



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Division of Health Professions Licensure
Office of General Counsel

239 Causeway Street, Suite 500, Boston, MA 02114

DEVAL L. PATRICK
GOVERNOR

JOHN W. POLANOWICZ
SECRETARY

CHERYL BARTLETT, RN
COMMISSIONER

Tel: 617-973-0800
TTY: 617-973-0988
Fax: 617-973-0986
www.mass.gov/dph/boards

January 31, 2014

VIA U.S. FIRST CLASS MAIL
AND CERTIFIED MAIL, # 7012 3460 0003 3582 1311
RETURN RECEIPT REQUESTED

Lindsey Cincotta
142 Naugler Ave
Marlborough, MA 01752

RE: In the Matter of Lindsey Cincotta, PT License No. 13747
Board of Registration in Pharmacy, Docket No. PHA-2012-0044

Dear Ms. Cincotta:


This letter acknowledges receipt by the Board of Registration in Pharmacy (Board) of two signed, originals of the Consent Agreement for Reprimand (Agreement) between you and the Board in resolution of the above-referenced complaint. The Board has now signed the Agreement, and submits a copy for your records. Please note carefully that the effective date of the Agreement is January 31, 2014, as stated on the signature page of the agreement.

A copy of this letter and the Agreement will remain in complaint files Docket No. PHA-2012-0044. The file will be retained for no less than three (3) years in accordance with state public records laws.

If you have any questions regarding this matter, please contact me at (617) 973-0923.

Thank you for your cooperation.

Sincerely,


Beth A. Oldmixon
Prosecuting Counsel

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

Received

In the Matter of
Lindsey A. Cincotta
Pharmacy Technician Registration No. PT13747
Expiration Date: February 12, 2014

PHA-2012-0044

JAN 30 2014

BOARD OF
PHARMACY

CONSENT AGREEMENT FOR REPRIMAND

The Massachusetts Board of Registration in Pharmacy (Board) and Lindsey A. Cincotta (Registrant), a Pharmacy Technician licensed by the Board, Registration No. PT13747, 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 Pharmacy Technician registration (registration¹) related to the conduct set forth in paragraph 2, identified as Docket No. PHA-2012-0044 (the Complaint).
2. The Registrant admits that she requested and obtained from a pharmacist at her place of employment, two Schedule VI prescription medications for use by family members without presenting 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 10.03(1)(a), (e) and (v).
3. The Registrant agrees that the Board shall impose a REPRIMAND on her license based 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).
4. 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.
5. 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 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.
6. The Registrant acknowledges that she has been at all times free to seek and use legal counsel in connection with the Complaint and this Agreement.

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

7. 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.
8. 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.

Timothy Comeau
Witness (sign and date)
Print Name: Timothy Comeau

Lindsey Cincotta 1-28-14
Lindsey A. Cincotta (sign and date)

January 31, 2014
Effective Date of Reprimand Agreement

David Sencabaugh
~~Karen Ryles, MS, R.Ph.~~ David Sencabaugh
~~President Elect~~ Executive Director
Board of Registration in Pharmacy

Fully Signed Agreement Sent to Registrant on January 31, 2014 by Certified Mail
No. 2012 3460 0003 3582 1311