

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION  
IN PHARMACY

In the Matter of  
Kristyn D. Howes  
Pharmacist Registration No. PH119966  
Expiration Date: December 31, 2014

PHA-2012-0043

CONSENT AGREEMENT FOR REPRIMAND

The Massachusetts Board of Registration in Pharmacy (Board) and Kristyn D. Howes (Registrant), a pharmacist licensed by the Board, Registration No. PH119966, do hereby stipulate and agree that the following information shall be entered into and become a permanent part of the Registrant's record maintained by the Board:

1. The Registrant acknowledges that a complaint has been filed with the Board against her Massachusetts Pharmacist registration (registration<sup>1</sup>) related to the conduct set forth in paragraph 2, identified as Docket No. PHA-2012-0043 (the Complaint).
2. The Registrant admits that she provided two Schedule VI prescription medications to a co-worker for use by the co-worker's family members, with knowledge that the co-worker's family members did not have a current, valid prescription for those medications. The Registrant acknowledges that the foregoing facts warrant disciplinary action by the Board under Mass. General Laws., ch. 42A and 61, and under 247 CMR 9.01(1)(a) and 247 CMR10.03(1)(a), (e), (v) and (w).
3. The Board acknowledges the receipt of documentation that she has completed two (2) contact hours of continuing education on the topic of pharmacy law<sup>2</sup>. The Registrant and the Board acknowledge that the Board's receipt of this affidavit was a precondition to be met before the Board enters into this Agreement.
4. The Registrant agrees that the Board shall impose a REPRIMAND on her registration based on the facts admitted in Paragraph 2, effective as of the date on which the Board signs this Agreement (Effective Date).
5. The Board agrees that in return for the Registrant's execution and successful compliance with all the requirements of this Agreement, the Board will not prosecute the Complaint.
6. The Registrant 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

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

<sup>2</sup> These continuing education courses must be *in addition to* any contact hours required for license renewal.

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 Registrant further understands that by executing this Agreement she is knowingly and voluntarily waiving her right to a formal adjudication of the Complaint.

7. The Registrant acknowledges that she has been represented by legal counsel in connection with the Complaint and this Agreement.
8. The Registrant acknowledges that after the Effective Date, the Agreement constitutes a public record of disciplinary action by the Board subject to the Commonwealth of Massachusetts' Public Records Law, G.L. ch. 4, §7. . 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.
9. The Registrant certifies that she has read this Agreement. The Registrant understands and agrees that entering into this Agreement is a voluntary and final act and not subject to reconsideration, appeal or judicial review.

Paul T. Howes 10/29/13  
Witness (sign and date)

Kristyn D Howes 10/29/13  
Kristyn D. Howes (sign and date)  
Print Name: Kristyn D Howes

11/5/13  
Effective Date of Reprimand Agreement

David Senebaugh  
~~Margaret Cittadino~~ David Senebaugh  
~~Associate Director~~ Executive Director  
Board of Registration in Pharmacy

Fully Signed Agreement Sent to Registrant on 11/6/13 by Certified Mail  
No. 7012 3460 8601 7330 8876