΙ ΣΗΜΑΝΤΙΚΟ. ΠΑΡΑΚΑΛΩ ΜΕΤΑΦΡΑΣΤΕ
Questo è un 'avviso importante. Si pregadi farlo tradurre.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION IN PHARMACY

IN THE MATTER OF
ADRIANA BREMERMAN
PT REGISTRATION NO. 2408
PT REG. EXP. DATE: 06/15/2014
PI REGISTRATION NO. 159330
PI REG. EXP. DATE: 04/04/2018

DOCKET NO. PHA-2013-0093

AMENDED ORDER TO SHOW CAUSE

Adriana Bremermann, you are hereby ordered to appear and show cause why the Massachusetts Board of Registration in Pharmacy (Board) should not suspend, revoke or otherwise take action against your pharmacy technician registration, Registration No. 2408 and your pharmacy intern registration, Registration No. 159330, or your right to renew such registrations, pursuant to Massachusetts General Laws Chapter 112, §§ 24D, 42A and 61, and Board regulations 247 CMR 2.00 *et seq.*, based upon the following facts and allegations:

1. On or about December 31, 2002, the Board issued to you a pharmacy technician registration, Registration No. 2408. Your registration expired on June 15, 2014 and has not been renewed.
2. On or about April 4, 2013, the Board issued to you a pharmacy intern registration, Registration No. 159330. Your registration is current and unless renewed will expire on April 4, 2018.
2. During or about October 2012 through on or about April 26, 2013, you were employed by Hopkinton Drug located at 52 Main Street Hopkinton, Massachusetts 01748 (Hopkinton Drug).
3. On or about October 24, 2012, you presented to Hopkinton Drug a prescription (prescription number [REDACTED] written on October 19, 2012 for Adriana Bremermann for sixty (60) tablets of Concerta 36mg (Schedule II Controlled Substance).
4. On or about October 24, 2012, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
5. On or about October 24, 2012, you caused Hopkinton Drug to report to the Prescription Monitoring Program (PMP) Patient Prescription History (PPH) database that prescription number [REDACTED] was filled for "Adriaana Bremermann."
6. On or about November 8, 2012, you presented to Hopkinton Drug a prescription (prescription number [REDACTED] written on October 19, 2012 for Adriana Bremermann

for ninety (90) tablets of Clonazepam 2mg (Schedule IV Controlled Substance) with three (3) refills.

7. On or about November 8, 2012, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
8. On or about November 8, 2012, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for "Adriaana Bremermann."
9. On or about December 11, 2012, you requested and received from Hopkinton Drug a refill of prescription number [REDACTED]
10. On or about December 11, 2012, you caused Hopkinton Drug to report to the PMP/PPH that the refill for prescription number [REDACTED] was filled for "Adri Bremermann."
11. On or about January 9, 2013, you requested and received from Hopkinton Drug a refill of prescription number [REDACTED]
12. On or about January 9, 2013, you caused Hopkinton Drug to report to the PMP/PPH that the refill for prescription number [REDACTED] was filled for "Adriaana Bremermann."
13. On or about February 1, 2013, you requested and received from Hopkinton Drug a refill for prescription number [REDACTED]
14. On or about February 1, 2013, you caused Hopkinton Drug to report to the PMP/PPH that the refill for prescription number [REDACTED] was filled for [REDACTED]
15. On or about February 1, 2013, you caused Hopkinton Drug to report to the PMP Pharmacy Dispensing History database (PDH) that the refill for prescription number [REDACTED] was filled for [REDACTED]"
16. On or about November 15, 2012, you presented to Hopkinton Drug a prescription (prescription number [REDACTED] written on November 15, 2012 for Adriana Bremermann for two hundred forty (240) mls of Codeine Phosphate Promethazine HCL (Schedule V Controlled Substance).
17. On or about November 15, 2012, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
18. On or about November 15, 2012, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for "Adriaana Bremermann."
19. On or about December 10, 2012, you presented to Hopkinton Drug, a prescription (prescription number [REDACTED] written on December 5, 2012 for Adriana Bremermann for sixty (60) tablets of Concerta 36mg (Schedule II Controlled Substance).
20. On or about December 10, 2012, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for "Adri Bremermann."
21. On or about January 17, 2013, you presented to Hopkinton Drug a prescription (prescription number [REDACTED] written on January 17, 2013 for Adriana Bremermann

for thirty (30) tablets of Fiorinal 325 mg/50mg/40mg (Schedule III Controlled Substance).

