



Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
Bureau of Health Professions Licensure  
Board of Registration in Pharmacy  
239 Causeway Street, Suite 500, Boston, MA 02114

CHARLES D. BAKER  
Governor

KARYN E. POLITO  
Lieutenant Governor

Tel: 617-973-0960  
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TTY : 617-973-0988

[www.mass.gov/dph/boards/pharmacy](http://www.mass.gov/dph/boards/pharmacy)

MARYLOU SUDDERS  
Secretary

MONICA BHAREL, MD, MPH  
Commissioner

April 7, 2017

**VIA FIRST CLASS & CERTIFIED MAIL NO. 7016 1370 0001 4117 2355,**  
**RETURN RECEIPT REQUESTED**

Dawn Marie Connelly  
[REDACTED]

**VIA FIRST CLASS & CERTIFIED MAIL NO. 7016 1370 0001 4117 2362,**  
**RETURN RECEIPT REQUESTED**

Dawn Marie Connelly  
[REDACTED]

**VIA FIRST CLASS & CERTIFIED MAIL NO. 7016 1370 0001 4117 2379,**  
**RETURN RECEIPT REQUESTED**

Dawn Marie Connelly  
[REDACTED]

RE: In the Matter of Dawn Marie Connelly, Docket No. PHA-2015-0018  
License No. PT17373

Dear Ms. Connelly:

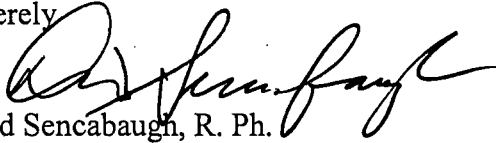
Please find enclosed the **Final Decision and Order by Default** issued by the Board of Registration in Pharmacy on April 7, 2017 and effective **April 17, 2017**. This constitutes full and final disposition of the above-referenced complaint, as well as the final agency action of the Board. Your appeal rights are noted on page 3.

Please note that as of the effective date, your license status will change to **Revoked; Expired**. It will remain in **revocation** status until the Board notifies you of a change in license status in accordance with the terms of the order.

Please direct all questions, correspondence and documentation relating to licensure reinstatement to the attention of Lisa Ferguson at the address above. You may also contact Ms. Ferguson at (617) 973 - 0950.

You may contact Heather Engman, Esq., Board Counsel at (617) 973 - 0950 with any questions that you may have concerning this matter.

Sincerely



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

Encl.

cc: Sean Casey, Esq., Prosecuting Counsel

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION  
IN PHARMACY

\_\_\_\_\_  
In the Matter of )  
DAWN M. CONNELLY )  
License No. PT17373 )  
\_\_\_\_\_ )

PHA-2015-0018.

FINAL DECISION AND ORDER BY DEFAULT

On December 30, 2016, the Board of Registration in Pharmacy (“Board”) issued and duly served on Dawn M. Connelly, PT17373 (“Respondent”) an Order to Show Cause (“Show Cause Order”) related to a complaint filed regarding Respondent’s pharmacy technician license.<sup>1</sup> In addition to stating the allegations against the Respondent, the Show Cause Order notified Respondent that an Answer to the Show Cause Order (“Answer”) was to be submitted within twenty one (21) days of receipt of the Show Cause Order.<sup>2</sup>

The Show Cause Order further notified the Respondent of the Right to Request a Hearing on the allegations and that any Hearing request (“Request for Hearing”) was also to be submitted within twenty one (21) days of receipt of the Show Cause Order.<sup>3</sup>

Respondent was further notified that failure to submit an Answer within twenty one (21) days “shall result in the entry of default in the above-captioned matter” and, if defaulted, “the Board may enter a Final Decision and Order that assumes the truth of the allegations in the Show Cause Order and may revoke, suspend, or take other disciplinary

<sup>1</sup> Pursuant to 801 CMR 1.01(6)(a).

<sup>2</sup> In accordance with 801 CMR 1.01(6)(d)(2).

<sup>3</sup> Pursuant to G.L. c. 112, §61.

action against [Respondent's] license to practice as a pharmacy technician in the Commonwealth of Massachusetts, including any right to renew [Respondent's] license.”

