

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION  
IN PHARMACY

In the Matter of )  
**Charlene J. Moniz, R.Ph.** )  
Pharmacist Registration No. 20307 )

Docket No. 20080728PH018

JAN 20 2009

BOARD OF  
PHARMACY

**CONSENT AGREEMENT**

The Board of Registration in Pharmacy ("Board") and Charlene J. Moniz, R.Ph. ("Registrant"), a pharmacist registered by the Board (Pharmacist Registration No. 20307), 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 Consent Agreement ("Agreement") in order to resolve the complaint pending against the Registrant as Docket No. 20080728PH018 ("Complaint").
2. The Complaint alleged that on or about October 12, 2007, while Registrant was employed as Director of Pharmacy at the clinic pharmacy located at New Bedford Rehabilitation Hospital ("Pharmacy"), 4499 Acushnet Ave., New Bedford, Massachusetts, Pharmacy personnel dispensed 33 units (3.3cc) of regular insulin, as an additive to a total parenteral nutrition (TPN) solution, rather than 3 units (0.3cc) of regular insulin as ordered. Pursuant to Pharmacy policy under Registrant's supervision, pharmacists were not required to perform final verification of technician prepared intravenous solutions prior to dispensing.
3. Accordingly, the Registrant agrees to the following:
  - a. That the conduct described in Paragraph 2 above constitutes professional misconduct warranting disciplinary action by the Board, pursuant to G.L. c. 112, §§ 42A and 61 and 247 CMR 9.01(1), 10.03(a)(k);
  - b. Registrant is hereby **REPRIMANDED** by the Board for Registrant's conduct in this matter;
  - c. Registrant shall complete two (2) hours of continuing education (CE) related to medication error prevention topics and submit the ORIGINAL CE certificates of completion to the Board, along with a copy of the Agreement, within ninety (90) days of the Effective Date of the Agreement; and
  - d. Registrant shall submit a corrective action plan (CAP) to the Board, including: (1) a copy of the Pharmacy policy requiring a registered pharmacist to conduct the final verification of ALL medications/orders dispensed; and (2) a copy of the Pharmacy policy regarding training of pharmacy staff and specific procedures (step by step) concerning compounding and preparation of TPNs. Registrant shall submit a copy of CAP to the Board, along with a copy of the Agreement, within thirty (30) days of the Effective Date of the Agreement; and



- e. The Registrant shall return a signed copy of the Agreement to the Board within ten (10) days of receipt.

4. The Agreement and its contents shall become a part of the records maintained by the Board, and as such, is a public record subject to disclosure to the public, other licensing boards, and the National Association of Boards of Pharmacy.

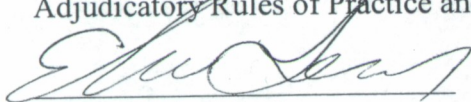
5. The Board agrees that in return for the Registrant's execution of this Agreement and compliance with the terms and conditions outlined in Paragraph 3, the Board will not advance the prosecution of the Registrant pursuant to the Complaint; any and all other rights of the Board to take action within the scope of its authority are expressly reserved.

6. The Registrant understands and agrees that her failure to abide by the terms of this Agreement shall nullify the representations contained in Paragraph 5 and permit the Board to initiate formal adjudicatory action under the State Administrative Procedure Act (G.L. c. 30A) and 801 CMR 1.00 *et. seq.*

7. The Registrant understands and agrees that her 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.

8. The Registrant states that she has used legal counsel in connection with her decision to enter into this Agreement or, if he 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.

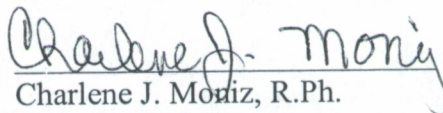
9. Registrant certifies that she has read this document entitled "Consent Agreement." The Registrant understands that, by executing this Agreement, she is waiving his right to a formal hearing at which time she would possess the rights to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on her own behalf, to contest the allegations, to present oral argument, to appeal to 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.*



Witness (signature)

Edward Leary

Witness (print name)

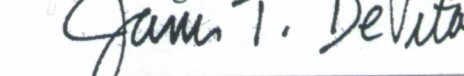


Charlene J. Moriz, R.Ph.

Registrant

Date: 1-16-2009

Board of Registration in Pharmacy



James T. DeVita, R.Ph.

President

Effective Date: 1/20/09

Dec. No.1944