22. On or about January 17, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
23. On or about January 17, 2013, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for "Adriaana Bremermann."
24. On or about January 26, 2013, you presented to Hopkinton Drug a prescription (prescription number [REDACTED]) written on January 26, 2013 for Adriana Bremermann for sixty (60) tablets of Concerta 36mg (Schedule II Controlled Substance) with no refills.
25. On or about January 26, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
26. On or about January 26, 2013, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for "Adriaana Bremermann."
27. On or about January 26, 2013, you caused Hopkinton Drug to report to the PMP/PDH that prescription number [REDACTED] was filled for "Adriaana Bremermann" and [REDACTED].
28. On or about February 15, 2013, you presented to Hopkinton Drug a prescription (prescription number [REDACTED]) written on February 15, 2013 for Adriana Bremermann for ten (10) tablets of Fiorcet with Codeine 325mg/50mg/40mg/30mg (Schedule III Controlled Substance) with no refills.
29. On or about February 15, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
30. On or about February 15, 2013, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for "Adriaana Bremermann."
31. On or about February 15, 2013, you caused Hopkinton Drug to report to the PMP/PDH that prescription number [REDACTED] was filled for "Adriaana Bremermann" and [REDACTED].
32. On or about February 25, 2013, you presented to Hopkinton Drug a prescription (prescription number [REDACTED]) written on January 26, 2013 for Adriana Bremermann for sixty (60) tablets of Concerta 36mg (Schedule II Controlled Substance) with no refills.
33. On or about February 25, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
34. On or about February 25, 2013, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for [REDACTED].

35. On or about February 25, 2013, you caused Hopkinton Drug to report to the PMP/PDH that prescription number [REDACTED] was filled for [REDACTED]."
36. On or about March 4, 2013, you requested from Hopkinton Drug a refill of a prescription (prescription number [REDACTED]) originally written on January 26, 2013 for Adriana Bremermann for ninety (90) tablets of Clonazepam 2mg (Schedule IV Controlled Substance) with three (3) refills.
37. On or about March 4, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
38. On or about March 4, 2013, you caused Hopkinton Drug to report to the PMP/PPH that the refill of prescription number [REDACTED] was filled for "Adriaana Bremermann."
39. On or about April 17, 2013, you requested from Hopkinton Drug a refill for prescription number [REDACTED].
40. On or about April 17, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
41. On or about April 17, 2013, you caused Hopkinton Drug to report to the PMP/PPH that the refill for prescription number [REDACTED] was filled for "[REDACTED]".
42. On or about March 18, 2013, you presented to Hopkinton Drug a prescription (prescription number [REDACTED]) written on March 12, 2013 for Adriana Bremermann for ten (10) tablets of Vicodin (Schedule III Controlled Substance).
43. On or about March 18, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
44. On or about March 18, 2013, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for "Adriaana Bremermann."
45. On or about April 10, 2013, you presented to Hopkinton Drug a prescription (prescription number [REDACTED]) written on April 10, 2013 for Adriana Bremermann for sixteen (16) tablets of Vicodin (Schedule III Controlled Substance) with no refills.
46. On or about April 10, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
47. On or about April 10, 2013, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for "Adriaana Bremermann."
48. On or about April 10, 2013, you caused Hopkinton Drug to report to the PMP/PDH that prescription number [REDACTED] was filled for [REDACTED].
49. On or about April 16, 2013, you presented to Hopkinton Drug a prescription (prescription number [REDACTED]) written on April 12, 2013 for Adriana Bremermann for sixty (60) tablets of Concerta 36 mg (Schedule II Controlled Substance) with no refills.

