

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of)
J.E. Pierce Apothecary Inc.)
Pharmacy No. 1297)
_____)

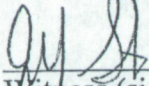
Docket No. PHA-2009-0075

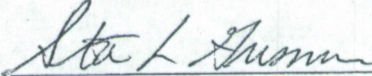
VOLUNTARY SURRENDER AGREEMENT

The Board of Registration in Pharmacy ("Board") and Steven L. Grossman, R.Ph. ("Registrant"), a pharmacist registered by the Board (Pharmacist Registration No. 18342) and owner and manager of record of J.E. Pierce Apothecary, Inc. (Pharmacy Registration No. 1297), located at 1180 Beacon St. in Brookline, Massachusetts ("Pharmacy"), 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") to resolve the matters pending against Registrant before the Board as Docket No. PHA-2009-0075 ("Complaint") concerning practices and conditions observed during a Board inspection of the Pharmacy on May 19, 2009.
2. Registrant is currently owner and manager of record of the Pharmacy and was owner and manager of record of the Pharmacy at all times relevant to the Complaint.
3. Registrant acknowledges and agrees the Board Investigators inspected the Pharmacy on May 19, 2009 and that based on the Investigator's findings and observations, the Board could conclude that there were multiple violations of state and federal statutes and regulations pertaining to the practice of pharmacy, including but not limited to: M.G.L. c. 94C Sec. 15; 247 CMR; 6.01(5) (b), (d); 6.02 (1), (6); 6.06(1); 8.01(11); 9.01 (1), (2), (3), (5), (14); and 21 CFR 352, 1304.11 (c).
4. Registrant acknowledges and agrees to surrender Pharmacy Registration No. 1297 to the Board as of the Effective Date below.
5. The Agreement and its contents shall be incorporated into the records maintained by the Board. The Agreement is public record subject to disclosure to the public and equivalent state licensing boards.

6. The Board agrees that in return for Registrant's execution of this Agreement, the Board will not initiate proceedings pursuant to G.L. c. 94C, § 14 and G.L. c. 112, § 40; any and all other rights of the Board to take action within the scope of its authority are expressly reserved.
7. Registrant understands and agrees that the decision to enter into this Agreement is a final act and is not subject to reconsideration or judicial review.
8. Registrant states that he has used counsel in connection with his decision to enter into this Agreement or, if he did not, that he had an opportunity to do so and that his decision to enter into this Agreement was made of his own free will.
9. Registrant certifies that he has read this document entitled "Voluntary Surrender Agreement." Registrant understands that, by executing this Agreement, he is waiving his right to a formal hearing at which he would possess the rights 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 court in the event of an adverse ruling, and all other rights set forth in G. L. c. 30A and 801 CMR 1.01 *et. Seq.* Registrant states that he further understands that in executing this document entitled "Voluntary Surrender Agreement," he is knowingly and voluntarily waiving his right to a formal hearing and to all of the above listed rights.

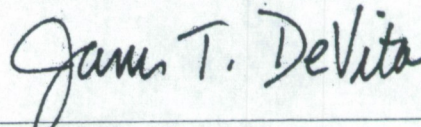
 6/18/09
Witness (sign name and date)


Steven L. Grossman, R.Ph.

Jaclyn Stein
Witness (print name)

Date: 6-18-2009

BOARD OF REGISTRATION
IN PHARMACY


James T. DeVita, R.Ph.
President
Date: June __, 2009

7/13/09
EFFECTIVE DATE