

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION IN
PHARMACY

)
In the Matter of)
Briana Lynn Valenta)
License No. PT19939)
Expired June 21, 2017)
_____)

Docket No. PHA-2017-0092

CONSENT AGREEMENT FOR VOLUNTARY SURRENDER

The Massachusetts Board of Registration in Pharmacy ("Board") and Briana Lynn Valenta ("Licensee"), a pharmacy technician licensed by the Board, PT19939 ("Licensee")¹ 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 her License related to the conduct set forth in Paragraph 2, identified as docket no. PHA-2017-0092 ("Complaint").
2. The Board and Licensee acknowledge and agree to the following facts:
 - a. Licensee was employed as a pharmacy technician at CVS Pharmacy #1877 located at 35 W. Main Street in Norton, Massachusetts ("Pharmacy") at all times relevant to the facts in paragraph 2.
 - b. On or about March 17, 2017, Licensee admitted to diverting about six tablets of Alprazolam 2 mg, three tablets of Adderall 20 mg and 16 tablets of Amphetamine Salts 30 mg between March 7th and 8th while employed at the Pharmacy.
 - c. Licensee did not have a valid prescription for these controlled substances.

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

Briana Lynn Valenta
PT19939
PHA-2017-0092

3. The Board and Licensee acknowledge and agree that Licensee's conduct described in Paragraph 2 constitutes violations of M.G.L. c. 94C, § 34 and 247 CMR 10.03(1)(e) and (x), and is grounds for discipline by the Board pursuant to M.G.L. c. 112, §§ 42A and 61 and 247 CMR 10.06.
4. The Licensee agrees to: (1) **SURRENDER** her License for an indefinite period of time; (2) refrain from practicing as a pharmacy technician; and (3) refrain 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 her original License to the Board.
5. 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.
6. The Licensee understands that she has the right to a formal adjudicatory hearing concerning the Complaint and that during said adjudication she would possess the right to confront and cross-examine witnesses, call witnesses, present evidence, testify on her own behalf, contest the allegations, present oral argument, 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 she is knowingly and voluntarily waiving her right to a formal adjudication of the Complaint.
7. The Licensee acknowledges that she has been at all times free to seek and use legal counsel in connection with the Complaint and this Agreement.
8. 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. 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.
9. The Licensee certifies that she 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.

8/11/17

[Signature]
Witness (sign and date)

[Signature]
Briana Lynn Valenta (sign and date)

[Signature]
David A. Sencabaugh, R.Ph.
Executive Director
Board of Registration in Pharmacy

8/16/2017
Effective Date of Agreement

Fully Signed Agreement Sent to Licensee on 8/16/17 by

Certified Mail No. 7015 3010 0001 7080