

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of
Henry Pelletier
Pharmacist Registration No. PH15436
Expiration Date: December 31, 2014

PHA-2012-0151

CONSENT AGREEMENT FOR REPRIMAND

The Massachusetts Board of Registration in Pharmacy (Board) and Henry Pelletier (Registrant), a Pharmacist licensed by the Board, Registration No. PH15436, do hereby stipulate and agree that the following information shall be entered into and become a permanent part of the Registrant's record maintained by the Board:

1. The Registrant acknowledges that a complaint has been filed with the Board against his Massachusetts Pharmacist registration (registration¹) related to the conduct set forth in paragraph 2, identified as Docket Nos. PHA-2012-0151 (the Complaint).
2. The Registrant admits that:
 - a. On or about June 5, 2001, he entered into a Settlement Agreement with the Board of Pharmacy for the State of Connecticut with respect to a matter involving two separate prescription dispensing errors. He further admits that this Settlement Agreement with the Connecticut Board of Pharmacy constituted disciplinary action and that he failed to disclose this disciplinary action to the State of Maine Board of Pharmacy.
 - b. On or about April 5, 2012, he entered into a Consent Agreement with the State of Maine with respect to his failure to report the Connecticut disciplinary action. He further admits that this Consent Agreement with the Maine Board of Pharmacy constituted disciplinary action a
 - c. He has at no time reported either disciplinary action to the Massachusetts Board of Pharmacy.

The Registrant acknowledges that the foregoing facts warrant disciplinary action by the Board under Mass. General Laws., ch. 42A and 61, and under 247 CMR 10.03(1)(t)(y) and (z).

3. The Registrant agrees that the Board shall impose a REPRIMAND on his license based on his registration based on the facts admitted in Paragraph 2, effective as of the date on which the Board signs this Agreement (Effective Date).
4. The Board agrees that in return for the Registrant's execution and successful compliance with all the requirements of this Agreement, the Board will not prosecute the Complaint.

¹ The term "registration" applies to both a current registration and the right to renew an expired registration.

5. The Registrant understands that he has a right to formal adjudicatory hearing concerning the Complaint 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, G. L. c. 30A, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 *et seq.* The Registrant further understands that by executing this Agreement he is knowingly and voluntarily waiving his right to a formal adjudication of the Complaint.
6. The Registrant acknowledges that he has been at all times free to seek and use [The Registrant acknowledges that he has been represented by] legal counsel in connection with the Complaint and this Agreement.
7. The Registrant acknowledges that after the Effective Date, the Agreement constitutes a public record of disciplinary action by the Board subject to the Commonwealth of Massachusetts' Public Records Law, G.L. ch. 4, §7. 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.
8. The Registrant certifies that he has read this Agreement. The Registrant understands and agrees that entering into this Agreement is a voluntary and final act and not subject to reconsideration, appeal or judicial review.

Kimberly A. Conant 11/5/14
 Witness (sign and date)
 Print Name: Kimberly A. Conant

Henry Pelletier
 Henry Pelletier (sign and date)

February 6, 2014
 Effective Date of Reprimand Agreement

David Sencabaugh
 David Sencabaugh
 Executive Director
 Board of Registration in Pharmacy

Fully Signed Agreement Sent to Registrant on 2/6/14 by Certified Mail
 No. 7010 1870 0002 2380 5370