A copy of the Show Cause Order and Certificate of Service is attached to this Final Decision and Order by Default and is incorporated herein by reference.

As of the date of this Final Decision and Order by Default, Respondent has failed to file either an Answer or a Request for Hearing.

The Board has afforded Respondent an opportunity for a full and fair hearing on the allegations in the Show Cause Order as required by G.L. c. 30A, §10, and sufficient notice of the issues involved to afford Respondent reasonable opportunity to prepare and present evidence and argument as required by G.L. c. 30A, §11(1). The Board has also notified Respondent of the obligation under 801 CMR 1.01(6)(d) to file an Answer to the Show Cause Order within twenty one (21) days of its receipt and of the consequences of failing to file an Answer or otherwise respond.

As authorized by G.L. c. 30A, §10(2), the Board may make informal disposition of any adjudicatory proceeding by default. Upon default, the allegations of the complaint against Respondent are accepted as true. *Danca Corp. v. Raytheon Co.*, 28 Mass. App. Ct. 942, 943 (1990).

Based on the foregoing, the Board enters a default in the above-captioned matter and, consequently, the allegations in the Order to Show Cause are deemed to be true and Respondent has waived the right to be heard. In accordance with the Board's authority and statutory mandate, the Board orders as follows:

#### ORDER

On March 2, 2017, in accordance with the Board's authority and statutory mandate, the Board voted to issue this Final Decision and Order by Default and

**REVOKE** Respondent's pharmacy technician license, PT17373, effective ten days from the Date Issued, by the following vote:

In favor: Catherine Basile; Karen Conley; Susan Cornacchio; William Cox;  
Timothy Fensky; Patrick Gannon; Michael Godek; Ali Raja;  
Andrew Stein; Edmud Taglieri  
Opposed: None  
Abstained: None  
Recused: Garrett Cavanaugh  
Absent: Philippe Bouvier; Richard Tinsley

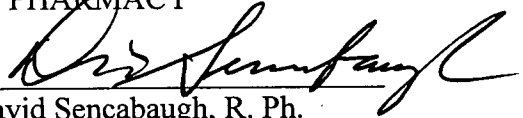
EFFECTIVE DATE OF ORDER

The Final Decision and Order by Default shall be effective 10 days from the Date Issued.

RIGHT TO APPEAL

Respondent is hereby notified of the right to appeal this Final Decision and Order to the Supreme Judicial Court, pursuant to M.G.L. c. 112, § 64 and M.G.L. c. 30A, §§ 14 and 15, within thirty (30) days of receipt of notice of this Final Decision and Order by Default.


BOARD OF REGISTRATION  
IN PHARMACY

  
David Sencabaugh, R. Ph.  
Executive Director

Date Issued: 4/7/2017

Notice to:

BY FIRST CLASS MAIL AND CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Dawn Marie Connelly  


Dawn Marie Connelly



Dawn Marie Connelly



BY HAND

Sean Casey  
Office of Prosecutions  
Department of Public Health  
Division of Health Professions Licensure  
239 Causeway Street  
Boston, MA 02114

This is an important notice. Please have it translated.

Este é um aviso importante. Queira mandá-lo traduzir.

Este es un aviso importante. Sirvase mandarlo traducir.

ĐÂY LÀ MỘT BẢN THÔNG CÁO QUAN TRỌNG

XIN VUI LÒNG CHO DỊCH LẠI THÔNG CÁO ẤY

Ceci est important. Veuillez faire traduire.

本通知很重要。請將之譯成中文。

នេះគឺជាជំនាញសំខាន់ណាស់ សូមមេត្តាបកប្រែជូនផង

ΠΡΟΣΟΧΗ, ΑΥΤΟ ΕΙΝΑΙ ΣΗΜΑΝΤΙΚΟ. ΠΑΡΑΚΑΛΩ ΜΕΤΑΦΡΑΣΤΕ

Questo è un 'avviso importante. Si pregadi farlo tradurre.



