

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of)
Brian DesRosiers, R.Ph.)
License No. PH27636)
Expired December 31, 2014)

Docket No. PHA-2014-0208

CONSENT AGREEMENT FOR VOLUNTARY SURRENDER

The Massachusetts Board of Registration in Pharmacy ("Board") and Brian DesRosiers ("Licensee"), a pharmacist licensed by the Board, PH27636, do hereby stipulate and agree that the following information shall be entered into and become a permanent part of the Licensee's record maintained by the Board:

1. The Licensee acknowledges that the Board opened a complaint against his Massachusetts pharmacist license¹ related to the conduct set forth in Paragraph 2, identified as Docket No. PHA-2014-0208 ("Complaint").
2. The Board and Licensee acknowledge and agree to the following facts:
 - a. For approximately six years, Licensee was employed as a pharmacist at Inman Pharmacy Inc. ("Pharmacy"), located at 1414 Cambridge Street in Cambridge, MA.
 - b. During his employment, Licensee diverted approximately 19,000 tablets/units of Schedule II to VI controlled substances from the Pharmacy.
3. The Board and Licensee acknowledge and agree that Licensee's conduct described in Paragraph 2b constitutes a violation M.G.L. c. 94C, § 34 and is grounds for discipline by the Board pursuant to M.G.L. c. 112, § 61 and 247 CMR 10.03(1)(x).
4. The Licensee agrees to SURRENDER his license for an indefinite period of time and refrain from practicing as a pharmacist and from working in any pharmacy-related setting in Massachusetts, commencing with the date on which the Board signs this Agreement ("Effective Date"). The Licensee further agrees to immediately return his original Massachusetts pharmacist registration to the Board.

¹ The term "license" or "registration" applies to both a current license and the right to renew an expired license.

5. The Board may determine the terms and conditions for potential reinstatement of Licensee's pharmacist license following an evaluation and recommendation meeting the criteria set forth in Attachment A.
6. The Board agrees that in return for the Licensee's execution and successful compliance with all the requirements of this Agreement, the Board will not prosecute the Complaint.
7. The Licensee understands that he has a right to formal adjudicatory hearing concerning the Complaint and that during said adjudication he would possess the right 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 courts, and all other rights as set forth in the Massachusetts Administrative Procedures Act, M.G.L. c. 30A, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 *et seq.* The Licensee further understands that by executing this Agreement he is knowingly and voluntarily waiving his right to a formal adjudication of the Complaint.
8. The Licensee acknowledges that he may be represented by legal counsel in connection with the Complaint and this Agreement.
9. The Licensee acknowledges that after the Effective Date, the Agreement constitutes a public record of disciplinary action by the Board subject to the Commonwealth of Massachusetts' Public Records Law, M.G.L. c. 4, §7(26). The Board may forward a copy of this Agreement to other licensing boards, law enforcement entities, and other individuals or entities as required or permitted by law.
10. The Licensee certifies that he has read this Agreement. The Licensee understands and agrees that entering into this Agreement is a voluntary and final act and not subject to reconsideration, appeal or judicial review.

James Triplett
Witness (sign and date)
James Triplett

Brian DesRosiers 3/4/16
Brian DesRosiers
(sign and date)

David A. Sencabaugh 3/4/16
David A. Sencabaugh, R.Ph.
Executive Director
Board of Registration in Pharmacy

3/4/16
Effective Date of Agreement

Fully Signed Agreement Sent to Registrant on 3/4/16 by
Certified Mail No. 7015 1520 0002 8254 5388