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COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of)
MEDI-SON PHARMACY)
Pharmacy Registration Nos. DS 89749, CS 89749)
& CF 89749)
Registration expired 12/31/13)
_____)

Docket No. PHA-2013-0083
PHA-2013-0032

CONSENT AGREEMENT FOR SUSPENSION

The Massachusetts Board of Registration in Pharmacy (“Board”) and Medi-Son Pharmacy, Inc., through its authorized representative, hereby stipulate and agree that the following information shall be entered into and become a permanent part of the Board’s records relating to Medi-Son Pharmacy (the “Pharmacy”), Inc. -a pharmacy formerly located at 898 Washington Street, Suite B, Norwood, Massachusetts and licensed by the Board, Registration No. DS 89749:

1. The Pharmacy acknowledges that a Complaint and an Order of Summary Suspension (Docket Nos. PHA-2013-0032 and PHA-2013-0083, respectively) were filed with the Board against its Massachusetts pharmacy registration¹ based on the conduct set forth in paragraph 2 of this agreement
2. The Pharmacy acknowledges that its staff filled out-of-state prescriptions for commonly abused medications without properly verifying the validity of the prescriptions or the doctor patient relationship, failed to follow ISO guidelines for sterile compounding, failed to properly store medications, and failed to maintain complete records regarding medications in its facility. Additionally, Medi-Son

staff attempted to dispense a medication to a patient after having been served with a Cease and Desist Order.

3. The Pharmacy admits that the conduct referenced in Paragraph 2 of this Suspension Agreement was in violation of the Board's regulations at 247 Code of Massachusetts Regulations ("CMR") 9.01(3), (10), (13), (14), 9.06, and US Pharmacopeia s.795 and warrants disciplinary action by the Board under Massachusetts General Laws ("G.L.") Chapter 112, section 61 and Board regulations at 247 CMR 10.06, Disciplinary Actions.
4. The Pharmacy agrees to **SUSPENSION** of all of its pharmacy registration (and all related registrations) for a term of five (5) years ("Suspension Period"), commencing with the date on which the Board signs this Agreement ("Effective Date").
5. After serving the Suspension Period, the Pharmacy may seek reinstatement of its pharmacy registration (and all related registrations) by petitioning the Board for termination of the suspension of its registrations. The petition must be in writing.
6. Petitions for reinstatement will be referred by staff to the Board for consideration. The Board reserves the right to exercise full discretion in determining whether reinstatement of the Pharmacy's right to resume operations as a pharmacy is in the best interest of the public health, safety and welfare. The Board's review will include, but not be limited to, consideration of all aspects of the Pharmacy's ownership and management. The Pharmacy will receive written notice of the Board's decision with respect to the petition for termination of the suspension and reinstatement. If the petition for termination of the suspension and reinstatement is granted the notice of termination of suspension and reinstatement may include conditions including, but not limited to, a requirement of a probationary period the term and requirements of which will be determined at the time the suspension is

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

terminated. If the petition is denied the Pharmacy may not re-file a petition for termination of the suspension within 12 months of the effect date of the notice of denial.

7. The Pharmacy agrees that it will not operate as a registered pharmacy in Massachusetts from the Effective Date unless and until the Board terminates the suspension of its registration².
8. The Board agrees that in return for the Pharmacy's execution of this Agreement it will not prosecute the Complaint.
9. The Pharmacy understands that it has a right to formal adjudicatory hearing concerning the allegations against it and that during said adjudication it would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, 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 Pharmacy further understands that by executing this Agreement it is knowingly and voluntarily waiving its right to a formal adjudication of the Complaint.
10. The Pharmacy acknowledges that it has been represented by legal counsel in connection with the Complaint and this Agreement.
11. The Pharmacy acknowledges that after the Effective Date, the Agreement constitutes a public record of disciplinary action by the Board. 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.

² The Pharmacy understands that operating as a registered pharmacy includes, but is not limited to, seeking engaging in any aspect of the practice of pharmacy and that said conduct is prohibited from the Effective Date of this Agreement until such time as the Board formally reinstates the pharmacy's registration.

12. The Pharmacy certifies that it has read this Agreement. The Licensee understands and agrees that entering into this Agreement is a final act and not subject to reconsideration, appeal or judicial review.
13. The Authorized Pharmacy Representative signing this Agreement certifies: (1) that he is an owner of record of Medi-Son Pharmacy, Inc. and is duly authorized to enter into this Agreement on behalf of the Pharmacy; and (2) that he has read this Agreement.

Thuy Hien Nguyen 7/21/14
Witness (sign and date)

Thuy Hien Nguyen
Witness (print name)

Christopher Ke 7/21/14
Authorized Pharmacy Representative
Medi-Son Pharmacy, Inc. (sign and date)

Christopher Ke
Authorized Pharmacy Representative
(print name)

David Sencabaugh
David Sencabaugh, Executive Director
Board of Registration in Pharmacy

July 24, 2014
Effective Date of Surrender Agreement

Fully Signed Agreement Sent to Licensee on July 24, 2014 by Certified
Mail No. 7014 0510 0001 0374 5871