50. On or about April 16, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
51. On or about April 16, 2013, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for [REDACTED]
52. On or about April 18, 2013, you presented to Hopkinton Drug, a prescription (prescription number [REDACTED] written on April 18, 2013 for Adriana Bremermann for fourteen (14) tablets of Percocet 5mg (Schedule II Controlled Substance) with no refills.
53. On or about April 18, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
54. On or about April 18, 2013, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for [REDACTED]
55. On or about April 19, 2013, you presented to Hopkinton Drug a prescription (prescription number [REDACTED] written on April 19, 2013 for Adriana Bremermann for ten (10) tablets of Fiorcet with Codeiene 325mg/50mg/40mg/30mg (Schedule IV Controlled Substance) with no refills.
56. On or about April 19, 2013, you caused Hopkinton Drug to fill prescription number [REDACTED] for "Adriaana Bremermann."
57. On or about April 19, 2013, you caused Hopkinton Drug to report to the PMP/PPH that prescription number [REDACTED] was filled for [REDACTED]
58. On or about October 25, 2013, as a result of your conduct described in paragraphs three (3) through fifty-two (52) you were charged in Framingham District Court [REDACTED] with twenty-eight (28) counts of Uttering a False Prescription for a Controlled Substance and twenty-eight (28) counts of Obtaining Possession of a Controlled Substance by Forgery, Fraud, Deception or Subterfuge.
59. On or about September 9, 2013, in Framingham District Court [REDACTED] you were charged with one count of Operating Under the Influence of Liquor and one count of Child Endangerment While Operating Under the Influence.

GROUND FOR DISCIPLINE

- A. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as a pharmacy technician and your registration to practice as a pharmacy intern pursuant to G.L. c. 112, §§ 24D and 42A.
- B. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as a pharmacy technician and your registration to practice as a pharmacy intern as pursuant to G.L. c. 112, § 61, for deceit, malpractice, gross misconduct in the practice of the profession, or any offense against the laws of the Commonwealth relating thereto.

- C. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as a pharmacy technician and your registration to practice as a pharmacy intern as pursuant to G.L. c. 94C, § 34, for conduct in violation of the Massachusetts Controlled Substances Act.
- D. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as a pharmacy technician and your registration to practice as a pharmacy intern pursuant to Board regulation 247 CMR 10.03(l) for engaging in conduct that has the capacity or potential to deceive or defraud.
- E. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as a pharmacy technician and your registration to practice as a pharmacy intern pursuant to Board regulation 247 CMR 10.03(r) for engaging in conduct that demonstrates a lack of good moral character.
- F. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as a pharmacy technician and your registration to practice as a pharmacy intern pursuant to Board regulation 247 CMR 10.03(u) for engaging in conduct which undermines public confidence in the integrity of the profession.
- G. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as a pharmacy technician and your registration to practice as a pharmacy intern pursuant to Board regulation 247 CMR 10.03(w) for failing to comply with recognized ethical standards of the profession, including, but not limited to, the standards of practice of pharmacists, pharmacy interns, pharmacies and pharmacy departments set forth in 247 CMR 9.01: *Code of Conduct for Registered Pharmacists, Pharmacies and Pharmacy Departments*.
- H. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as a pharmacy technician and your registration to practice as a pharmacy intern pursuant to Board regulation 247 CMR 10.03(aa) for failing to report to the Board, in writing, within 30 days, any pending criminal charge or conviction, as defined in 247 CMR 10.02, of a registrant or licensee, in Massachusetts or any other jurisdiction..
- I. Your conduct as alleged also constitutes unprofessional conduct and conduct which undermines public confidence in the integrity of the profession. *Sugarman v. Board of Registration in Medicine*, 422 Mass. 338, 342 (1996); see also *Kvitka v. Board of Registration in Medicine*, 407 Mass. 140, cert. denied, 498 U.S. 823 (1990); *Raymond v. Board of Registration in Medicine*, 387 Mass. 708, 713 (1982).

