

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION  
IN PHARMACY

In the Matter of )  
**Debra S. Kaplan** )  
Pharmacist Registration No. 18733 )  
\_\_\_\_\_ )

Docket No. PHA20090112

Received  
JAN 14 2010

BOARD OF  
PHARMACY

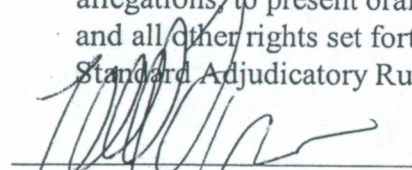
**CONSENT AGREEMENT**

The Board of Registration in Pharmacy ("Board") and Debra S. Kaplan, R.Ph. ("Registrant"), a pharmacist registered by the Board (Pharmacist Registration No. 18733), do hereby stipulate and agree that the following information shall be entered into and become a permanent part of the file of Registrant which is maintained by the Board:

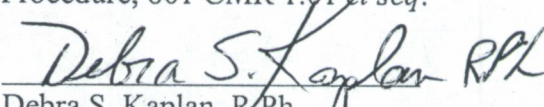
1. The parties enter into this Consent Agreement ("Agreement") in order to resolve certain complaints pending against Registrant as Docket No. PHA20090112 (the "Complaint").
2. The Registrant acknowledges that she knowingly signed a renewal of her pharmacist license in which she attested "under the penalties of perjury" that she had fulfilled requisite continuing education (CE) requirements for the period 2007 and 2008, yet when audited by the Board, the Registrant only provided documentation of three contact hours of CE (no law and or live contact hours completed) in 2007 (15 contact hours required) and no contact hours of CE (no law and or live contact hours completed) in 2008 (15 contact hours required). The Registrant acknowledges that at the time of the Board CE audit, she was employed as a pharmacist at PharMerica (the "Pharmacy") located at 1123 Pearl Street, Brockton, Massachusetts.
3. Accordingly, the Registrant freely agrees to the following:
  - a. That the conduct described in Paragraph 2 above constitutes professional misconduct which warrants disciplinary action pursuant to G.L. c. 112, §§ 42A and 61 and 247 CMR 4.03(3)(4), 9.01(1) and 10.03 (1)(a);
  - b. Registrant's Massachusetts Pharmacist Registration is hereby **REPRIMANDED** by the Board for Registrant's conduct in this matter;
  - c. Registrant shall complete eighty one (81) hours of continuing education (CE) to include thirty (30) hours of LIVE CE's and twelve (12) hours of LAW CE's which may not also be used for license renewal. Registrant shall submit the ORIGINAL CE certificates of completion to the Board along with a copy of the Agreement prior to December 31, 2010;
  - d. Registrant must pass the Multistate Pharmacy Jurisprudence Examination (MPJE), with a score of at least 75%, within six months of the effective date of this Agreement (the "Effective Date"); and



- e. The Registrant shall return a signed copy of this 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 she 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)

Thomas Firge  
Witness (print name)

  
Debra S. Kaplan, R.Ph.

Registrant

Date: 1-12-2010

BOARD OF REGISTRATION  
IN PHARMACY

  
James T. DeVita, R.Ph.

President

Effective Date: 1/15/10

Dec. No. 2132