

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION  
IN PHARMACY

In the Matter of )  
ANDREA LYNN HOLSTEIN, R.Ph. )  
Pharmacist Registration No. 20840 )  
Expiration Date: 12/31/04 )

Docket No. PH-05-090

**Received**

**APR 07 2006**

**CONSENT AGREEMENT**

BOARD OF  
PHARMACY

The **Board of Registration in Pharmacy** ("Board") and **Andrea Lynn Holstein, R.Ph.** ("Registrant"), a pharmacist registered by the Board (Mass. Pharmacist Reg. No. 20840/Exp. Date: 12/31/04 hereinafter referred to as "Massachusetts License"), do hereby stipulate and agree that the following information shall be entered into and become a permanent part of the file of Registrant that is maintained by the Board:

1. The parties enter into this Consent Agreement ("Agreement") to resolve disputed matters arising out of the complaint pending against Registrant before the Board as Complaint Docket No. PH-053-090 (the "Complaint"), relating to the indefinite suspension of Registrant's Pharmacist license in the State of Ohio ("Ohio License") pursuant to that certain Order of the Ohio State Board of Pharmacy (copy attached), Docket No. D-050210-046/effective November 9, 2005 ("Ohio Order"). The Ohio Order found that Registrant, on various dates from 2003 through 2005 in the course of her employment as a pharmacist, had forged prescriptions and diverted controlled substances for personal use.
2. The Registrant agrees that this Agreement is being entered into pursuant to Massachusetts General Laws (G.L.) Chapter 112, ss. 42A and 61 in resolution of the Complaint.
3. The Registrant acknowledges and agrees that her Massachusetts License shall be **SUSPENDED** for an indefinite period ("Suspension Period"), commencing on November 9, 2005 (the Effective Date of the Ohio Order) and continuing until such time as the Board terminates the Suspension Period, in accordance with the terms of Paragraph 4. of the Agreement.
4. The Suspension Period and shall continue until such time as the Board, in its discretion, determines that the Registrant is eligible for the reinstatement of her license. The Board and the Registrant agree that the Board will not review and the Registrant may not file any petition for

the termination of the Suspension Period with the Board prior to the termination of the suspension of Registrant's Ohio License pursuant to the terms of the Ohio Order.

Documentation of compliance with the terms and conditions of the Ohio Order must be provided with petition, as well as any to her terms and conditions as may be required by the Board, including, but not limited to, evidence of completion required continuing education for licensure in Massachusetts (247 CMR 4.00); continued compliance with all terms of the Ohio Order; and other conditions as may be required by the Board relating to the terms of the Ohio Order.

5. Registrant acknowledges and agrees that the terms and conditions of the "Decision of the Board" as set forth in the Ohio Order shall apply to any petition filed by Registrant for the termination of the Suspension Period, **excluding** all references to Ohio Revised Code Chapter 119 Proceedings. Registrant also acknowledges and agrees that, in the event any such petition is granted, the Board may require and impose monitoring (including random observed testing as the Board may deem necessary and appropriate) and practice limitation conditions, including but not limited to, probationary status.

6. This Agreement and its contents shall be incorporated into the records maintained by the Board. This Agreement is a public record subject to disclosure to the public and equivalent state licensing boards.

7. The Registrant understands and agrees that, at any time during the Suspension Period, upon a determination by the Board of any violation of any of the terms and conditions of this Agreement or of the Ohio Order, the Board may move to take further disciplinary action regarding the Registrant's Massachusetts without the requirement of further proceedings pursuant to M.G.L. c. 30A.

8. The Board agrees that in return for Registrant's execution of this Agreement, the Board will not advance the prosecution of the Registrant pursuant to the Complaint. Any and all other rights of the Board to take action within the scope of its authority are expressly reserved.

9. The Registrant understands and agrees that the decision to enter into this Agreement and to accept the terms and conditions herein described is a final act and is not subject to reconsideration or judicial review.

10. The Registrant states that she has used legal counsel in connection with her decision to enter into this Agreement or, if she did not, that she had an opportunity to do so and that her decision to enter into this Agreement was made of her own free will.

11. The Registrant certifies that she has read this document entitled "Consent Agreement." The Registrant understands that, by executing this Agreement, she is waiving her right to a formal hearing regarding the Complaint at which she would possess the rights to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on her own behalf, to contest the allegations, to present oral argument, to appeal to court in the event of an adverse ruling, and all other rights set forth in G.L. c. 30A and 801 CMR 1.01 *et seq.* Registrant states that she further understands that in executing this document entitled "Consent Agreement", she is

knowingly and voluntarily waiving her right to a formal hearing and to all of the above listed rights.

Witness (sign name)

Witness (print name)

Decision No. 1274

Andrea Lynn Holstein

Effective Date: 4/3/06

BOARD OF REGISTRATION  
IN PHARMACY

By: George A. Cayer, R.Ph.

Date: 3.23.2006

DEC. No. 1274

To: Andrea Lynn Holstein  
[redacted]

Anthony V. Rozzi, M.S., R.Ph., Esq.  
356 Main St.  
Haverhill, MA 01830

4/3/06

Heather E. Fulton  
(Heather E. Fulton - Abuayyash)



HEATHER E. FULTON  
Notary Public, State of Ohio  
My commission expires 03/21/2009