

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of)
Jacquelyn Stanley)
PH15712)

PHA-2020-0039

CONSENT AGREEMENT FOR PROBATION

The Massachusetts Board of Registration in Pharmacy (“Board”) and Jacquelyn Stanley (“Licensee”), PH15712, 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. Licensee acknowledges the Board opened a complaint against her Massachusetts pharmacist license related to the conduct set forth in Paragraph 2, identified as Docket No. PHA-2020-0039.¹
2. The Board and Licensee acknowledge and agree to the following facts:
 - a. Between at least January 2020 and May 2020, Licensee served as Manager of Record of Plainville Prescription Center (“Pharmacy”), DS1584, located in Plainville, Massachusetts.
 - b. As described in 247 CMR 6.07, Licensee, as Manager of Record, was responsible for the operation of the Pharmacy in compliance with 247 CMR 2.00 et seq. and applicable state and federal laws and regulations.
 - c. A Board investigator inspected the Pharmacy on or about January 21, 2020 and observed the following deficiencies:
 - i. Failure to maintain an accurate perpetual inventory, in violation of 247 CMR 9.01(14);
 - ii. Failure to conduct biennial inventory, in violation of 247 CMR 9.01(1) and 21 CFR 1304.11(a); and
 - iii. Failure to properly monitor refrigerator/freezer temperatures, in violation of Board Policy No. 2011-01.
 - d. A plan of correction was issued to the Pharmacy on February 11, 2020 regarding the deficiencies observed on January 21, 2020.

¹ The term “license” applies to both a current license and the right to renew an expired license.

- e. On February 25, 2020, a Board investigator conducted a site visit and observed the following deficiencies:
 - i. Failure to maintain an accurate perpetual inventory, in violation of 247 CMR 9.01(14);
 - ii. Failure to conduct biennial inventory, in violation of 247 CMR 9.01(1) and 21 CFR 1304.11(a); and
 - iii. Failure to properly monitor refrigerator/freezer temperatures, in violation of Board Policy No. 2011-01.
 - f. By May 2020, the Pharmacy had not provided a written plan of correction or corrected said deficiencies, in violation of 247 CMR 6.13.
3. The Board and Licensee acknowledge and agree that the facts described in Paragraph 2 warrant disciplinary action by the Board under M.G.L. c. 112, §§ 42A & 61 and 247 CMR 10.03(1)(a),(b), (c), (d), & (v).
 4. Licensee agrees that her pharmacist license shall be placed on PROBATION for two (2) years (“Probationary Period”), commencing with the date on which the Board signs this Agreement (“Effective Date”).
 5. During the Probationary Period, the Licensee agrees that she shall comply in all material respects with all laws and regulations governing the practice of pharmacy and the United States Pharmacopeia.
 6. During the Probationary Period, Licensee further agrees that she will not serve as Manager of Record of any pharmacy.
 7. The Board agrees that in return for Licensee’s execution and successful compliance with the requirements of this Agreement it will not prosecute the Complaint.
 8. If the Licensee has complied to the Board’s satisfaction with all the requirements contained in this Agreement, the Probationary Period will terminate two (2) years after the Effective Date upon written notice to the Licensee from the Board².
 9. If the Licensee does not materially comply with each requirement of this Agreement, or if the Board opens a Subsequent Complaint³ during the Probationary Period, the Licensee agrees to the following:

² In all instances where this Agreement specifies written notice to the Licensee from the Board, such notice shall be sent to the Licensee’s address of record.

³ The term “Subsequent Complaint” applies to a complaint opened after the Effective Date concerning acts, omissions, or events occurring after the Effective Date, which (1) alleges that the Licensee engaged in

- a. The Board may upon written notice to the Licensee, as warranted to protect the public health, safety, or welfare:
 - i. EXTEND the Probationary Period; and/or
 - ii. MODIFY the Probation Agreement requirements; and/or
 - iii. IMMEDIATELY SUSPEND the Licensee's pharmacist license.
 - b. If the Board suspends the Licensee's pharmacist license pursuant to Paragraph 9(a)(iii), the suspension shall remain in effect until:
 - i. the Board provides Licensee written notice that the Probationary Period is to be resumed and under what terms; or
 - ii. the Board and Licensee sign a subsequent agreement; or
 - iii. the Board issues a written final decision and order following adjudication of the allegations (1) of noncompliance with this Agreement, and/ or (2) contained in the Subsequent Complaint.
10. Licensee agrees that if the Board suspends her pharmacist license in accordance with Paragraph 9, she will immediately return her current Massachusetts pharmacist license to the Board, by hand or certified mail. Licensee further agrees that upon said suspension, she will no longer be authorized to practice as a pharmacist in the Commonwealth of Massachusetts and shall not in any way represent herself as a pharmacist until such time as the Board reinstates her pharmacist license or right to renew such license.
11. Licensee understands that she has a right to formal adjudicatory hearing concerning the Complaint and that during said adjudication she would possess the right 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 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 she is knowingly and voluntarily waiving her right to a formal adjudication of the Complaints.
12. The Licensee acknowledges that she has been at all times free to seek and use legal counsel in connection with the Complaint and this Agreement.
13. The Licensee acknowledges that after the Effective Date, the Agreement constitutes a public record of disciplinary action by the Board. The Board may

conduct that violates Board statutes or regulations, and (2) is substantiated by evidence, as determined following the complaint investigation during which the Licensee shall have an opportunity to respond.

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forward a copy of this Agreement to other licensing boards, law enforcement entities, and other individuals or entities as required or permitted by law.

14. The Licensee certifies that she has read this Agreement. The Licensee understands and agrees that entering into this Agreement is a voluntary and final act and not subject to reconsideration, appeal or judicial review.

Paul Heroux 2/7/21
Witness (sign and date)
HEROUX

Jacquelyn Stanley
Jacquelyn Stanley (sign and date)

David Sencabaugh
David Sencabaugh, R. Ph.
Executive Director
Board of Registration in Pharmacy
2/26/21
Effective Date of Probation Agreement

Fully Signed Agreement Sent to Licensee on February 24, 2021 by Certified
Mail No. 7019 0140 0000 7223 5847