

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

)
In the Matter of)
)
Leo M. Lawless)
)
License No. PH16078)
)
License Suspended 12/22/11)
)
License Expiration 12/31/12)
_____)

Docket No. PHA-2011-0331

FINAL DECISION AND ORDER BY DEFAULT

Pursuant to Massachusetts General Laws Chapter 30A, § 10(2), 801 CMR 1.01 (6)(d)(2) and (7)(a)(1), the failure of Leo M. Lawless ("Respondent"), after due notice, to appear and defend in this matter, and Prosecuting Counsel's Motion for Entry of Default Judgment and Final Decision and Order by Default ("Motion"), the Board of Registration in Pharmacy ("Board") grants Prosecuting Counsel's Motion and issues this Final Decision and Order by Default.

PROCEDURAL BACKGROUND

On February 9, 2012, the Board issued and served on Respondent an Order to Show Cause ("Show Cause Order") ordering Respondent to show cause why the Board should not suspend, revoke, or otherwise take action against his license No. 16078 to practice as a pharmacist in the Commonwealth of Massachusetts based on the allegations in the Show Cause Order. (A copy of the Show Cause Order is attached hereto as Exhibit 1). Among other things, the Show Cause Order advised Respondent that failure to respond to notices or correspondence, failure to appear for any scheduled conference, pre-hearing conference, or hearing dates, or failure to otherwise defend in this action shall result in entry of default. The Show Cause Order specified the consequences of an entry of default. On or about February 13, 2012, Respondent filed an Answer to the Show Cause Order. (Exhibit 2)

Based on the agreements reached at a Status Conference on February 23, 2012, the Board issued a Scheduling Order. (Exhibit 3). Among other things, the Scheduling Order directed the parties to appear for an additional Status Conference on March 7, 2012, for a Pre-Hearing Conference on March 20, 2012, and for a Hearing on March 26, 2012, March 27, 2012, and March 28, 2012. At the March 7, 2012 Status Conference, Respondent requested an additional day of Hearing for the testimony of his expert witness. Pursuant to Respondent's request, an additional day of Hearing

was scheduled for March 30, 2012. Notice of the Pre-Hearing Conference and Hearing were issued on March 7, 2012.¹ (Exhibit 4 and Exhibit 5).

The Notice of Hearing specifically stated:

Should Respondent fail to appear at the Hearing, Prosecuting Counsel may move for the entry of default against Respondent. Following the entry of default, the Board may enter a Final Decision and Order by Default assuming the truth of the allegations in the Order to Show Cause and may revoke, suspend, or take other appropriate disciplinary action against Respondent's license.

The Pre-Hearing Conference was held as scheduled with all parties in attendance. On March 21, 2012, Respondent moved to continue the Hearing. (Exhibit 10). In support of his request, Respondent stated that his subpoena for the release of documents and the appearance of certain witnesses, issued to Hanscom Air Force Base ("Hanscom") on March 13, 2012, had been returned without action. The Board issued a Ruling on Respondent's Request to Continue Hearing ("Ruling") on March 22, 2012. (Exhibit 11). Among other things, the Ruling stated that the Hearing would begin as scheduled, with Prosecuting Counsel presenting her case on March 26, 2012 and March 27, 2012, but the remainder of the Hearing dates would be continued to allow Respondent an opportunity to seek enforcement of his subpoena for the release of documents and the appearance of witnesses from Hanscom.

Both parties appeared for the Hearing on March 26, 2012. At the commencement of the Hearing, Respondent stated that he wished to proceed with his case on March 28, 2012, and call the witnesses who were not subject to the Hanscom subpoena and willing and able to testify. He also stated that his expert witness would no longer be testifying, so there was no need for the March 30, 2012 Hearing date. It was agreed by all parties that the Hearing would proceed on March 26, 2012, March 27, 2012, and March 28, 2012, and one additional day of Hearing would be scheduled after Respondent had sought enforcement of the subpoena issued to Hanscom. Prosecuting Counsel then commenced the presentation of her case.

