

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION  
IN PHARMACY

In the Matter of )  
Christopher R. Rizzo )  
PH19665 )

Docket No. PHA-2013-0001

**POST SURRENDER CONSENT AGREEMENT FOR PROBATION**

The Massachusetts Board of Registration in Pharmacy ("Board") and Christopher R. Rizzo ("Licensee"), a pharmacist licensed by the Board, Registration No. PH19665, 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 agrees that this Post Suspension Consent Agreement for Probation ("Agreement") has been executed as a result of the Board's:
  - a. receipt and investigation of a complaint against him, Docket PHA-2013-0001, which resulted in the suspension of his pharmacy license, pursuant to a Final Decision and Order with the Board effective April 18, 2016, in resolution of the complaint; and
  - b. consideration of the Licensee's petition for license reinstatement and documentation he submitted pursuant to the requirements of the Final Decision and Order referenced in the subparagraph immediately above.
2. The Board and the Licensee acknowledge and agree that on or about January 30, 2013, the Licensee entered into a disciplinary Consent Order with the Rhode Island board of registration in pharmacy in which he agreed to surrender his Rhode Island pharmacist license for a period of at least three years.
3. The Board and the Licensee acknowledge and agree the discipline against his Rhode Island pharmacist license 2 is grounds for discipline by the Board pursuant to M.G.L. c. 112, §§ 42A & 61 and 247 CMR 10.03.
4. The Licensee agrees that a condition of the Board's reinstatement of his pharmacist license is that Licensee enters into this Post Surrender Consent Agreement for Probation.

5. The Board acknowledges receipt of documentation demonstrating Licensee achieved a passing score on the MPJE. The Licensee and the Board acknowledge that the Board's receipt of documentation demonstrating a passing score on the MPJE was a precondition to be met before the Board entered into this Agreement.
6. The Licensee agrees his pharmacist license shall be placed on PROBATION, beginning on the date the Board signs this Agreement ("Effective Date") until at least April 1, 2019.
7. During the Probationary Period, the Licensee further agrees that he shall comply with all of the following requirements to the Board's satisfaction:
  - a. Comply with all laws and regulations governing the practice of pharmacy.
  - b. Notify the Board in writing within ten (10) days of each change in his name and/or address.
  - c. Timely renew his registration.
  - d. Refrain from serving as a Manager of Record in any pharmacy.
  - e. Submit a written description of the advocacy activities and work he performed during the previous year to elevate and improve the practice of pharmacy in Massachusetts. Licensee shall submit said written description to the probation monitor on or before January 31<sup>st</sup> each year during the Probationary Period.
8. If and when the Board determines that the Licensee has complied to the Board's satisfaction with all the requirements contained in this Agreement, the Probationary Period will terminate upon written notice to the Licensee from the Board<sup>1</sup>.
9. If the Licensee does not comply with each requirement of this Agreement, or if the Board opens a Subsequent Complaint<sup>2</sup> during the Probationary Period, the Licensee agrees to the following:

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<sup>1</sup> In all instances where this Agreement specifies written notice to the Licensee from the Board, such notice shall be sent to the Licensee's address of record.

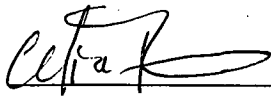
<sup>2</sup> The term "Subsequent Complaint" applies to a complaint opened after the Effective Date, which (1) alleges that the Licensee engaged in conduct that violates Board statutes or regulations, and (2) is substantiated by evidence, as determined following the complaint investigation during which the Licensee shall have an opportunity to respond.

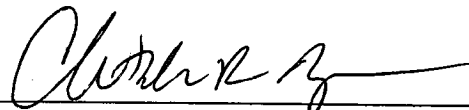
- a. The Board may upon written notice to the Licensee, as warranted to protect the public health, safety, or welfare:
    - i. EXTEND the Probationary Period;
    - ii. MODIFY the Probation Agreement requirements; and/or
    - iii. IMMEDIATELY SUSPEND the Licensee's registration.
  - b. If the Board suspends the Licensee's registration pursuant to Paragraph 9(a)(iii), the suspension shall remain in effect until:
    - i. the Board gives the Licensee written notice that the Probationary Period is to be resumed and under what terms;
    - ii. the Board and the Licensee sign a subsequent agreement; or
    - iii. the Board issues a written Final Decision and Order following adjudication of the allegations (1) of noncompliance with this Agreement, and/or (2) contained in the Subsequent Complaint.
10. The Licensee agrees that if the Board suspends his license in accordance with Paragraph 9, he will immediately return his current Massachusetts license to practice as pharmacist to the Board, by hand or certified mail. The Licensee further agrees that upon suspension, he will no longer be authorized to engage in the practice of pharmacy in the Commonwealth of Massachusetts and shall not in any way represent himself as a pharmacist until such time as the Board reinstates his license<sup>3</sup>.
  11. The Licensee understands and agrees that in executing this document entitled "Post Suspension Consent Agreement for Probation," he is knowingly and voluntarily waiving any rights he has to a formal adjudication concerning the Board's action on his request for reinstatement of his pharmacist license in connection with the above-captioned complaint.
  12. The Licensee acknowledges that he has been at all times free to seek and use legal counsel in connection with the Complaint and this Agreement.
  13. The Licensee acknowledges that after the Effective Date, the Agreement constitutes a public record subject to the Commonwealth of Massachusetts' Public Records Law, M.G.L. c. 4, § 7.


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<sup>3</sup>Any evidence of unlicensed practice or misrepresentation as a pharmacy intern after the Board has notified the Licensee of his license suspension shall be grounds for further disciplinary action by the Board and the Board's referral of the matter to the appropriate law enforcement authorities for prosecution.

14. 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.

 11/9/16  
Witness (sign and date)

  
Christopher R. Rizzo  
(sign and date)

  
David Sencabaugh, R.Ph.  
Executive Director  
Board of Registration in Pharmacy

11-9-2016  
Effective Date

Fully Signed Agreement Sent to Licensee on 11/10/16 by  
Certified Mail No. 7015 3010 0001 6944 60649