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
Division of Health Professions Licensure  
239 Causeway Street, Suite 500, Boston, MA 02114

HARLES D. BAKER  
Governor

KARYN E. POLITO  
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MARYLOU SUDDERS  
Secretary  
MONICA BHAREL, MD, MPH  
Commissioner

December 30, 2016

SENT BY REGULAR AND CERTIFIED MAIL,  
RETURN RECEIPT REQUESTED  
ARTICLE NO. 7016 0340 0000 4976 2100

Ms. Dawn Marie Connelly  
[REDACTED]

ARTICLE NO. 7016 0340 0000 4976 2141

Ms. Dawn Marie Connelly  
[REDACTED]

ARTICLE NO. 7016 0340 0000 4976 2131

Ms. Dawn Marie Connelly  
[REDACTED]

RE: In the Matter of Dawn Marie Connelly  
License No. PT17373  
Docket No. PHA-2015-0018

Dear Ms. Connelly:

The Massachusetts Board of Registration in Pharmacy within the Department of Public Health, Bureau of Health Professions Licensure (Bureau), has completed its investigation of the above-listed complaint against your license (and right to renew said license) to practice as a nurse. For the reasons set forth in the attached Order to Show Cause, the Board is proposing to suspend, revoke or impose other discipline against your license (and right to renew said license) to practice as a pharmacy technician (License No. PT17373).



The Order to Show Cause and any subsequent hearing is governed by Massachusetts General Laws Chapter 30A, the State Administrative Procedure Act, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 et seq. You must submit an Answer to the Order to Show Cause and you have a right to request a hearing by filing a written request for a hearing, as specified in the Order to Show Cause.

Your failure to submit an Answer to the Order to Show Cause within twenty-one (21) days of receipt of the Order to Show Cause *shall result in the entry of default* in the above-referenced matter. Your failure to submit a written request for a hearing within twenty-one (21) days of receipt of this Order to Show Cause *shall constitute a waiver of the right to a hearing* on the allegations therein and on any Board disciplinary action. Notwithstanding the earlier filing of an Answer and/or request for a hearing, your failure to respond to notices or correspondence, failure to appear for any scheduled status conference, pre-hearing conference or hearing dates, or failure to otherwise defend this action shall result in the entry of default.

**If you are defaulted, the Board may enter a Final Decision and Order that assumes the truth of the allegations in this Order to Show Cause, and may revoke, suspend, or take other disciplinary action against your license to practice as a pharmacy technician in the Commonwealth of Massachusetts, including any right to renew your license.**

The request for a hearing and your Answer must be filed with Sean J. Casey, Prosecuting Counsel, at the following address:

Sean J. Casey, Esq.  
Prosecuting Counsel  
Department of Public Health  
Office of the General Counsel  
239 Causeway Street, 5<sup>th</sup> Floor  
Boston, Massachusetts 02114

If you are represented by an attorney in this matter, all communications should be made through your attorney.

You may contact me at (617) 973-0880 if you have any questions regarding this matter.

Sincerely,



Sean J. Casey  
Prosecuting Counsel

Enclosure

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION  
IN PHARMACY

\_\_\_\_\_)  
 Board of Registration in Nursing, )  
 Petitioner )  
 )  
 v. )  
 )  
 DAWN MARIE CONNELLY )  
 Registration No. PT17373 )  
 Registration Expired 10/17/16 )  
 Respondent )  
 \_\_\_\_\_)

Docket No. PHA-2015-0018

ORDER TO SHOW CAUSE<sup>1</sup>

Dawn Marie Connelly, you are hereby ordered to appear and show cause why the Massachusetts Board of Registration in Pharmacy (Board) should not suspend, revoke or otherwise take action against your registration to practice as a pharmacy technician in the Commonwealth of Massachusetts, Registration No. PT 17373 or your right to renew such registration, pursuant to Massachusetts General Laws (G.L.) chapter 112, § 61 and Code of Massachusetts Regulations (CMR), Title 247, §§ 9.01 and 10.03, based upon the following facts and allegations:

Factual Allegations

1. On or about November 22, 2013 the Board issued to you a registration to practice as a pharmacy technician in the Commonwealth of Massachusetts, Registration No. PT17373. Your registration remained active until October 17, 2016, when it expired and has not been renewed.