The Respondent failed to appear for the second day of Hearing on March 27, 2012. He did submit a letter via facsimile to Mr. James D. Coffey, the Executive Director of the Board, but in his letter, the Respondent did not address his failure to appear for the Hearing, he did not request a continuance of the Hearing, and he failed to provide any good cause for his absence. (Exhibit 12). At approximately 10:45 a.m., after waiting over half an hour for the Respondent to appear, Administrative Hearings Counsel ("AHC") telephoned Respondent and left a voicemail, advising him that his

¹ That same day, March 7, 2012, Prosecuting Counsel filed a Motion for Leave to File Amended Order to Show Cause with a First Amended Order to Show Cause ("Amended Show Cause Order"). (Exhibit 6). Respondent filed an Opposition to the Amended Show Cause Order on March 8, 2012. (Exhibit 7). On March 9, 2012, the Board issued a ruling allowing the Amended Show Cause Order and on March 10, 2012, Respondent filed an Answer to the Amended Show Cause Order. (Exhibit 8 and Exhibit 9). The Amended Show Cause Order reiterated that failure to appear at the hearing may result in the entry of default and specified the consequences of an entry of default.

failure to appear at the Hearing on March 27, 2012 constituted grounds for default and instructing him to contact the AHC or Prosecuting Counsel immediately. The Respondent failed to contact the AHC or Prosecuting Counsel regarding his failure to attend the Hearing and has failed to do so at any time thereafter. Prosecuting Counsel made an oral request to proceed with the Hearing and allow the waiting witnesses to testify. The request was granted, with the caveat that the witnesses may need to testify again should Respondent establish good cause for his absence, and Prosecuting Counsel called the remainder of her witnesses. At the conclusion of the Hearing on March 27, 2012, after Respondent's continued failure to contact the AHC or Prosecuting Counsel regarding his absence, Prosecuting Counsel made an oral Motion for Entry of Default Judgment and Final Decision and Order by Default. Prosecuting Counsel's Motion was granted.

EXHIBITS

The Board takes administrative notice of the following exhibits that are a part of the administrative record. The Show Cause Order is incorporated herein by reference and attached hereto:

1. Order to Show Cause dated February 9, 2012.
2. Respondent's Answer dated February 13, 2012.
3. Scheduling Order dated February 24, 2012.
4. Notice of Pre-Hearing Conference dated March 7, 2012.
5. Notice of Hearing dated March 7, 2012.
6. Prosecuting Counsel's Motion for Leave to File Amended Order to Show Cause and First Amended Order to Show Cause, both dated March 7, 2012.
7. Respondent's Opposition to Prosecuting Counsel's Motion for Leave to File Amended Order to Show Cause dated March 8, 2012.
8. Ruling on Prosecuting Counsel's Motion for Leave to File Amended Order to Show Cause dated March 9, 2012.
9. Respondent's Answer to First Amended Order to Show Cause dated March 10, 2012.
10. Respondent's Request to Continue Hearing dated March 21, 2012.
11. Board Ruling on Respondent's Request to Continue Hearing dated March 22, 2012.
12. Respondent's Letter addressed to Mr. James D. Coffey dated March 27, 2012.

DISCUSSION

By reason of Respondent's failure to appear and defend at the Hearing, and upon consideration of Prosecuting Counsel's Motion, the Board **GRANTS** Prosecuting Counsel's Motion. Productora e Importadora de Papel S. A. de C.V. v. Fleming, 376 Mass. 826, 833-835 (1978); University Hospital v. MCAD, 396 Mass. 533, 539 (1986); Wang v. Board of Registration in Medicine, 405 Mass. 15, 19-20 (1989)) (where

professional lacked current license to practice in the Commonwealth, board had jurisdiction based on professional's inchoate right to renew license). The Board finds that the allegations in the Show Cause Order and the violations of statutes and regulations stated therein are deemed admitted and established. Respondent was afforded an opportunity for a full and fair hearing as required by G.L. c. 30A §§ 10 and 11 (1), G.L. c. 112, § 62 and 801 CMR 1.01 (4) (c). Wherefore, in accordance with the Board's authority and statutory mandate, the Board orders as follows:²

ORDER

On April 3, 2012, in accordance with the Board's authority and statutory mandate, the Board voted to issue this Final Decision and Order by Default and **REVOKE** Respondent's Pharmacist License No. 16078 (which license was summarily suspended by the Board on December 22, 2011), effective April 5, 2012, by the following vote: In favor: Stanley B. Walczyk, R.Ph.; Karen M. Ryle, R.Ph., M.S.; Donald D. Accetta, M.D.; Michael J. Tocco, R.Ph., M.Ed.; Sophia Pasedis, R.Ph., Pharm.D.; Kathy J. Fabiszewski, N.P.; Ph.D.; Joanne M. Trifone, R.Ph., George A. Cayer, R.Ph. Absent: James T. DeVita, R.Ph., Steven Budish. Opposed: None. Recused: None.

