

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION  
IN PHARMACY

In the Matter of )  
Dana W. Wojtasinski )  
PH235508 )

PHA-2016-0103

**CONSENT AGREEMENT FOR VOLUNTARY SURRENDER**

The Massachusetts Board of Registration in Pharmacy ("Board") and Dana W. Wojtasinski ("Licensee"), a pharmacist licensed by the Board, PH235508, 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 license related to the conduct set forth in Paragraph 2, identified as Docket No. PHA-2016-0103 ("the Complaint").<sup>1</sup>
2. The Board and the Licensee acknowledge and agree to the following facts:
  - a. During the time period from December 2014 to March 2015, Licensee worked as a pharmacist at CVS # 518 located at 419 Main Street, Wareham, Massachusetts.
  - b. While working as a pharmacist at CVS # 518, Licensee diverted controlled substances from the pharmacy for personal use. Specifically, Licensee diverted 127 methadone 10 mg tablets, 240 ml guaifenesin-codeine 10-100 mg / 5 ml liquid, 7,131 tablets of various strengths of oxycodone, and 30 hydrocodone-acetaminophen 5-325 mg tablets. Licensee did not have a prescription for said controlled substances.
  - c. During the time period from March 2015 to June 2015, Licensee worked as a pharmacist at Stop & Shop Pharmacy # 70 located at 1001 Kings Highway, New Bedford, Massachusetts.

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<sup>1</sup> The term "license" applies to both a current license and the right to renew an expired license.


- d. While working as a pharmacist at Stop & Shop Pharmacy # 70, Licensee diverted controlled substances from the pharmacy for personal use. Specifically, Licensee diverted 876 oxycodone 30 mg tablets, 2580 methadone 10 mg tablets, and 780 oxycodone 15 mg tablets. Licensee did not have a prescription for said controlled substances.
  - e. During the time period from March 2015 to June 2015, Licensee worked as a pharmacist at Stop & Shop Pharmacy # 427 located at 221 Huttleson Avenue, Fairhaven, Massachusetts.
  - f. While working as a pharmacist at Stop & Shop Pharmacy # 427, Licensee diverted 270 methadone 5 mg tablets for personal use. Licensee did not have a prescription for said methadone.
  - g. Licensee diverted controlled substances from CVS # 518, Stop & Shop Pharmacy # 70, and Stop & Shop Pharmacy #427 by altering prescriptions, creating fake patient profiles, filling fake prescriptions, and altering DEA 222 forms and invoices.
3. The Board and Licensee acknowledge and agree that Licensee's conduct described in Paragraph 2 is a violation M.G.L. c. 94C, §§ 33 & 34 and 247 CMR 9.01(2) & (6) and warrants disciplinary action by the Board under M.G.L. c. 112, §§ 42A & 61 and Board regulations at 247 CMR 10.03(1)(a), (h), (r), (w), & (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 license to the Board.
  5. The Licensee agrees that he will not practice as a pharmacist or work in a pharmacy related setting in Massachusetts from the Effective Date unless and until the Board reinstates his license.<sup>2</sup>

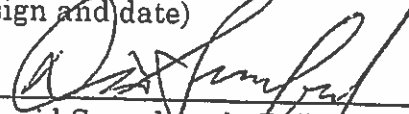
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<sup>2</sup> The Licensee understands that practice as a registered pharmacist includes, but is not limited to, seeking and/or accepting a paid or voluntary position as a registered pharmacist, or a paid or voluntary position requiring that the applicant hold a current pharmacist license. The Licensee further understands that if he accepts a voluntary or paid position as a pharmacist, or engages in any practice of pharmacy after the Effective Date and before the Board formally reinstates his license, evidence of such practice shall be grounds for the Board's referral of any such unlicensed practice to the appropriate law enforcement authorities for prosecution.

6. The Board agrees that in return for the Licensee's execution of this Agreement it will not prosecute the Complaint.
7. The Licensee understands that he has a right to formal adjudicatory hearing concerning the allegations against hi, 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 has been at all times free to seek and use 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. 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 final act and not subject to reconsideration, appeal or judicial review.

 10-28-2016  
Witness (sign and date)

 10/28/16  
Dana W. Wojtasinski  
(sign and date)

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

11-4-16  
Effective Date of Surrender Agreement

Fully Signed Agreement Sent to Licensee on 11/4/16 by  
Certified Mail No. 7616 0340 0000 4975 9360

Dana W. Wojtasinski  
PH235508  
PHA-2016-0103