

COMMONWEALTH OF MASSACHUSETTS

Received

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

OCT 04 2007
BOARD OF
PHARMACY

In the Matter of)
Anthony J. Calello, R.Ph.)
Pharmacist Registration No. 17401)
_____)

Docket No. PH-08-009

VOLUNTARY SURRENDER AGREEMENT

The Board of Registration in Pharmacy ("Board") and Anthony J. Calello, R.Ph. ("Registrant"), a pharmacist registered by the Board (Pharmacist Registration No. 17401, do hereby stipulate and agree that the following information shall be entered into and become a permanent part of the file of the Registrant which is maintained by the Board:

1. The parties enter into this Voluntary Surrender Agreement ("Agreement") in resolution of the complaint pending before the Board as Docket Nos. PH-08-009 (the "Complaint").

2. Accordingly, the Registrant freely agrees to and the Board accepts the Voluntary Surrender of Registrant's license to practice pharmacy in the Commonwealth of Massachusetts (License No. 17401) commencing on the Effective Date of this Agreement and continuing for an indefinite period.

3. ^{Does NOT} Registrant acknowledge and agrees that the Board will not review any petition for reinstatement of his pharmacist license until such time as Registrant has completed a comprehensive neuropsychological evaluation conducted by a licensed psychologist with specialized training in such testing. The neuropsychological evaluation must include tests and procedures appropriate for the assessment of Registrant's cognitive functioning and current ability to practice as a pharmacist without impairment. The results of the evaluation shall be provided to the Board for review to determine Registrant's eligibility to resume the practice of pharmacy and under what terms and conditions, including probationary status with monitoring terms for a period to be determined by the Board.

4. This surrender shall Agreement and its contents shall be incorporated into the records maintained by the Board, are matters of public record, and are subject to disclosure without limitation to the public and equivalent state licensing boards.

5. The Board agrees that in return for the 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.

6. The Registrant understands and agrees that his 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.

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

8. The Registrant certifies that he has read this document entitled "Voluntary Surrender Agreement". The Registrant understands that, by executing this Agreement, he is waiving his right to a formal hearing at which he would possess the rights to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on his own behalf, to contest the allegations, to present oral argument, to appeal to the court in the event of an adverse ruling, and all other rights set forth in the State Administrative Procedure Act, G.L. c. 30A, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 *et seq.*

Susan Calello
Witness (sign name)
SUSAN Calello
Witness (print name)

[Signature]
Anthony J. Calello, R.Ph.
Date: 10/02/07

BOARD OF REGISTRATION
IN PHARMACY

By: James T. DeVita
James T. DeVita, R.Ph.
President

Effective Date: 10/04/07

Board Decision ID Number: