

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION IN
PHARMACY

In the Matter of)
JANE LEE)
PT License No. 15277)

Docket No. PHA-2013-0160

CONSENT AGREEMENT FOR VOLUNTARY SURRENDER

The Massachusetts Board of Registration in Pharmacy ("Board") and Jane Lee ("Licensee"), a Pharmacy Technician registered by the Board, Registration No. PT15277, 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. The Licensee acknowledges that the Board opened a complaint against her Massachusetts Pharmacy Technician registration ("registration") related to the conduct set forth in Paragraph 2, identified as Docket No. PHA-2013-0160 ("the Complaint").¹
2. The Board and the Licensee acknowledge and agree to the following facts:
 - a. The Licensee is not licensed or authorized to order or prescribe controlled substances.
 - b. The Licensee took blank prescription slips from a physician by whom she was employed.
 - c. On multiple occasions, the Licensee wrote false prescriptions for varying strengths of Hydrocodone and Oxycodone (Schedule II Controlled Substances) on the blank prescriptions slips she took and she submitted the fraudulent prescriptions to her employer, CVS Nos. 1866 and 1868 for filling.
 - d. Through the use of the fraudulent prescriptions, the Licensee obtained at least 480 tablets of varying strengths of Hydrocodone from CVS No.

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

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1868 and at least 710 tablets of varying strengths of Hydrocodone from CVS No. 1866.

- e. Through the use of the fraudulent prescriptions, the Licensee obtained at least 3,636 tablets of varying strengths of Oxycodone from CVS No. 1866 and at least 1,000 tablets of varying strengths of Oxycodone from CVS No. 1868.
 - f. The Licensee provided false information to the two pharmacies in order to obtain Controlled Substances.
 - g. The Licensee did not have a legal or valid prescription for the Hydrocodone or Oxycodone she obtained from CVS Nos. 1866 or 1868.
3. The Board and Licensee acknowledge and agree that the Licensee's conduct described in Paragraph 2 is a violation of M.G.L. c. 94C, § 34 and warrants disciplinary action by the Board under M.G.L. c. 112, § 61 and Board regulations at 247 CMR 10.06.
 4. The Licensee agrees to SURRENDER her license and refrain from practicing as a Pharmacy Technician and from working in any pharmacy setting in Massachusetts, commencing with the date on which the Board signs this Agreement ("Effective Date").
 5. The Licensee further agrees to immediately return her original Massachusetts pharmacy technician registration to the Board.
 6. The Board agrees that in return for the Licensee's execution of this Agreement it will not prosecute the Complaint.
 7. The Licensee understands that she has a right to formal adjudicatory hearing concerning the allegations against her 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 Complaint.

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8. The Licensee acknowledges that she has at all times been free to seek and use legal counsel in connection with the Complaint and this Agreement.
9. The Licensee acknowledges that after the Effective Date, the Agreement constitutes a public record of disciplinary action by the Board. 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.
10. The Licensee certifies that she has read this Agreement. The Licensee understands and agrees that entering into this Agreement is a final act and not subject to reconsideration, appeal or judicial review.

X Christopher Gee

Witness (sign and date)

Jane Lee

Jane Lee
Licensee (sign and date)

David Sencabaugh

David Sencabaugh
Executive Director
Board of Registration in Pharmacy

7-18-14
Effective Date of Surrender Agreement

Fully Signed Agreement Sent to Licensee on July 18, 2014 by
Certified Mail No. 7012 3460 0003 3582 4275

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