

Robert, Janet
PHA-2013-0026
PH22670

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of

JANET ROBERT, R. Ph.

PH LICENSE NO. 22670

REG. EXP. DATE: 12/31/2010

Received

DOCKET NO. PHA-2013-0026

NOV 21 2014

CONSENT AGREEMENT FOR VOLUNTARY SURRENDER
BOARD OF
PHARMACY

The Massachusetts Board of Registration in Pharmacy ("Board") and Janet Robert ("Licensee"), a registered pharmacist by the Board, Registration No., 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 a complaint has been filed with the Board against her Massachusetts pharmacist registration ("registration"¹) related to the conduct set forth in paragraph 2, identified as Docket No. PHA-2013-0026 ("the Complaint").
2. The Licensee admits that she entered into a prior Consent Agreement with the Board, effective May 9, 2009 (prior agreement). She admits that per the terms of the prior agreement she was required to take and pass the MPJE with a score of at least 75% within six months of the effective date of the prior agreement; she admits that she has not fulfilled this requirement. The Licensee acknowledges that her conduct constitutes failure to comply with the Board's regulations at 247 Code of Massachusetts Regulations ("CMR") 10.03(1)(j) and warrants disciplinary action by the Board under Massachusetts General Laws ("G.L.") Chapter 112, section 61 and Board regulations at 247 CMR 10.06, Disciplinary Actions.
3. The Licensee agrees to **SURRENDER** her registration for an indefinite period ("Surrender Period"), commencing with the date on which the Board signs this Agreement ("Effective Date").
4. After the Surrender Period, and when the Licensee can complete to the satisfaction of the Board all of the requirements set forth in this Paragraph and in the Board's policy 2011-02 "License Reinstatement following Surrender, Suspension, or Revocation," the Licensee may petition the Board for reinstatement of her registration. The petition must be in writing and must

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

include the following documentation of the Licensee's ability to practice as a pharmacist in a safe and competent manner, all to the Board's satisfaction:

- a. All documentation required pursuant to Board's policy 2011-02 "License Reinstatement following Surrender, Suspension, or Revocation,"
 - b. A performance evaluation sent directly to the Board from each of the Licensee's employers, prepared on official letterhead that reviews the Licensee's attendance, general reliability, and specific job performance during the year immediately prior to the date on which the Licensee submits her petition ("petition date")².
 - c. Authorization for the Board to obtain a Criminal Offender Record Information ("CORI") report of the Licensee conducted by the Massachusetts Criminal History Systems Board.
 - d. Proof of completion of the Multistate Pharmacy Jurisprudence Examination with a score of at least 75%.
 - e. Proof of completion of continuing education requirements for the 2011-2012 renewal cycle and all other subsequent renewal cycles that have completed prior to the date of the petition for reinstatement.
5. If and when the Board determines that the Licensee has complied to the Board's satisfaction with all the requirements contained in Paragraph 4, the Board shall send written notice to the Licensee³ which shall terminate the Surrender Period.
 6. The Licensee agrees that she will not practice as a registered pharmacist in Massachusetts from the Effective Date unless and until the Board reinstates her registration⁴.
 7. The Board agrees that in return for the Licensee's execution of this Agreement it will not prosecute the Complaint.

² If the Licensee has not been employed during the year immediately prior to the petition date, he shall submit an affidavit to the Board so attesting.

³ 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.

⁴ The Licensee understands that practice as a registered pharmacist includes, but is not limited to, seeking and/or accepting a paid or voluntary position as a registered pharmacist, or a paid or voluntary position requiring that the applicant hold a current pharmacist registration. The Licensee further understands that if he accepts a voluntary or paid position as a registered pharmacist, or engages in any practice of pharmacy after the Effective Date and before the Board formally reinstates his registration, evidence of such practice shall be grounds for the Board's referral of any such unlicensed practice to the appropriate law enforcement authorities for prosecution.

8. 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, 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.
9. The Licensee acknowledges that she has at all times free to seek and use legal counsel in connection with the Complaint and this Agreement.
10. 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.
11. 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.

Armand Robert
Witness (sign and date)
11/13/14

Janet M Robert 11/13/14
JANET ROBERT, R. Ph.
Licensee (sign and date)

Armand Robert
Witness (print name)

David Sencabaugh
David Sencabaugh
Executive Director
Board of Registration in Pharmacy

November 25, 2014
Effective Date of Surrender Agreement

Fully Signed Agreement Sent to Licensee on November 26, 2014 by Certified Mail No. 7014 0510 0001 0375 4163

*Please use my current address which has been on file for 8 years.
50 windswept way Coventry, Ct 06238