

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of)
Lanvy Vu, R. Ph.)
License Number: PH235417)
Expiration: December 31, 2016)

PHA-2016-0044

Received

SEP 15 2015

CONSENT AGREEMENT FOR REPRIMAND

BOARD OF
PHARMACY

The Massachusetts Board of Registration in Pharmacy ("Board") and Lanvy Vu ("Licensee"), a pharmacist licensed by the Board, license number PH235417, 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:

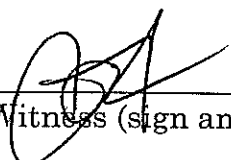
1. The Licensee acknowledges that the Board opened a Complaint against her Massachusetts pharmacist license related to the conduct set forth in Paragraph 2, identified as Docket Number PHA-2016-0044 ("Complaint").
2. The Board and the Licensee acknowledge and agree to the following facts:
 - a. Licensee served as the Manager of Record of Maxim Pharmacy, DS3425, located in Dorchester, Massachusetts ("Pharmacy") from approximately June 10, 2015 until February 19, 2016.
 - b. As described in 247 CMR 6.07, Licensee, as Manager of Record, was responsible for the operation of the Pharmacy in compliance with 247 CMR 2.00 *et seq.* and applicable state and federal laws and regulations.
 - c. Board investigators conducted an inspection of the Pharmacy on August 10, 2015 and observed deficiencies related to refrigeration of controlled substances. Specifically, Board investigators observed the refrigerator to have several instances of temperatures below 36 degrees. Nineteen products were affected by the out of range temperatures, including insulins, immunizations, and ophthalmics.
 - d. At the conclusion of the August 10, 2015 inspection, Licensee confirmed that she participated in the inspection and reviewed the inspection results with the investigator during the exit interview.

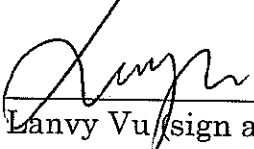
Lanvy Vu
PH235417
PHA-2016-0044

- e. As a result of the deficiencies observed on August 10, 2015, the Pharmacy and Licensee submitted a plan of correction.
 - f. Board investigators conducted another inspection of the Pharmacy on December 1, 2015. On that date, Board investigators again observed deficiencies involving refrigeration and immunizations. Specifically, investigators observed the Pharmacy failed to maintain a temperature log for one of the refrigerators and the zostavax and varivax immunizations were stored at the incorrect temperature. At least 29 products were affected by inadequate refrigeration.
 - g. At the conclusion of the December 1, 2015 inspection, Licensee confirmed that she participated in the inspection and reviewed the inspection results with the investigator during the exit interview.
 - h. As a result of the deficiencies observed on December 10, 2015, the Pharmacy and Licensee submitted a plan of correction.
 - i. Board investigators inspected the Pharmacy again on March 30, 2016. The results of that inspection were satisfactory.
 - j. The violations described in Paragraph 2 constitute violations of 247 CMR 9.01(1), 247 CMR 9.01(5), and Board Policy No. 2011-01.
3. The Licensee acknowledges that the foregoing facts warrant disciplinary action by the Board under M.G.L. c. 112, §§ 42A and 61 and under 247 CMR 10.03(1)(a), (d), and (v).
 4. The Licensee agrees that the Board shall impose a REPRIMAND on her license 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 Licensee's execution and successful compliance with all the requirements of this Agreement, the Board will not prosecute the Complaint.

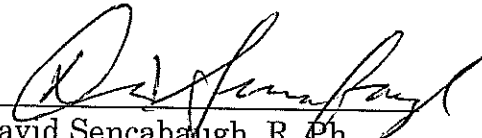
Lanvy Vu
PH235417
PHA-2016-0044

6. The Licensee 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 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.
7. The Licensee acknowledges that she has been at all times free to seek and use legal counsel in connection with the Complaint and this Agreement.
8. The Licensee 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, M.G.L. c. 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 Licensee certifies that she has read this Agreement. The Licensee understands and agrees that entering into this Agreement is a voluntary and final act and not subject to reconsideration, appeal or judicial review.

 9/12/16
 Witness (sign and date)

 9/12/16
 Lanvy Vu (sign and date)

9-22-16
 Effective Date of Reprimand Agreement


 David Sencabaugh, R. Ph.
 Executive Director
 Board of Registration in Pharmacy

Fully Signed Agreement Sent to Registrant on 10/20/16 by
 Certified Mail No. 7015 3010 0001 6944 5963

Lanvy Vu
 PH235417
 PHA-2016-0044