* * * * *

You have a right to an adjudicatory hearing (hearing) on the allegations contained in the Order to Show Cause before the Board determines whether to suspend, revoke, or impose other discipline against your registration. G.L. c. 112, § 61. Your right to a hearing may be claimed by submitting a written request for a hearing *within twenty-one (21) days of receipt of this Order to Show Cause*. You must also submit an Answer to this Order to Show Cause in accordance with 801 CMR 1.01(6)(d) *within twenty-one (21) days of receipt of this Order to Show Cause*. The Board will give you prior written notice of the time and place of the hearing following receipt of a written request for a hearing.

Hearings shall be conducted in accordance with the State Administrative Procedure Act, G.L. c. 30A, §§ 10 and 11, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 and 1.03, under which you are granted certain rights including, but not limited to, the rights: to a hearing, to secure legal counsel or another representative to represent your interests, to call and examine witnesses, to cross-examine witnesses who testify against you, to testify on your own behalf, to introduce evidence, and to make arguments in support of your position.

The Board will make an audio recording of any hearing conducted in the captioned matter. In the event that you wish to appeal a final decision of the Board, it is incumbent on you to supply a reviewing court with a "proper record" of the proceeding, which may include a written transcript. *New Bedford Gas and Light Co. v. Board of Assessors of Dartmouth*, 368 Mass. 745, 749-750 (1975). Upon request, the Board will make available a copy of the audio recording of the proceeding at your own expense. Pursuant to 801 CMR 1.01 (10) (i)(1), upon motion, you "may be allowed to provide a public stenographer to transcribe the proceedings at [your] own expense upon terms ordered by the Presiding Officer." Those terms may include a requirement that any copy of the transcript produced must be sent promptly upon completion and on an ongoing basis directly to the Presiding Officer by the stenographer or transcription service. The transcript will be made available to the Prosecutor representing the Board. Please note that the administrative record of the proceedings, including but not limited to, the written transcript of the hearing is a public record and subject to the provisions of G.L. c. 4, § 7 and G.L. c. 66, § 10.

Your failure to submit an Answer to the Order to Show Cause within 21 days of receipt of the Order to Show Cause *shall result in the entry of default* in the captioned matter. Your failure to submit a written request for a hearing within 21 days of receipt of this Order to Show Cause *shall constitute a waiver of the right to a hearing* on the allegations herein and on any Board disciplinary action.

Notwithstanding the earlier filing of an Answer and/or request for a hearing, your failure to respond to notices or correspondence, failure to appear for any scheduled status conference, pre-hearing conference or hearing dates, or failure to otherwise defend this action shall result in the entry of default.

If you are defaulted, the Board may enter a Final Decision and Order that assumes the truth of the allegations in this Order to Show Cause, and may revoke, suspend, or take other disciplinary action against your registration to practice as a pharmacy technician and pharmacy intern in the Commonwealth of Massachusetts, including any right to renew your registrations.

Your Answer to the Order to Show Cause and your written request for a hearing must be filed with Beth A. Oldmixon at the following address:

Beth A. Oldmixon
Prosecuting Counsel
Department of Public Health
Office of the General Counsel
239 Causeway Street, Suite 500, 5th Floor
Boston, MA 02114

You or your representative may examine Board records relative to this case prior to the date of the hearing during regular business hours at the office of the Prosecuting Counsel. If you

elect to undertake such an examination, then please contact Prosecuting Counsel in advance at (617) 973-0923 to schedule a time that is mutually convenient.

BOARD OF REGISTRATION
IN PHARMACY,
Karen Ryle, R.Ph., President

By:

Beth A. Oldmixon

Beth A. Oldmixon
Prosecuting Counsel
Department of Public Health

Date: November 7, 2014

CERTIFICATE OF SERVICE

I, Beth A. Oldmixon, hereby certify that a copy of the foregoing Cover Letter, Amended Order to Show Cause and Certificate of Service were served upon the Respondent, Adriana Lourdes Bremermann, at the following address:



by Certified Mail No. 7014 0510 0001 0374 6472 and by first class mail on this 7th day of November, 2014

and the following address:



by Certified Mail No. 7014 0510 0001 0374 6465 and by first class mail on this 7th day of November, 2014.

