

The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Bureau of Health Professions Licensure
Board of Registration in Pharmacy
239 Causeway St., 5th Floor, Suite 500
Boston, MA 02114

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

MARYLOU SUDDERS
Secretary

MONICA BHAREL, MD, MPH
Commissioner

Tel: 617-973-0960

FAX: 617-973-0980

TTY: 617-973-0988

www.mass.gov/dph/boards/pharmacy

December 10, 2020

Via First Class & Certified Mail No. 7016 1370 0001 4117 3932,

Return Receipt Requested

Angelalisa a/k/a Angela Lisa Gonzalez
29 Harvard Road, Apt. C
Ayer, MA 01432

RE: In the Matter of Angelalisa a/k/a Angela Lisa Gonzalez, Docket No. PHA-2019-0120
License No. PTT05945

Dear Ms. Gonzalez:

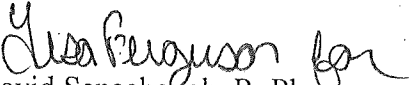
Please find enclosed the **Final Decision and Order by Default** issued by the Board of Registration in Pharmacy on December 10, 2020 and effective **December 20, 2020**. This constitutes full and final disposition of the above-referenced complaint, as well as the final agency action of the Board. **Your appeal rights are noted on page 3.**

Please note that as of the effective date, your license status will change to **Revoked; Expired**. It will remain in this status until the Board notifies you of a change in license status in accordance with the terms of the order.

Please direct all questions, correspondence and documentation relating to licensure reinstatement to the attention of Lisa Ferguson at the address above. You may also contact Ms. Ferguson at (617) 973 – 0950.

You may contact Heather Engman, Esq., Board Counsel at (617) 973 – 0950 with any questions that you may have concerning this matter.

Sincerely,


David Sencabaugh, R. Ph.
Executive Director,

Board of Registration in Pharmacy

Encl.

cc: Patricia Blackburn, Esq., Prosecuting Counsel

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

_____)
Board of Registration in Pharmacy)
Petitioner)
)
v.)
)
ANGELALISA a/k/a ANGELA LISA GONZALEZ) Docket No. PHA-2019-0120
Lic. No. PTT05945)
Expired 08/08/20)
_____)

FINAL DECISION AND ORDER BY DEFAULT

On August 11, 2020, the Board of Registration in Pharmacy (“Board”) issued and duly served on AngelaLisa a/k/a Angela Lisa Gonzalez (“Respondent”), an Order to Show Cause (“Show Cause Order”) related to a complaint filed regarding Respondent’s license.¹ In addition to stating the allegations against Respondent, the Show Cause Order notified Respondent that an Answer to the Show Cause Order (“Answer”) was to be submitted within 21 days of receipt of the Show Cause Order.² The Show Cause Order also notified Respondent of the right to request a hearing on the allegations,³ and that any hearing request (“Request for Hearing”) was to be submitted within 21 days of receipt of the Show Cause Order.⁴ Respondent was further notified that failure to submit an Answer within 21 days “shall result in the entry of default in the above-captioned matter” and, if defaulted, “the Board may enter a Final Decision and Order that assumes the truth of the allegations in the Show Cause Order and may revoke, suspend, or take other disciplinary action against [Respondent’s] license...including any right to renew [Respondent’s]

¹ Pursuant to 801 CMR 1.01(6)(a).

² In accordance with 801 CMR 1.01(6)(d)(2).

³ Pursuant to M.G.L. c. 112, § 61.

⁴ Respondent was also notified that failure to timely submit a Request for Hearing would constitute a waiver of the right to a hearing.

license.” A copy of the Show Cause Order is attached to this Final Decision and Order by Default and is incorporated herein by reference.

As of the date of this Final Decision and Order by Default, Respondent has failed to file either an Answer or a Request for Hearing.

The Board has afforded Respondent an opportunity for a full and fair hearing on the allegations in the Show Cause Order as required by M.G.L. c. 30A, § 10, and sufficient notice of the issues involved to afford Respondent reasonable opportunity to prepare and present evidence and argument as required by M.G.L. c. 30A, § 11(1). The Board has also notified Respondent of the obligation under 801 CMR 1.01(6)(d) to file an Answer to the Show Cause Order within 21 days of its receipt and of the consequences of failing to file an Answer or otherwise respond.

As authorized by M.G.L. c. 30A, § 10(2), the Board may make informal disposition of any adjudicatory proceeding by default. Upon default, the allegations of the complaint against Respondent are accepted as true. *Danca Corp. v. Raytheon Co.*, 28 Mass. App. Ct. 942, 943 (1990).