<sup>1</sup> It is well-settled administrative law that due process requires that "notice must be given that is reasonably calculated to apprise an interested party of the proceeding and to afford him an opportunity to present his case;" due process does not require Prosecuting Counsel to provide a detailed description of evidence they intend to introduce at a disciplinary hearing. *Langlitz v. Board of Registration of Chiropractors*, 396 Mass. 374, 376-377 (1985). See *Lapointe v. License Board of Worcester*, 389 Mass. 454, 458 (1983) ("Due process requires notice of the grounds on which the board might act rather than the evidentiary support for those grounds"). Certainly, notice pleadings do not require Prosecuting Counsel to match factual allegations to grounds for discipline. Accordingly, where, as here, there exists significant overlap between factual allegations and grounds for discipline contained within the Order to Show Cause, Prosecuting Counsel's matching of factual allegations to grounds for discipline are offered as suggestions, and not as an exhaustive characterization of the evidence to be adduced at a hearing.

2. You were employed as a pharmacy technician at Rite-Aid Pharmacy #10081 (the "Pharmacy") located at 60 Groton Street in Pepperell, Massachusetts. The Pharmacy experienced a four (4) month period of loss of the following controlled substances:

- a. one (1) capsule of temazepam, a Schedule III Controlled Substance<sup>2</sup>;
- b. ten (10) 0.125mg tablets of triazolam, a Schedule IV Controlled Substance;
- c. fifty-five (55) 0.5mg tablets of lorazepam, a Schedule IV Controlled Substance;
- d. One hundred and ninety-one (191) 1mg tablet of lorazepam, a Schedule IV Controlled Substance;
- e. eight (8) 2 mg tablets of lorazepam a Schedule IV Controlled Substance;
- f. sixty (60) 2 mg tablets of diazepam, a Schedule IV Controlled Substance;
- g. eleven (11) 5 mg tablets of diazepam, a Schedule IV Controlled Substance;
- h. eleven (11) 0.25mg tablets of alprazolam, a Schedule IV Controlled Substance;
- i. One hundred and seventy-eight (178) 0.5mg tablets of alprazolam, a Schedule IV Controlled Substance;
- j. thirty-eight (38) 0.5mg tablets of clonazepam, a Schedule IV Controlled Substance;
- k. forty-three (43) 1mg tablets of clonazepam, a Schedule IV Controlled Substance;
- l. fifteen (15) 2 mg tablets of clonazepam, a Schedule IV Controlled Substance;
- m. forty-nine (49) 2mg tablets of alprazolam, a Schedule IV Controlled Substance;
- n. twenty-seven (27) 10mg tablets of Zolpidem, a Schedule IV Controlled Substance;
- o. ninety (90) 1mg tablets of alprazolam, a Schedule IV Controlled Substance;
- p. thirty-one (31) 8mg tablets of buprenorphine, a Schedule III Controlled Substance; and
- q. three (3) 100mg tablets of tramadol a, Schedule IV Controlled Substance;<sup>3</sup>

3. On or about December 19, 2014, you spoke with a Pharmacy Asset Protection employee as well as a Detective from the Pepperell Police Department regarding the loss of controlled substances described in the preceding paragraph.

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<sup>2</sup> Prior to June 1 2015, prescriptions for temazepam exempt from the usual Schedule 3 Controlled Drug prescription requirements. After that date, temazepam meets the full prescription requirements for Schedule 3 controlled drugs (CDs).

<sup>3</sup> On July 7, 2014 the U.S. Drug Enforcement Administration (DEA) announced that tramadol has been placed into schedule IV of the Controlled Substances Act (CSA) effective August 18, 2014.

