

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of
Louis Yered
Pharmacist Registration No. PH18239
Expiration Date: December 31, 2014

PHA-2012-0074

CONSENT AGREEMENT FOR PROBATION

The Massachusetts Board of Registration in Pharmacy (Board) and Louis Yered (Registrant), a Pharmacist licensed by the Board, Registration No. PH18239, 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 his Massachusetts Pharmacist registration (registration¹) related to the conduct set forth in paragraph 2, identified as Docket Nos. PHA-2012-0074(the Complaint).
2. The Registrant admits that on or about November 21, 2011, the California Board of Pharmacy, within the California Department of Consumer Affairs, issued a Decision and Order adopting a stipulated settlement and disciplinary order. The Registrant admits that per this Decision and Order, his license to practice as a pharmacist in the state of California was revoked, but the revocation was stayed and the Registrant was placed on probation for three years. 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(t).
3. The Registrant agrees that his Massachusetts Registration to practice as a pharmacist shall be placed on PROBATION for an indefinite period commencing with the date on which the Board signs this Agreement (Effective Date).
4. During the Probationary Period, the Registrant further agrees that he shall comply with all of the following requirements to the Board's satisfaction:
 - a. Comply with all laws and regulations governing the practice of pharmacy, and not engage in any continued or further conduct such as that set forth in Paragraph 2.
 - b. Notify the Board in writing within ten (10) days of each change in his name and/or address.
 - c. Timely renew his registration.
 - d. Submit certified documentation from the California Board of Pharmacy on or before January 31, 2015, verifying that the Licensee successfully met all

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

requirements imposed by the California Board in connection with their discipline of his pharmacy license and that his California license is, or is eligible to be, reinstated in good standing and free of any restrictions or conditions².

- e. Submit certificates of completion of all continuing education courses taken in compliance with 247 C.M.R. 4.03(4) for the renewal cycles ending December 31, 2012 and 2014.
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 Complaints.
6. If and when the Board determines that the Registrant has complied to the Board's satisfaction with all the requirements contained in this Agreement, the Board will send written notice to the Registrant terminating the Probation Period³.
7. If the Registrant does not comply with each requirement of this Agreement, or if the Board opens a Subsequent Complaint⁴ during the Probation Period, the Registrant agrees to the following:
 - a. The Board may upon written notice to the Registrant, as warranted to protect the public health, safety, or welfare:
 - i. EXTEND the Probationary Period; and/or
 - ii. MODIFY the Probation Agreement requirements; and/or
 - iii. IMMEDIATELY SUSPEND the Registrant's registration.
 - b. If the Board suspends the Registrant's registration pursuant to Paragraph 7(a)(iii), the suspension shall remain in effect until:
 - i. the Board gives the Registrant written notice that the Probationary Period is to be resumed and under what terms; or
 - ii. the Board and the Registrant sign a subsequent agreement; or
 - iii. the Board issues a written Final Decision and Order following adjudication of the allegations (1) of noncompliance with this Agreement, and/ or (2) contained in the Subsequent Complaint.
8. The Registrant agrees that if the Board suspends his registration in accordance with Paragraph 7, he will immediately return his current Massachusetts registration to practice as

² Licensee shall also submit certified documentation from the state board of nursing of each jurisdiction in which the Licensee has ever been licensed to practice as a pharmacist, other than California, sent directly to the Massachusetts Board, identifying his license status and discipline history, and verifying that his license is, or is eligible to be, in good standing and free of any restrictions or conditions.

³ In all instances where this Agreement specifies written notice to the Registrant from the Board, such notice shall be sent to the Registrant's address of record.

⁴ The term "Subsequent Complaint" applies to a complaint opened after the Effective Date, which (1) alleges that the Registrant engaged in conduct that violates Board statutes or regulations, and (2) is substantiated by evidence, as determined following the complaint investigation during which the Registrant shall have an opportunity to respond.

Pharmacist to the Board, by hand or certified mail. The Registrant further agrees that upon suspension, he will no longer be authorized to engage in practice as a Pharmacist in the Commonwealth of Massachusetts and shall not in any way represent himself as a Pharmacist until such time as the Board reinstates his registration⁵.

9. The Registrant understands that he has a right to formal adjudicatory hearing concerning the Complaint 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, 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 he is knowingly and voluntarily waiving his right to a formal adjudication of the Complaint.
10. The Registrant acknowledges that he has been at all times free to seek and use legal counsel in connection with the Complaint and this Agreement.
11. The Registrant acknowledges that after the Effective Date, the Agreement constitutes a public record subject to the Commonwealth of Massachusetts' Public Records Law, G.L. ch. 4, §7.
12. The Registrant certifies that he 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.

Christine J. Yered 12/15/13
Witness (sign and date)

Louis Yered 12/15/2013
Registrant (sign and date)

Christine J. Yered
Witness (print name)

David Sencabaugh
Executive Director
Board of Registration in Pharmacy

December 30, 2013
Effective Date of Probation Agreement

Fully Signed Agreement Sent to Registrant on 12/30/13 by Certified Mail
No. 7012 0470 0001 3526 6592

⁵Any evidence of unlicensed practice or misrepresentation as a Pharmacist after the Board has notified the Registrant of his registration suspension shall be grounds for further disciplinary action by the Board and the Board's referral of the matter to the appropriate law enforcement authorities for prosecution.