Based on the foregoing, the Board enters a default in the above-captioned matter and, consequently, the allegations in the Order to Show Cause are deemed to be true and Respondent has waived the right to be heard. In accordance with the Board’s authority and statutory mandate, the Board orders as follows:

ORDER

On September 25, 2020, 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 trainee license, PTT05945, effective ten days from the Date Issued, by the following vote:

In favor:	Timothy Fensky; Patrick Gannon; Leah Giambarresi; Sebastian Hamilton; Stephanie Hernandez; Richard Lopez; Dawn Perry; Andrew Stein; Kim Tanzer; Katie Thornell
Opposed:	None
Abstained:	None
Recused:	Susan Cornacchio
Absent:	Carly Jean-Francois; Julie Lanza


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:

12/10/2020

Notice to:

BY FIRST CLASS & CERTIFIED MAIL NO. 701613700001 4117 3932
RETURN RECEIPT REQUESTED

AngelisaLisa, a/k/a Angela Lisa Gonzalez
24 Harvard Road, Apartment C
Ayer, MA 014432

BY HAND

Patricia Blackburn
Prosecuting Counsel
Massachusetts Department of Public Health
Office of the General Counsel
250 Washington Street
Boston, MA 02108

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

Board of Registration in Pharmacy)
Petitioner)
v.)

ANGELALISA a/k/a ANGELA LISA GONZALEZ) Docket No. PHA-2019-0120
Lic. No. PTT05945)
Expired 08/08/20)

ORDER TO SHOW CAUSE

ANGELALISA a/k/a ANGELA LISA GONZALEZ, 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 license to practice as a pharmacy technician trainee in the Commonwealth of Massachusetts, License No. PTT05945, or your right to renew such license, pursuant to Massachusetts General Laws (G.L.) chapter 112, §§ 42A and 61, and Code of Massachusetts Regulations (CMR), Title 247, §§10.03 and 10.06, *et seq.*, based upon the following facts and allegations:

1. On or about August 8, 2019, the Board issued you a license to practice as a pharmacy technician trainee in the Commonwealth of Massachusetts, License No. PTT05945. Your license expired on August 8, 2020.
2. At all times relevant to the allegations contained herein, you were employed in your capacity as a pharmacy technician trainee at CVS Pharmacy #1198 located in Leominster, MA (CVS).
3. On or about September 20, 2019, while employed in your capacity as a pharmacy technician trainee, you diverted one (1) 75mcg patch of Fentanyl (a Schedule II Controlled Substance) and two (2) 20mg tablets of Adderall (a Schedule II Controlled Substance) from CVS.
4. On or about September 20, 2019, when you diverted the controlled substances referenced in the immediately preceding paragraph from CVS, you did not obtain these drugs pursuant to the filling of a valid prescription or order in your name.
5. On or about November 1, 2019, you admitted to diverting controlled substances referenced above in paragraph 3 while speaking with CVS staff.

6. On or about November 1, 2019, you provided a written statement to CVS wherein you admitted to diverting controlled substances referenced above in paragraph 3.

8. On or about January 3, 2020, you were arraigned in Leominster District Court, Criminal Docket No. 1961CR1608, on one (1) count of Larceny of a Drug under \$1200, in violation of G.L. c. 94C, on the above-described allegations; currently the next scheduled date in this matter is August 24, 2020.

Grounds for Discipline

Your conduct as alleged, as well as other evidence that may be adduced at hearing, is a violation of G.L. c. 94C, § 34 and Board Regulation 247 CMR 10.03(1)(e) and (x), and warrants disciplinary action by the Board pursuant to:

- A. 247 CMR 10.03(1)(e) for engaging in misconduct in the practice of the profession;
- B. 247 CMR 10.03(1)(x) for violation of G.L. c. 94C or any rules or regulations promulgated thereunder
- C. G. L. c. 112, § 61 for deceit, malpractice, gross misconduct in the practice of the profession or for any offense against the laws of the Commonwealth relating thereto.
- D. *Sugarman v. Board of Registration in Medicine*, 422 Mass. 338, 342 (1996); *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) for unprofessional conduct and conduct which undermines public confidence in the integrity of the profession.

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 license. 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 immediately 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 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 herein and on any Board disciplinary action. 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 captioned matter.

Notwithstanding the earlier filing of an Answer and/or request for a hearing, your failure to respond to notices or correspondence, your failure to appear for any scheduled status conference, pre-hearing conference or hearing dates, or your 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 license to practice as a pharmacy technician trainee in the Commonwealth of Massachusetts, including any right to renew your license.

Your Answer to the Order to Show Cause and your written request for a hearing must be filed with Patricia M. Blackburn, Prosecuting Counsel, at the following address:

Patricia M. Blackburn, Esq.
Prosecuting Counsel
Department of Public Health
Office of the General Counsel, 2nd Floor
250 Washington Street
Boston, MA 02108-4619

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) 624-5237 to schedule a time that is mutually convenient.

BOARD OF REGISTRATION IN PHARMACY
David Sencabaugh, R.Ph., Executive Director

By: Patricia M. Blackburn
Patricia M. Blackburn, Esq.
Prosecuting Counsel
Department of Public Health

August 11, 2020


CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Order to Show Cause, with accompanying cover letter and Certificate of Service, was served upon the Respondent AngelaLisa a/k/a Angela Lisa Gonzalez at her address of record with the Board:

24 Harvard Road, Apt. C
Ayer, MA 014432

by first class mail, postage prepaid, and by Certified Mail No. 7019 0140 0000 7220
4843;

this 11th day of August, 2020.



Jacklyn K. Gagné, Esq.
For Patricia M. Blackburn
Prosecuting Counsel