

The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
Bureau of Health Professions Licensure  
239 Causeway Street, Suite 500, Boston, MA 02114

CHARLES D. BAKER  
Governor

KARYN E. POLITO  
Lieutenant Governor

Tel: 617-973-0800  
TTY : 617-973-0988  
[www.mass.gov/dph/boards](http://www.mass.gov/dph/boards)

MARYLOU SUDDERS  
Secretary  
MONICA BHAREL, MD, MPH  
Commissioner

June 21, 2017

Via First Class & Certified Mail No. 7015 1730 0000 7974 1172,  
Return Receipt Requested

Mark Eduardo Hatfield  
[REDACTED]

Re: Mark Hatfield; PT15445; PHA-2015-0107

**FINAL NOTICE: SUSPENSION**

Dear Mr. Hatfield:

On February 26, 2016, you entered into a Non-Disciplinary Consent Agreement for Stayed Probation ("Agreement") with the Board of Registration in Pharmacy ("Board"). Paragraph 4 of the Agreement obligates you to submit documentation demonstrating successful completion of two contact hours of continuing education in the area of pharmacy law and to submit an attestation confirming you read and reviewed 247 CMR 8.00. A copy of the Agreement is enclosed with this letter for your review.

On May 17, 2017, I sent you a Notice of Violation and Intent to Suspend ("Notice"). A copy of the Notice is enclosed with this letter. The Notice informed you that you are in violation of the Agreement and listed the facts supporting the determination that you are in violation. The Notice also informed you that the Board authorized me to suspend your license. The Notice informed you that you had a right to a hearing on the limited issue of whether you are in compliance with, or in violation of, the terms of the Agreement. Lastly, the Notice informed you that to claim your right to a hearing, you needed to submit a written statement of facts and request for a hearing to the Probation Monitor within 7 days.

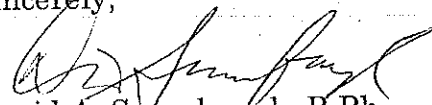
Mark Eduardo Hatfield  
PT15445; PHA-2015-0107  
Final Notice: Suspension

As of the date of this letter, I have not received from you a written statement of facts and request for a hearing. Accordingly, you have waived your right to a hearing.

Effective today, June 21, 2017, pursuant to Paragraph 7 of the Agreement, the Board **SUSPENDS** your license to practice as a pharmacy technician. You may not practice as a pharmacy technician in Massachusetts until the Board provides you written notice that it has reinstated your license.

This Notice constitutes a final agency action. You are hereby notified that you have a right to appeal this *Final Notice: Suspension* within thirty (30) days of your receipt of this Notice, either to the Superior Court for Suffolk County or the county where you reside pursuant to M.G.L. c. 30A, § 14, or to the Supreme Judicial Court pursuant to M.G.L. c. 112, § 64.

Sincerely,



David A. Sencabaugh, R.Ph.  
Executive Director

cc: Karen Fishman, Probation Monitor



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Executive Office of Health and Human Services  
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MARYLOU SUDDERS  
Secretary  
MONICA BHAREL, MD, MPH  
Commissioner

June 7, 2017

Via First Class & Certified Mail No. 7015 1730 0000 7974 0762.  
Return Receipt Requested  
Mark Eduardo Hatfield  
[REDACTED]

RE: Mark Hatfield; PT15445; PHA-2015-0107

**NOTICE OF VIOLATION AND INTENT TO SUSPEND**

Dear Mr. Hatfield:

On February 26, 2016, you entered into a Non-Disciplinary Consent Agreement for Stayed Probation ("Agreement") with the Board of Registration in Pharmacy ("Board"). Paragraph 4 of the Agreement obligates you to submit documentation demonstrating successful completion of two contact hours of continuing education in the area of pharmacy law and to submit an attestation confirming you read and reviewed 247 CMR 8.00. A copy of the Agreement is enclosed with this letter for your review.

**You are in violation of the Agreement.** Under Paragraph 4 of the Agreement, the Board may suspend your license in the event that you violate any provision of the Agreement. At its meeting on May 4, 2017, the Board has authorized me to **SUSPEND your license, effective in 10 days.**

The basis for the contention that you are in violation of the Agreement are as follows:

1. Per Paragraph 4d of the Agreement, you were required to submit documentation demonstrating successful completion of two contact hours of continuing education in the area of pharmacy law. As of the date of this letter, you have failed to complete this requirement.
2. Per Paragraph 4e of the Agreement, you were required to submit an attestation confirming you read and reviewed 247 CMR 8.00. As of the date of this letter, you have failed to complete this requirement.

You have a right to a hearing on the limited issue of whether you are in compliance with, or in violation of, the terms of the Agreement. You may claim your right to a hearing by submitting a written statement to the Board within 7 days of receipt of this letter. Your written statement must include specific facts which support the determination that you are in compliance, and not in violation, with the provisions of the Agreement identified above. Your written statement must also include a request for a hearing. Please send your written statement to:

Heather A. Engman  
Board Counsel  
239 Causeway Street  
Boston, MA 02114

Your failure to submit a written statement of facts and request for a hearing within 7 days shall constitute a waiver of your right to a hearing on the issue of your violation of the Agreement.

Please be advised, in the event the Board suspends your pharmacy technician license, the discipline will be reported to a national database and posted on the Board's website.

You may contact Heather Engman, Board Counsel, at 617-973-0992 if you have any questions regarding this matter.