The revocation of Respondent's license is based on the Board's consideration of multiple factors, including the allegations in the Show Cause Order, Respondent's response to the Show Cause Order, other information submitted for consideration by the Board (including health related evaluations), Respondent's disciplinary history with the Board, and his default in this matter.

Respondent is advised that the Board will consider a written request for the determination of terms for the reinstatement of pharmacist licensure in the Commonwealth filed not sooner than the date Respondent is able to provide satisfactory documentation to the Board of his completion of two (2) years (24 contiguous months) of Board-approved: (a) random monitoring screens; and (b) regularly scheduled counseling by a licensed health care provider. Respondent is advised that should he seek pharmacist licensure in the Commonwealth in the future, reinstatement terms may include, but not be limited to, re-examination, re-training, continuing education, comprehensive health evaluation(s), participation in Board approved monitoring program (MPRS), and probationary status (five year period) with terms as the Board may deem necessary and appropriate based upon Respondent's conduct in this matter and the administrative record of the hearing.

² In that the evidence in this default proceeding, consisting of the above-referenced exhibits, was before the Board, no tentative decision is required. 801 CMR 1.01 (11).

While Respondent's pharmacist license is revoked, Respondent may not:
(a) be employed as a pharmacist or in any pharmacy related position in any pharmacy setting in the Commonwealth; or (b) have any ownership, management or other interest or involvement in any pharmacy related business.

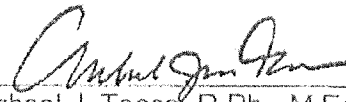
EFFECTIVE DATE OF ORDER

The Order of the Board shall be effective as of April 5, 2012.

RIGHT TO APPEAL

Respondent is hereby notified of the right to appeal this Final Decision and Order by Default to the Supreme Judicial Court, pursuant to G.L. c. 112, § 64 and G.L. c. 30A, §§ 14 and 15, within thirty days of receipt of notice of this *Final Decision and Order by Default*.

BOARD OF REGISTRATION
IN PHARMACY



Michael J. Tocco, R.Ph., M.Ed.
President
Date: April 5, 2012

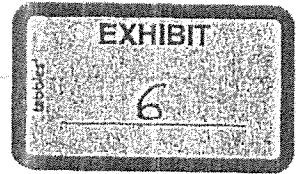
Attachment Show Cause Order as amended (Exhibit 1 marked as "Exhibit A")

Decision No. 2692 (PH Board)

First Class and Certified Mail No. 7010 2780 0001 8675 8152
Leo M. Lawless, R. Ph.

VIA INTEROFFICE DELIVERY

Nancy Dolberg, Prosecuting Counsel
Division of Health Professions Licensure
Department of Public Health
239 Causeway Street
Boston, MA 02114



COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of)
LEO M. LAWLESS, R.Ph.)
PH16078)
Expiration 12/31/2012)

Docket No. PHA-2011-0331

MOTION FOR LEAVE TO FILE AMENDED ORDER TO SHOW CAUSE

Pursuant to the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01(7)(a) the Prosecuting Counsel hereby requests leave to file the Amended Order to Show Cause attached hereto as Exhibit A.

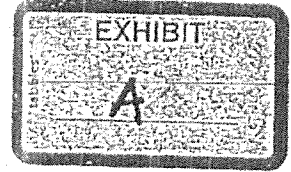
In support of this Motion, Prosecuting Counsel states that the amendment is necessary in that the interests of fairness, justice, efficiency and clarity favor the filing of an Amended Order to Show Cause.

DEPARTMENT OF PUBLIC HEALTH,
By its attorney:

A handwritten signature in cursive script, appearing to read "Nancy A. Dolberg", written over a horizontal line.

Nancy A. Dolberg, Esq.
Prosecuting Counsel
Department of Public Health
Office of General Counsel
239 Causeway Street, 5th Floor
Boston, MA 02114
(617) 973-0880
(Fax) (617) 973-0986

March 7, 2012



COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION IN PHARMACY

IN THE MATTER OF
LEO M. LAWLESS, R.PH.
PH REGISTRATION 16078
LIC. EXP. DATE: 12/31/2012

DOCKET NO. PHA-2011-0331

FIRST AMENDED ORDER TO SHOW CAUSE

Leo M. Lawless, you are hereby ordered to appear and show cause why the Massachusetts Board of Registration in Pharmacy ("Board") should not suspend, revoke or otherwise take action against your registration to practice as a pharmacist in the Commonwealth of Massachusetts, No. 16078, or your right to renew such registration, pursuant to Massachusetts General Laws (G. L.) Chapter 112, § 61 and Board regulations at 247 C.M.R. 2.00, et. seq. based upon the following facts and allegations:

1. On or about June 17, 1974 the Board issued to you a license to engage in practice as a pharmacist in the Commonwealth of Massachusetts. Your registration is current and will expire on December 31, 2012 unless renewed.
2. On various dates during your employment as a pharmacist with the Hanscom Air Force Base Pharmacy in Massachusetts ("Pharmacy"), your involvement in multiple patient safety adverse events reflected practice below the standard of care for pharmacy. Your conduct included:
 - (a) On or about January 4, 2011, verifying the wrong quantity of lisinopril for the amount prescribed.
 - (b) On or about September 17, 2010, verifying prenatal vitamins prescribed for a patient which was filled in her child's name.
 - (c) On or about January 31, 2011, verifying a prescription for insulin NPH that was filled partially with NPH and partially with insulin 70/30.
 - (d) On or about February 15, 2011, verifying too few lisinopril for the quantity prescribed.
 - (e) On or about March 1, 2011, verifying too few prednisone for the quantity prescribed.

- (f) On or about March 17, 2011, verifying 1 ml insulin syringes instead of the ½ ml syringes prescribed.
- (g) On or about April 29, 2011, verifying the wrong frequency of glipizide by the prescriber.
- (h) On or about May 2, 2011, verifying a prescription for digoxin .25 mg from a new prescriber for a patient already taking digoxin .125 mg and Multaq prescribed by another prescriber.
- (i) On or about May 11, 2011, verifying an empty bottle that was supposed to contain bisacodyl.
- (j) On or about May 26, 2011, dispensing another patient's medication to the patient.
- (k) On or about June 15, 2011, verifying metoprolol 50 mg once daily instead of the 25 mg once daily prescribed; and failing to call the prescriber where the prescription did not indicate whether the form of the medication was tartrate or succinate.
- (l) On or about June 22, 2011, verifying divalproex ER 250 instead of the divalproex DR that was prescribed.
- (m) On or about June 20, 2011, verifying a prescription for Flovent 110 mcg written for 2 puffs once a day without calling the prescriber, when the correct dosing is 1 puff twice a day.
- (n) On or about March 1, 2011 and June 29, 2011, verifying Novolog insulin instead of the Novolog 70/30 mix prescribed.
- (o) On or about June 23, 2011, verifying and dispensing loratadine to the patient's husband.
- (p) On or about August 18, 2011, verifying and dispensing levothyroxine intended for another patient, instead of the certirizine prescribed for the patient.
- (q) On or about September 9, 2010, December 9, 2010, March 17, 2011 and June 3, 2011, verifying metformin 1500 mg twice a day instead of the metformin 1000 mg twice a day prescribed.
- (r) On or about August 1, 2011, verifying a prescription for venlafaxine XR 75 mg tablets with instructions to take ½ tablet for ten days where the manufacturer's instructions are that the medication is not supposed to be split.
- (s) On or about August 18, 2011, dispensing synthroid instead of Zyrtec to a patient.

- (t) On or about August 26, 2011, verifying a prescription for Vytorin (ezetimibe/simvastatin 10/80 mg) despite patient's prescription for amlopidine, which would have called for a lower dose of simvastatin.
- (u) On or about September 7, 2011, verifying and dispensing Mirapex 1 mg instead of anastrozole 1 mg as prescribed.
- (v) On or about August 30, 2011, verifying and dispensing Toradex eyedrops with directions for ointment.
- (w) On or about January 19, 2011, verifying a prescription for metformin 1000 mg 2 tablets twice a day, when that was over the maximum dose and was supposed to be 1000 mg 1 tablet twice a day.
- (x) Verifying and dispensing Ambien 10 mg for a 90 day supply instead of the 30 day supply allowed except in cases where the patient is deploying.
- (y) On or about October 4, 2011, verifying and dispensing an insufficient amount of amoxicillin suspension for the patient to complete the course of therapy.
- (z) Dispensing another patient's lisinopril 40 mg to the patient, instead of the levothroxine 75 mcg prescribed.
- (aa) On or about October 20, 2011, verifying and dispensing a prescription for terzosin 5 mg "Please confirm dose and frequency" without confirming the dose and frequency, and therefore verifying and dispensing the wrong amount.
- (bb) On or about February 23, May 26, and August 22, 2011 verifying diltiazem ER 300 mg instead of diltiazem 360 mg daily as prescribed.
- (cc) On or about November 16, 2011, dispensing loratidine after failing to verify it.
- (dd) On or about February 14, 2011; April 27, 2011; August 1, 2011 and November 21, 2011, verifying propranolol LA (long-acting) 80 mg, 1 tablet twice a day instead of propranolol hcl 80 mg 1 tablet twice a day as prescribed, after changing the prescription of your own accord without calling the prescriber to verify.
- (ee) On or about August 9, 2011, verifying calcium without vitamin D instead of calcium plus vitamin D as prescribed.
- (ff) On or about August 23, 2011, verifying digoxin .25 mg daily instead of digoxin .125 mg daily as prescribed.
- (gg) On or about September 13, 2011, verifying metoprolol tartate (immediate release) 50 mg daily, a medication normally taken twice a day, without contacting