4. When confronted as described in the preceding paragraph, and after you were read your Miranda Warnings you acknowledged that you had been "stealing" prescription medications since August but could not provide a total amount of the medications diverted. You further stated that a majority of the pills you "stole" were for your own personal use. You further told the Detective that you did sell approximately thirty (30) Suboxone pills to an individual named "John" and that the sale occurred out of state.
5. On or about December 19, 2014, you acknowledged in writing that you had diverted controlled substances from the Pharmacy and but that the exact medications and amounts were unknown to you.
6. On December 22, 2014, you were criminally charged in the Ayer District Court with one count of Larceny of Drugs in violation of G.L. c. 94C, § 37 [REDACTED]. On June 12, 2015, the Commonwealth filed a *Nolle Prosequi* relative to Docket No. [REDACTED] and replaced it with Docket No. [REDACTED].
7. On June 12, 2014, you were criminally charged in the Ayer District Court with one count of Larceny over \$250 in violation of G.L. c. 266, § 30 [REDACTED] for the conduct described in the preceding paragraphs.
8. On or about January 6, 2015, you admitted to sufficient facts to support one (1) count of Larceny of Property not exceeding two hundred fifty dollars (\$250.00) in value, in Ayer District Court, [REDACTED].
9. The matter referenced in the preceding paragraph was continued without a finding until January 6, 2016, during which time you were ordered to stay away from the Pharmacy, abstain from drug and alcohol use and submit to random urine screens.
10. During the course of this investigation, the "Pharmacy Technician Application" and attached "Employer Verification of Experience and Examination" form you submitted to the Board, in November 2013 was reviewed. In the Affidavit section of your Application that you signed under the pains and penalties of perjury and attested:

"[t]he information I have provided pursuant to this application is truthful and accurate. I understand that the failure to provide accurate information may be grounds for the Board of Registration in Pharmacy to deny this application and/or revoke the right to function as a Pharmacy Technician, in accordance with Massachusetts law."
11. You answered "No" in response to question No. 5, which asked:

“Have you ever been arrested, charged, arraigned, indicted, prosecuted, convicted or been the subject of any investigation or any court proceedings in relation to any felony or misdemeanor charge? If YES, please attach a typewritten 8 ½ by 11” sheet(s) of paper which provides dates and details describing the circumstances related to the matters on the matter(s) (*sic*); provide certified copies of the court documents of any convictions (defined as any plea that is accepted by the court); and completed a Criminal Offender Record Information Request (CORI) Form (available at pcshq.com).”

12. You answered “No” to Application question No. 5 despite you being arraigned on March 26, 2010 in the Lawrence District Court on charges of Leaving the Scene of an Accident after Property Damage, in violation of G.L. c. 90, §24(2)(a) [REDACTED] On August 12, 2010, the complaint was generally continued to February 11, 2011 on the condition that if there was an issue of restitution, you would pay it. On February 11, 2011, the criminal complaint was dismissed.
13. When you submitted your Application in November 2013, you did not answer question No. 5 truthfully or accurately because you failed to disclose that you were arraigned and charged as described in paragraphs 10 through 12.

#### Legal Basis for Discipline

- A. Your conduct as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the Board against your registration to practice as a pharmacy technician and or right to renew, pursuant to G.L. c. 112, § 42A for violation of the rules and regulations established by the Board.
- B. Your conduct as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the Board against your registration to practice as a pharmacy technician or right to renew, pursuant to G.L. c. 112, § 61 for being guilty of deceit, malpractice, gross misconduct in the practice of the profession, or of any offense against the laws of the Commonwealth relating thereto.
- C. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the Board against your registration pharmacy technician or right to renew, pursuant to 247 CMR 9.01(1) for failing to conduct professional activities in conformity with federal, state and municipal laws, ordinances and/or regulations, including the regulations of the Board.

- D. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the Board against your registration pharmacy technician or right to renew pursuant to 247 CMR 9.01(2) for dispensing drugs in a manner which is intended, either directly or indirectly, to circumvent the law.
- E. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the Board against your registration pharmacy technician or right to renew pursuant to 247 CMR 9.01(6) for engaging in any fraudulent or deceptive act.
- F. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the Board against your registration pharmacy technician or right to renew pursuant to 247 CMR 10.03(1)(a) for violating any of the duties and standards set out in Board regulations, 247 CMR 2.00 *et seq.*, or any rule or written policy adopted by the Board.
- G. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the Board against your registration pharmacy technician or right to renew pursuant to 247 CMR 10.03(1)(b) for violating any provision of G.L. c. 112, §§ 24 through 42A or any provision of state or federal statutes or rules or regulations promulgated thereunder related to the practice of the profession.
- H. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the Board against your registration pharmacy technician or right to renew pursuant to 247 CMR 10.03(1)(e) for engaging in misconduct in the practice of the profession.
- I. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the Board against your registration pharmacy technician or right to renew pursuant to 247 CMR 10.03(1)(h) for engaging in abuse or illegal use of prescription drugs or controlled substances.
- J. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the