Sincerely,



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

cc: Karen Fishman, Probation Monitor

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION  
IN PHARMACY

In the Matter of )  
Mark Eduardo Hatfield )  
License No. PT15445 )  
Expires: April 28, 2017 )

Receivedocket No. PHA-2015-0107

FEB 25 2016

BOARD OF  
PHARMACY

NON-DISCIPLINARY  
CONSENT AGREEMENT FOR STAYED PROBATION

The Massachusetts Board of Registration in Pharmacy ("Board") and Mark Eduardo Hatfield ("Licensee"), a pharmacy technician licensed by the Board, PT15445, ("License" or "registration")<sup>1</sup> 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 his Massachusetts Pharmacy Technician registration related to the conduct set forth in Paragraph 2, identified as PHA-2015-0107 ("the Complaint").
2. The Board and the Licensee acknowledge and agree to the following facts:
  - a. Licensee was employed as a pharmacy technician at Boston Medical Center Outpatient Pharmacy located at 720 Harrison Avenue, Boston, Massachusetts ("Pharmacy") at all times relevant to the conduct described in paragraph 2(b).
  - b. Licensee practiced as a pharmacy technician with an expired license between April 29, 2014 and June 24, 2015. He reviewed his License on or about June 25, 2015.
  - c. The foregoing facts warrant action by the Board under M.G.L. c. 112, §§ 42A and 61 and 247 CMR 10.03(1)(v).

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

Mark Eduardo Hatfield  
PT15445  
PHA-2015-0107

3. The Licensee agrees that his License shall be placed on PROBATION for no less than one (1) day, and that the probation shall be STAYED for no more than 90 days ("Stayed Probationary Period"), commencing with the date on which the Board signs this Agreement ("Effective Date"). The Agreement shall be non-disciplinary until and unless the Board takes action pursuant to Paragraph 7 of the Agreement.
4. During the Stayed Probationary Period, the Licensee 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.
  - b. Notify the Board in writing within ten (10) days of each change in his name and/or address.
  - c. Timely renew his License.
  - d. Submit documentation demonstrating successful completion of at least two (2) contact hours of continuing education in the area of Pharmacy Law within 90 days of the Effective Date.<sup>2</sup>
  - e. Submit an attestation to the Board demonstrating Licensee has read and reviewed 247 CMR 8.00.
5. The Board agrees that in return for the Licensee's execution and his successful compliance with all the requirements of this Agreement, the Board will not prosecute the Complaint.
6. If and when the Board determines that the Licensee has complied to the Board's satisfaction with all the requirements contained in this Agreement, the Stayed Probationary Period will terminate no sooner than one (1) business day after the Effective Date upon written notice to the Licensee

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<sup>2</sup> This continuing education requirement shall be *in addition to* any contact hours required for license renewal.

Mark Eduardo Hatfield  
PT15445  
PHA-2015-0107

from the Board, and the Licensee shall have no history of discipline upon his record related to this Agreement or the Complaint.<sup>3</sup>

7. If the Licensee does not comply with each requirement of this Agreement, or if the Board opens a Subsequent Complaint during the Stayed Probationary Period, the Licensee agrees to the following:<sup>4</sup>

a. The Board may upon written notice to the Licensee, as warranted to protect the public health, safety, or welfare:

- i. LIFT the stay, resulting in the imposition of PROBATION and rendering this Agreement disciplinary;
- ii. EXTEND the Stayed Probationary Period or, if the stay is lifted, the Probationary Period; and/or
- iii. MODIFY the Stayed Probation Agreement requirements; and/or
- iv. IMMEDIATELY SUSPEND the Licensee's registration.

b. If the Board suspends the Licensee's registration pursuant to Paragraph 7(a)(iv), the suspension shall remain in effect until:

- i. the Board gives the Licensee written notice that the Stayed Probation and/or Probationary Period is to be resumed and under what terms; or
- ii. the Board and the Licensee enter into 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.

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

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

Mark Eduardo Hatfield  
PT15445  
PHA-2015-0107

8. The Licensee agrees that if the Board lifts the stay and suspends his registration in accordance with Paragraph 7, he will immediately return his current Massachusetts registration to practice as pharmacy technician to the Board, by hand or certified mail. The Licensee further agrees that upon suspension, he will no longer be authorized to engage in practice as a Pharmacy Technician in the Commonwealth of Massachusetts and shall not in any way represent himself as a pharmacy technician until such time as the Board reinstates his registration.<sup>5</sup>
9. The Licensee understands that he has a right to a 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, 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 he is knowingly and voluntarily waiving his right to a formal adjudication of the Complaint.
10. The Licensee 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 Licensee acknowledges that after the Effective Date, the Agreement constitutes a public record subject to the Commonwealth of Massachusetts' Public Records Law, M.G.L. c. 4, § 7.
12. The Licensee certifies that he 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.

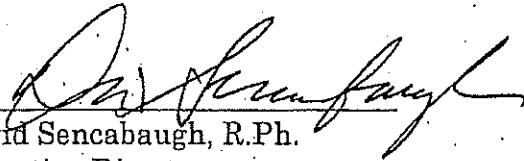
Mark D. Hatfield 2/22/16  
Witness (sign and date)

Mark E. Hatfield 2/22/16  
Mark Eduardo Hatfield (sign and date)

<sup>5</sup>Any evidence of unlicensed practice or misrepresentation as a pharmacy technician after the Board has notified the Licensee of his License 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.

Mark Eduardo Hatfield  
PT15445  
PHA-2015-0107





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

2/26/16

Effective Date of Stayed Probation Agreement

Fully Signed Agreement Sent to Licensee on 2/26/16 by

Certified Mail No. 7015 8510 0001 7680 0102

Mark Eduardo Hatfield  
PT15445  
PHA-2015-0107