

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of)
John Carey)
PH17893)

PHA-2021-0096

CONSENT AGREEMENT FOR VOLUNTARY SURRENDER

The Massachusetts Board of Registration in Pharmacy (Board) and John Carey (Licensee), a pharmacist licensed by the Board, PH17893, 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 his Massachusetts pharmacist license related to the conduct set forth in Paragraph 2, identified as Docket No. PHA-2021-0096 (Complaint).¹
2. The Licensee and the Board agree to resolve this Complaint without making any admissions or findings and without proceeding to a formal adjudicatory hearing. The Complaint alleges the following:
 - a. From approximately July 2021 through October 2021, Licensee worked as a floater pharmacist at the following CVS Pharmacy locations:
 - i. CVS # 321;
 - ii. CVS # 844;
 - iii. CVS # 972;
 - iv. CVS # 1248;
 - v. CVS # 1250;
 - vi. CVS # 1855;
 - vii. CVS # 1866;
 - viii. CVS # 1896;
 - ix. CVS # 2054;
 - x. CVS # 2325;
 - xi. CVS # 5826; and
 - xii. CVS # 7232.

¹ The term "license" includes a current license and the right to renew an expired license.

- b. While working as a floater pharmacist at CVS Pharmacy locations, Licensee diverted numerous controlled substances, including: promethazine/codeine syrup; codeine products; hydrocodone liquid products; and opioid tablets. Licensee did not have a prescription for said controlled substances.
3. The Licensee agrees the conduct described in Paragraph 2 constitutes a violation of Mass. Gen. Laws ch. 94C, § 34 and warrants disciplinary action by the Board under Mass. Gen. Laws ch. 112, §§ 42A, 61 and 247 Mass. Code Regs. 10.03(1)(h) and (x).
 4. The Licensee agrees to SURRENDER his pharmacist license for an indefinite period of time and refrain from practicing as a pharmacist and from working in any pharmacy-related setting in Massachusetts, commencing with the date on which the Board signs this Agreement (Effective Date).
 5. The Licensee agrees that he will not practice as a pharmacist or work in a pharmacy related setting in Massachusetts from the Effective Date unless and until the Board reinstates his license.²
 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 he has a right to formal adjudicatory hearing concerning the allegations against him 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, Mass. Gen. Laws ch. 30A, and the Standard Adjudicatory Rules of Practice and Procedure, 801 Mass. Code Regs. 1.01 *et seq.* The Licensee further understands that by executing this Agreement he is knowingly and voluntarily waiving his right to a formal adjudication of the Complaint.

² The Licensee understands that practice as a licensed pharmacist includes, but is not limited to, seeking and/or accepting a paid or voluntary position as a licensed pharmacist or a paid or voluntary position requiring that the applicant hold a current pharmacist license. The Licensee further understands that if he accepts a voluntary or paid position as a pharmacist or engages in any practice of pharmacy after the Effective Date and before the Board formally reinstates his license, 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 acknowledges that he has been represented by 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 he 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.

Date

2/3/2025

John Carey
(sign)

Michael J. Godek, R.Ph.

Michael Godek, R. Ph.
Executive Director
Board of Registration in Pharmacy

2/7/2025

Effective Date

Fully Signed Agreement Sent to Licensee on February 10, 2025 by Certified Mail
No. 9589 0710 5270 1788 9276 54

John Carey
PH17893
PHA-2021-0096