Board against your registration pharmacy technician or right to renew pursuant to 247 CMR 10.03(1)(k) for engaging in conduct that has the capacity or potential to place the public health, safety or welfare at risk.

- K. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the Board against your registration pharmacy technician or right to renew pursuant to 247 CMR 10.03(1)(l) for engaging in conduct that has the capacity or potential to deceive or defraud.
- L. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the Board against your registration pharmacy technician or right to renew pursuant to 247 CMR 10.03(1)(n) for being convicted of any crime, entering a plea of guilty to any crime, entering a plea of *nolo contendere* to any crime, or admitting to sufficient facts to warrant a finding of guilty of any crime.
- M. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the Board against your registration pharmacy technician or right to renew pursuant to 247 CMR 10.03(1)(r) for engaging in conduct that demonstrates a lack of good moral character.
- N. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the Board against your registration pharmacy technician or right to renew pursuant to 247 CMR 10.03(1)(u) for engaging in conduct which undermines public confidence in the integrity of the profession.
- O. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the Board against your registration pharmacy technician or right to renew pursuant to 247 CMR 10.03(1)(w) for failing to comply with recognized ethical standards of the profession, including, but not limited to, the standards of practice for pharmacists, pharmacy interns, pharmacies and pharmacy departments set forth in 247 CMR 9.01: *Code of Conduct for Registered Pharmacists, Pharmacies and Pharmacy Departments*.
- P. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the

Board against your registration pharmacy technician or right to renew pursuant to 247 CMR 10.03(1)(x) for violating G.L. c. 94C or any rules or regulations promulgated thereunder.

- Q. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the Board against your registration pharmacy technician or right to renew pursuant to 247 CMR 10.03(1)(aa) for failing to report to the Board, in writing, within thirty (30) days, any pending criminal charge or conviction, as defined in 247 CMR 10.02, in Massachusetts or any other jurisdiction.
- R. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the Board against your registration pharmacy technician or right to renew pursuant to 247 CMR 10.03(o) for fraudulently procuring a license, registration, or its renewal.
- S. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the Board against your registration pharmacy technician or right to renew pursuant to 247 CMR 10.03(p) for providing false information on an application for a license or registration or its renewal.
- T. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as alleged in Paragraphs 2 through 13 above, and any other evidence that may be adduced at hearing, warrants disciplinary action by the Board against your registration as a pharmacy technician or right to renew in that your conduct as alleged constitutes unprofessional conduct and conduct which undermines public confidence in the integrity of the profession. *Sugarman v. Board of Registration in Medicine*, 422 Mass. 338, 342 (1996); *see also, Kvitka v. Board of Registration in Medicine*, 407 Mass. 140, *cert. denied*, 498 U.S. 823 (1990); *Raymond v. Board of Registration in Medicine*, 387 Mass. 708, 713 (1982).

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You have a right to an adjudicatory hearing (hearing) on the allegations contained in the Order to Show Cause before the Board determines whether to suspend, revoke, or impose other discipline against your registration. G.L. c. 112, § 61. Your right to a hearing may be claimed by submitting a written request for a hearing *within twenty-one (21) days of receipt of this Order to Show Cause*. You must also submit an Answer to this Order to Show Cause in accordance with 801 CMR 1.01(6)(d) *within twenty-one (21)*



*days of receipt of this Order to Show Cause.* The Board will give you prior written notice of the time and place of the hearing following receipt of a written request for a hearing.

Hearings shall be conducted in accordance with the State Administrative Procedure Act, G.L. c. 30A, §§ 10 and 11, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 and 1.03, under which you are granted certain rights including, but not limited to, the rights: to a hearing; to secure legal counsel or another representative to represent your interests; to call and examine witnesses; to cross-examine witnesses who testify against you; to testify on your own behalf; to introduce evidence; and to make arguments in support of your position.