the prescriber. The patient's history showed her taking metoprolol succinate (extended release) 50 mg daily since 2008.

- (hh) On or about September 23, 2010, verifying diltiazem 300 mg instead of diltiazem 30 mg as prescribed.
 - (ii) On or about October 18, 2011, verifying paroxetine 40 mg instead of paroxetine 10 mg as prescribed.
 - (jj) On or about August 12, 2011 and November 18, 2011, verifying metformin immediate release instead of metformin extended release.
 - (kk) On or about October 25, 2011, verifying a prescription written for levothyroxine 8 tablets once a week.
 - (ll) On or about October 24, 2011, verifying losartan 100 mg instead of the 50 mg prescribed.
 - (mm) On or about August 17, 2011 and November 8, 2011, verifying etodolac immediate release instead of the extended release prescribed.
3. During your employment at the Pharmacy, your conduct reflected practice below the standard of care for pharmacy, including but not limited to your failure to refrigerate medications that required refrigeration, failure to check prescriptions as required, failure to process telephone refills and arrange for transfers, failure to dispense completed prescriptions, failure to shelve prescriptions as required, and failure to file prescriptions.
 4. You made threatening comments about a member of the Pharmacy staff.
 5. On more than occasion you left the Pharmacy for an extended period while you were on duty.
 6. You failed to provide documentation of five "live" hours of continuing education for 2010 to the Board upon request.
- * * * * *
7. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as a pharmacist pursuant to G. L. c. 112, § 61 for deceit, malpractice and gross misconduct in the practice of the profession and for offenses against the laws of the Commonwealth relating thereto.
 8. Your conduct as alleged warrants disciplinary action by the Board against your registration to practice as a pharmacist pursuant to Board regulation 247 C.M.R. 2.00, et. seq. for violation of the following:

- a. Your conduct as alleged violates 247 C.M.R. 4.03(1-4) for failing to complete continuing education as required.
- b. Your conduct as alleged violates 247 C.M.R. 9.01 (1) for failing to conduct professional activities in conformity with federal, state and municipal laws, ordinances and/or regulations, including the regulations of the Board.
- c. Your conduct as alleged violates 247 C.M.R. 9.08(2) (a) through (c) for failing to conduct a prospective drug utilization review before each new prescription is dispensed or delivered to a patient or a person acting on behalf of the patient, and taking appropriate measures to ensure the proper care of the patient, which may include consultation with the prescribing practitioner and/or direct consultation with the patient.
- d. Your conduct as alleged violates 247 C.M.R. 10.03 (1)(a) for violating any of the duties and standards set out in Board regulations (247 CMR 2.00 et seq.) or any rule or written policy adopted by the Board.
- e. Your conduct as alleged violates 247 C.M.R. 10.03 (1)(b) for violating any provision of M.G.L. c. 112, ss. 24 through 42A or any provision of state or federal statutes or rules or regulations promulgated thereunder related to the practice of the profession.
- f. Your conduct as alleged violates 247 C.M.R. 10.03(1)(k) for engaging in conduct that has the capacity or potential to place the public health, safety or welfare at risk.
- g. Your conduct as alleged violates 247 C.M.R. 10.03 (1)(u) for engaging in conduct which undermines public confidence in the integrity of the profession.
- h. Your conduct as alleged violates 247 C.M.R. 10.03 (1)(w) for failing to comply with recognized ethical standards of the profession, including, but not limited to, the standards of practice of pharmacists, pharmacy interns, pharmacies and pharmacy departments set forth in 247 CMR 9.01 Code of Conduct for Registered Pharmacists, Pharmacies and Pharmacy Departments.
9. Your conduct as alleged also constitutes unprofessional conduct and conduct which undermines public confidence in the integrity of the profession. *Sugarman v. Board of Registration in Medicine*, 422 Mass. 338, 342 (1996); see also *Kvitka v. Board of Registration in Medicine*, 407 Mass. 140, cert. denied, 498 U.S. 823 (1990); *Raymond v. Board of Registration in Medicine*, 387 Mass. 708, 713 (1982).