A handwritten signature in cursive script, reading "Beth A. Oldmixon", written over a horizontal line.

Beth A. Oldmixon
Prosecuting Counsel

Nov. 11th, 2014

Dear Ms. Oldmixon,

I, Adriana Bremermann, am hereby providing an answer/response that the facts and allegations in the Amended Order To Show Cause are to be false and untrue.

I, Adriana Bremermann, am requesting an adjudicatory hearing (hearing) on the allegations contained in the Order to Show Cause before the board. If granted a hearing I will be able to have the opportunity to present facts, witnesses, testimonies, etc., to the Board of Registration in Pharmacy (Board) and have the opportunity to justify, defend and provide necessary information as to why my pharmacy technician license, Registration No. 2408 and pharmacy intern license, Registration No. 159330, should not be revoked, suspended and have the ability to renew such registrations.

Thank you for your time,
Sincerely,



Adriana Bremermann



4

The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street, Boston, MA 02108-4619

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

MARYLOU SUDDERS
Secretary

MONICA BHAREL, MD, MPH
Commissioner

Tel: 617-624-6000
www.mass.gov/dph

February 4, 2015

Adriana Bremermann by First Class and Certified Mail No. 7009 1680 0000 6359 7773

Adriana Bremermann by First Class and Certified Mail No. 7009 1680 0000 6359 7797

Beth A. Oldmixon, Esq.
Prosecuting Counsel
Division of Health Professions Licensure
239 Causeway Street
Boston, MA 02114

RE: In the Matter of Adriana L. Bremermann, PT, Docket No. PHA-2013-0093

Dear Ms. Bremermann and Ms. Oldmixon:

I have been assigned the above-referenced matter for purposes of pre-hearing and hearing proceedings. A status conference is now scheduled for 10:00 a.m., Tuesday, March 10, 2015 in Room 419 of the Division of Professional Licensure, 239 Causeway Street, Boston, MA 02114 to review the status of this case. At this conference we will discuss the potential for settlement, narrow the issues for hearing, discuss possible fact stipulations, deadlines for evaluations and the submission of hearing materials, hearing procedures and agree to hearing dates in May or June 2015. Visitors should report to the conference/hearing rooms waiting area on the 4th floor. Respondent and Prosecuting Counsel should commence settlement discussions. Pursuant to voluntary discovery, Respondent is advised that she is entitled to materials in Prosecuting Counsel's file that may assist in her defense in this matter. Parties should complete voluntary discovery by

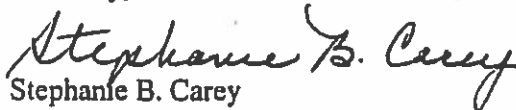
February 20, 2015. Respondent is directed to provide one current address to the Administrative Hearings Counsel and Prosecuting Counsel by **February 13, 2015.**

All correspondence and pleadings should be forwarded to me at the following address:

Stephanie B. Carey
Administrative Hearings Counsel
Division of Health Professions Licensure
239 Causeway Street
Legal Unit, Room 515
Boston, MA 02114
PH: (617) 973 0811
Fax: (617) 973-0980

A copy of all correspondence and pleadings should also be sent to Prosecuting Counsel. Parties are advised that pleadings may **not** be filed by way of electronic mail. Respondent is reminded that failure to appear for any scheduled conference or hearing dates shall result in the entry of default at which time the Board may issue a Final Decision and Order by Default with appropriate sanctions.