The Board will make an audio recording of any hearing conducted in the captioned matter. In the event that you wish to appeal a final decision of the Board, it is incumbent on you to supply a reviewing court with a "proper record" of the proceeding, which may include a written transcript. *New Bedford Gas and Light Co. v. Board of Assessors of Dartmouth*, 368 Mass. 745, 749-750 (1975). Upon request, the Board will make available a copy of the audio recording of the proceeding at your own expense. Pursuant to 801 CMR 1.01(10)(i)(1), upon motion, you "may be allowed to provide a public stenographer to transcribe the proceedings at [your] own expense upon terms ordered by the Presiding Officer." Those terms may include a requirement that any copy of the transcript produced must be sent immediately upon completion, and on an ongoing basis, directly to the Presiding Officer by the stenographer or transcription service. The transcript will be made available to the Prosecutor representing the Board. Please note that the administrative record of the proceedings, including, but not limited to, the written transcript of the hearing, is a public record and subject to the provisions of G.L. c. 4, § 7 and G.L. c. 66, § 10.

Your failure to submit a written request for a hearing within twenty-one (21) days of receipt of this Order to Show Cause *shall constitute a waiver of the right to a hearing* on the allegations herein and on any Board disciplinary action. Your failure to submit an Answer to the Order to Show Cause within twenty-one (21) days of receipt of the Order to Show Cause *shall result in the entry of default* in the captioned matter.

Notwithstanding the earlier filing of an Answer and/or request for a hearing, your failure to respond to notices or correspondence, your failure to appear for any scheduled status conference, pre-hearing conference or hearing dates, or your failure to otherwise defend this action shall result in the entry of default.

**If you are defaulted, the Board may enter a Final Decision and Order that assumes the truth of the allegations in this Order to Show Cause, and may revoke, suspend, or take other disciplinary action against your registration to practice as a pharmacy technician in the Commonwealth of Massachusetts, including any right to renew your registration.**

Your Answer to the Order to Show Cause and your written request for a hearing must be filed with Sean J. Casey, Prosecuting Counsel, at the following address:

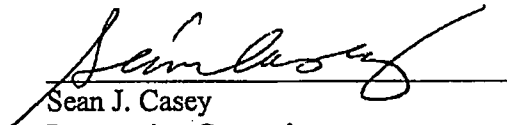
Sean J. Casey  
Prosecuting Counsel  
Department of Public Health  
Office of the General Counsel, 5<sup>th</sup> Floor  
239 Causeway Street  
Boston, MA 02114

You or your representative may examine Board records relative to this case prior to the date of the hearing during regular business hours at the office of the Prosecuting Counsel. If you elect to undertake such an examination, then please contact Prosecuting Counsel in advance at (617) 973-0880 to schedule a time that is mutually convenient.

BOARD OF REGISTRATION IN PHARMACY  
By its Counsel

Dated: 12/30/16

By:

  
Sean J. Casey  
Prosecuting Counsel  
Department of Public Health  
Office of the General Counsel, 5<sup>th</sup> Floor  
239 Causeway Street  
Boston, MA 02114  
(617) 660-0880

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Order to Show Cause was served upon the Respondent:

Ms. Dawn Marie Connelly  
[REDACTED]

by first class mail, postage prepaid, and by Certified Mail No. 7016 0340 0000 4976 2100

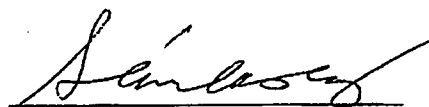
Ms. Dawn Marie Connelly  
[REDACTED]

by first class mail, postage prepaid, and by Certified Mail No. 7016 0340 0000 4976 2141

Ms. Dawn Marie Connelly  
[REDACTED]

by first class mail, postage prepaid, and by Certified Mail No. 7016 0340 0000 4976 2131

This 30<sup>th</sup> day of December, 2016.

  
Sean J. Casey  
Prosecuting Counsel