* * * * *

You have a right to an adjudicatory hearing ("hearing") on the allegations contained in the Order to Show Cause before the Board determines whether to suspend, revoke, or impose other discipline against your license. G.L. c. 112, § 61. Your right to a hearing may be claimed by submitting a written request for a hearing *within twenty-one (21) days of receipt of this Order to Show Cause*. You must also submit an Answer to this Order to Show Cause in accordance

with 801 CMR 1.01(6)(d) *within twenty-one (21) days of receipt of this Order to Show Cause.* The Board will give you prior written notice of the time and place of the hearing following receipt of a written request for a hearing.

Hearings shall be conducted in accordance with the State Administrative Procedure Act, G.L. c. 30A, §§ 10 and 11, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 and 1.03, under which you are granted certain rights including, but not limited to, the rights: to a hearing, to secure legal counsel or another representative to represent your interests, to call and examine witnesses, to cross-examine witnesses who testify against you, to testify on your own behalf, to introduce evidence, and to make arguments in support of your position.

The Board will make an audio recording of any hearing conducted in the captioned matter. In the event that you wish to appeal a final decision of the Board, it is incumbent on you to supply a reviewing court with a "proper record" of the proceeding, which may include a written transcript. *New Bedford Gas and Light Co. v. Board of Assessors of Dartmouth*, 368 Mass. 745, 749-750 (1975). Upon request, the Board will make available a copy of the audio recording of the proceeding at your own expense. Pursuant to 801 CMR 1.01 (10) (i)(1), upon motion, you "may be allowed to provide a public stenographer to transcribe the proceedings at [your] own expense upon terms ordered by the Presiding Officer." Those terms may include a requirement that any copy of the transcript produced must be sent promptly upon completion and on an ongoing basis directly to the Presiding Officer by the stenographer or transcription service. The transcript will be made available to the Prosecutor representing the Board. Please note that the administrative record of the proceedings, including but not limited to, the written transcript of the hearing is a public record and subject to the provisions of G.L. c. 4, § 7 and G. L. c. 66, § 10.

Your failure to submit an Answer to the Order to Show Cause within 21 days of receipt of the Order to Show Cause *shall result in the entry of default* in the captioned matter. Your failure to submit a written request for a hearing within 21 days of receipt of this Order to Show Cause *shall constitute a waiver of the right to a hearing* on the allegations herein and on any Board disciplinary action.

Notwithstanding the earlier filing of an Answer and/or request for a hearing, your failure to respond to notices or correspondence, failure to appear for any scheduled status conference, pre-hearing conference or hearing dates, or failure to otherwise defend this action shall result in the entry of default.

If you are defaulted, the Board may enter a Final Decision and Order that assumes the truth of the allegations in this Order to Show Cause, and may revoke, suspend, or take other disciplinary action against your license to practice as a pharmacist in the Commonwealth of Massachusetts, including any right to renew your license.

Your Answer to the Order to Show Cause and your written request for a hearing must be filed with Nancy Dolberg, Prosecuting Counsel at the following address:

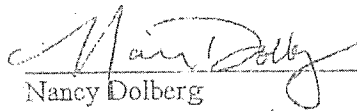
Nancy Dolberg
Prosecuting Counsel

Department of Public Health
Office of the General Counsel
239 Causeway Street, Fifth Floor
Boston, MA 02114

You or your representative may examine Board records relative to this case prior to the date of the hearing during regular business hours at the office of the Prosecuting Counsel. If you elect to undertake such an examination, then please contact Prosecuting Counsel in advance at (617) 973-0880 to schedule a time that is mutually convenient.

BOARD OF REGISTRATION
IN PHARMACY,
Michael J. Tocco, M.Ed., R.Ph.
President

By:



Nancy Dolberg
Prosecuting Counsel
Department of Public Health

Date: March 7, 2012