

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of)
Deborah A. Howie, R.Ph.)
Pharmacist Registration No. 22436)
_____)

Docket No. PH-07-031

CONSENT AGREEMENT

The Board of Registration in Pharmacy ("Board") and Deborah A. Howie, R.Ph. ("Registrant"), a pharmacist registered by the Board (Pharmacist Registration No. 22436), 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 disputed matters arising out of a complaint pending against the Registrant before the Board as Docket No. PH-07-031 (the "Complaint").
2. The Complaint alleged that on or about June 7, 2006, Registrant, while employed as a pharmacist at Brooks Pharmacy #556, 131-133 Main Street, Middleboro, Massachusetts (Permit No. 3126) dispensed the incorrect dosage of Morphine Sulfate 20 mg/ml.
3. Accordingly, the Registrant freely agrees to the following:
 - a. That the conduct described in Paragraph 2 above if proven may constitute professional misconduct which warrants Board disciplinary action under G.L. c. 112, §§ 42A and 61 and Board Regulations 247 CMR 9.01(1); and
 - b. Registrant's Massachusetts Pharmacist Registration is hereby **REPRIMANDED** by the Board for her conduct in this matter;
 - c. Registrant shall complete two (2) hours of continuing education (CE) related to medication error prevention and submit the ORIGINAL CE certificate 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 file a USP Medication Error Report (USP Report) with USP Practitioners Reporting Network and submit a copy of the report to the Board along with a copy of the Agreement within ninety (90) days of the Effective date of the Agreement.

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 his decision to enter into this Agreement or, if she did not, that he had an opportunity to do so and that his decision to enter into this Agreement was made of her own free will.

9. Registrant certifies that he has read this document entitled "Consent Agreement." The Registrant understands that, by executing this Agreement, she is waiving her 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.*

Nicole Hallett
Witness (signature)

Nicole Hallett
Witness (print name)

Deborah A. Howie RPh
Deborah A. Howie, R.Ph.

Registrant
Date: 2/20/07

Board of Registration in Pharmacy
James T. DeVita
James T. DeVita, R.Ph.

President
Date: 2/15/07

Dec. No. 1469