Sincerely,


Stephanie B. Carey
Administrative Hearings Counsel

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION IN
NURSING

IN THE MATTER OF
ADRIANA LOURDES BREMERMAN
PT REGISTRATION NO. 2408
LIC. EXP. DATE: 06/15/2014
PI REGISTRATION NO. 159330
LIC. EXP. DATE: 04/04/2018

DOCKET NO. PHA-2013-0093

**STIPULATED PROTECTIVE ORDER GOVERNING THE DISCLOSURE AND
USE OF CONFIDENTIAL DOCUMENTS AND OTHER INFORMATION**

The above-referenced matter is now in the voluntary discovery phase, and such discovery requires the production and disclosure of confidential information, including data of persons not a party to this matter. Confidential information may include medical, personnel, proprietary and other personal data. Personal data is any information concerning an individual, which because of name, identifying number, mark or description can be readily associated with a particular individual. The parties seek to ensure that such confidential information is used only for the purposes of these proceedings and not otherwise disseminated.

In order to facilitate voluntary discovery, the parties stipulate and agree that the following procedures shall govern the production and use of all documents and other information produced in connection with voluntary discovery in these proceedings.

1. Confidential documents shall be used for the purposes of adjudication of the above-captioned matter only, and not for any other purpose or case, and shall be returned to the covered entity or destroyed at the end of the adjudication.
2. Confidential documents may be disclosed by the parties or their counsel only to: (a) the Board of Registration in Nursing; (b) the Department of Public Health, Division of

- Health Professions Licensure; (c) actual or potential witnesses whose participation is necessary to the prosecution or defense of the case; (d) experts whose participation is necessary to the prosecution or defense of the case. Disclosures pursuant to subsections (c) and (d) shall only be made provided that such person agrees to be bound by the terms of this Stipulated Protective Order and executes the attached Certificate of Compliance before receiving the confidential documents.

THE TERMS OF THIS STIPULATED PROTECTIVE ORDER ARE AGREED TO BY:

DEPARTMENT OF PUBLIC HEALTH,
By its attorney:

Beth A. Oldmixon
Beth A. Oldmixon
Prosecuting Counsel
Department of Public Health
Office of the General Counsel
239 Causeway Street, 5th Floor
Boston, MA 02114
(617) 973 - 0923

ADRIANA LOURDES BREMERMAN,
By self:

Adriana L. Bremerman
Adriana Lourdes Bremerman



APPROVED:

Stephanie Carey, Admin. Hrgs. Counsel
Stephanie Carey
Administrative Hearings Counsel

March 18, 2015

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COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION IN PHARMACY

IN THE MATTER OF
ADRIANA BREMERMAN
PT REGISTRATION NO. 2408
PT REG. EXP. DATE: 06/15/2014
PI REGISTRATION NO. 159330
PI REG. EXP. DATE: 04/04/2018

DOCKET NO. PHA-2013-0093

MOTION TO REQUEST STATUS CONFERENCE

Prosecuting counsel requests the assignment of a status conference in this matter. As grounds therefor, Prosecuting Counsel states that Respondent has not contacted Prosecution despite repeated requests by telephone and first class mail. This matter has been scheduled for pre-hearing on September 1, 2015 and hearing on September 14-17, 2015. Prosecuting Counsel requests a status conference in preparation for the hearing.

Respectfully submitted,
Department of Public Health,



Beth A. Oldmixon
Prosecuting Counsel
Massachusetts Department of Public Health
Office of the General Counsel
239 Causeway Street, Fifth Floor
Boston, MA 02114
(617) 973-0840
Fax: (617) 973-0986

May 1, 2015



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The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street, Boston, MA 02108-4619

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

MARYLOU SUDDERS
Secretary

MONICA BHAREL, MD, MPH
Commissioner

Tel: 617-624-6000
www.masa.gov/dph

May 5, 2015

Adriana Bremermann by First Class and Certified Mail No. 7009 1680 0000 6359 7827

[REDACTED]
Beth A. Oldmixon, Esq.
Prosecuting Counsel
Division of Health Professions Licensure
239 Causeway Street
Boston, MA 02114

RE: In the Matter of Adriana L. Bremermann, PT, Docket No. PHA-2013-0093

Dear Ms. Bremermann and Ms. Oldmixon:

