

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of)
Melissa Canitez, PharmD)
PH239598)

PHA-2022-0187

CONSENT AGREEMENT FOR VOLUNTARY SURRENDER

The Massachusetts Board of Registration in Pharmacy ("Board") and Melissa Canitez, PharmD ("Licensee"), pharmacist licensed by the Board, License No. PH239598, 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 their Massachusetts pharmacist license related to the conduct set forth in Paragraph 2, identified as Docket No. PHA-2022-0187 ("the Complaint").¹
2. The Board and the Licensee acknowledge and agree to the following facts:
 - a. Licensee worked as a pharmacist for Walgreens Pharmacy from approximately August 26, 2022 until approximately September 23, 2022.
 - b. On approximately September 9, 2022, a discrepancy of 30 tablets from 7 different NDC's of D-Amphetamine Salt Combo were discovered during a weekly CII count at store #19441.
 - c. On September 23, 2022, Licensee signed a written statement admitting they stole the following controlled substances while working as a pharmacist at Walgreens Pharmacy:
 - i. Twenty-five (25) tablets of clonazepam 1mg tablets;
 - ii. Seventeen (17) tablets of D-Amphetamine Salt Combo 20mg tablets;² and

¹ The term "license" includes a current license and the right to renew an expired license.

² Licensee admitted to stealing the D-Amphetamine Salt Combo tablets from 2 different Walgreens pharmacy stores (store #19441 and store 2781).

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2. One (1) tablet of ibuprofen 600mg tablets.
3. The Licensee agrees the conduct described in Paragraph 2 constitutes a violation of M.G.L. c. 94C, §37 and warrants disciplinary action by the Board under M.G.L. c. 112, §§ 42A and 61, 247 CMR 10.03(1)(a), (b), (l) & (z).
4. The Licensee agrees to SURRENDER their pharmacist license for an indefinite period of time and refrain from practicing as a pharmacist and from working in any pharmacy-related setting in Massachusetts, commencing with the date on which the Board signs this Agreement ("Effective Date").
5. The Licensee agrees that they will not practice as a pharmacist or work in a pharmacy related setting in Massachusetts from the Effective Date unless and until the Board reinstates their license.³
6. The Board agrees that in return for the Licensee's execution of this Agreement it will not prosecute the Complaint.
7. The Licensee understands that they have a right to formal adjudicatory hearing concerning the allegations against them and that during said adjudication they would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on their 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 they are knowingly and voluntarily waiving their right to a formal adjudication of the Complaint.
8. The Licensee acknowledges that they have been at all times free to seek and use legal counsel in connection with the Complaint and this Agreement.
9. The Licensee acknowledges that after the Effective Date, the Agreement constitutes a public record of disciplinary action by the Board. The Board may

³ The Licensee understands that practice as a licensed pharmacist includes, but is not limited to, seeking and/or accepting a paid or voluntary position as a licensed pharmacist, or a paid or voluntary position requiring that the applicant hold a current pharmacist license. The Licensee further understands that if they accept a voluntary or paid position as a pharmacist, or engages in any practice of pharmacy after the Effective Date and before the Board formally reinstates their license, evidence of such practice shall be grounds for the Board's referral of any such unlicensed practice to the appropriate law enforcement authorities for prosecution.

forward a copy of this Agreement to other licensing boards, law enforcement entities, and other individuals or entities as required or permitted by law.

10. The Licensee certifies that they have 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.

[Signature] 8/20/23
Witness (sign and date)

[Signature] 8/20/2023
Melissa Canitez
(sign and date)

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

9/12/2023
Effective Date

Fully Signed Agreement Sent to Licensee on 9/12/2023 by Certified Mail
No. 7022 2410 0001 6855 3786