On Friday, May 1, 2015, Prosecuting Counsel filed a Motion to Request Status Conference based on Respondent's failure to respond to correspondence and telephone calls related to the above-referenced matter. Prosecuting Counsel's request is **GRANTED**. A second status conference is now scheduled for May 19, 2015 at 10:00 a.m., in Room 419 of the Division of Health Professions Licensure, 239 Causeway Street. If Respondent fails to appear at the status conference, default will be entered against her at which time the Board may issue a Final Decision and Order by Default with appropriate sanctions. Respondent will be expected to arrive at the status conference by 9:45 a.m. If Respondent has not made an appearance by 10:15 a.m., default will be entered against her.

Pursuant to the March 18, 2015 Scheduling Order, this matter is scheduled for a pre-hearing conference and hearing in September 2015. Respondent is reminded that if she intends to proceed to hearing in this matter, she should engage the services of an attorney no later than June 1, 2015 as there will be no continuance of the hearing based on Respondent's delay in securing legal representation.

Parties have a duty to cooperate during these proceedings that includes an obligation to respond promptly to the requests of Prosecuting Counsel and the directives of the Administrative Hearings Counsel. Moreover, adherence to deadlines and the filing of effective pleadings will enhance the efficiency of these proceedings and facilitate a prompt, fair, and orderly resolution of this matter.

Sincerely,

Stephanie B. Carey

Stephanie B. Carey
Administrative Hearings Counsel



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The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Division of Health Professions Licensure
239 Causeway Street, Suite 500, Boston, MA 02114

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

Tel: 617-973-0800
TTY : 617-973-0988
www.mass.gov/dph/boards

MARYLOU SUDDERS
Secretary

EILEEN M. SULLIVAN
Acting Commissioner

May 19, 2015

Adriana Bremermann by First Class and Certified Mail No. 7009 1680 0000 6359 7834
[REDACTED]

Beth Oldmixon, Esq.
Prosecuting Counsel
Division of Health Professions Licensure
239 Causeway Street
Boston, MA 02114

RE: In the Matter of Adriana Bremermann, PT, Docket No. PHA-2013-0093

Dear Ms. Bremermann and Ms. Oldmixon:

By letter dated May 5, 2015¹, Respondent was directed to attend a status conference scheduled for 10:00 a.m. on May 19, 2015.² In that letter, Respondent was reminded that her failure to attend the May 19, 2015 status conference would result in the entry of default against her. Respondent was further advised that, upon the entry of default, the Board would issue a Final Decision and Order by Default with appropriate sanctions. Respondent failed to attend the status conference and failed to request a continuance of the status conference.

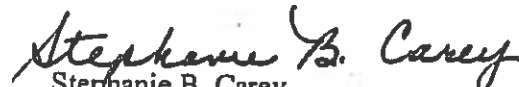
Respondent is hereby notified that default has been entered against her based on her failure to attend the May 19, 2015 status conference. Respondent may file a motion

¹ The May 5, 2015 letter was sent to Respondent at her Isabel Circle address by First Class and Certified Mail No. 7009 1680 0000 6359 7827. The first class mail was not returned and is presumed received. The certified mail receipt was not returned. Pursuant to a Protective Order signed by Respondent, Respondent provided [REDACTED] as her current address of record.

² The status conference was scheduled pursuant to Prosecuting Counsel's May 1, 2015 Motion to Request Status Conference ("motion"). Prosecuting Counsel filed that motion in response to Respondent's failure to respond to Prosecuting Counsel's "repeated requests by telephone and first class mail".

to remove the default and that motion must be filed by May 26, 2015. Any motion filed to remove the default must include **demonstrated good cause** for Respondent's failure to attend the conference. If Respondent fails to file a motion to remove the default by May 26, 2015 or if Respondent files such a motion but fails to provide demonstrated good cause for her failure to attend the conference, the entry of default will remain in effect and the Board will issue a Final Decision and Order by Default with appropriate sanctions.

Sincerely,


Stephanie B. Carey
Administrative Hearings Counsel