

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION  
IN PHARMACY

In the Matter of )  
**NICHOLAS J. PARIAROS** )  
Pharmacist Intern No. 131144 )  
Rescinded 3/24/09 )

Docket Nos. PHA-2010-0019  
PHA-2008-0041

Received

JUN 16 2011

CONSENT AGREEMENT

BOARD OF  
PHARMACY

The Board of Registration in Pharmacy ("Board") and Nicholas J. Pariaros ("Registrant"), a pharmacist registered by the Board (Pharmacist Registration No. 131144), do hereby stipulate and agree that the following information shall be entered into and become a permanent part of the file of Registrant which is maintained by the Board:

1. The parties enter into this Consent Agreement ("Agreement") pursuant to above-referenced complaints and Registrant's petition for reinstatement of his pharmacist intern registration, which registration was rescinded by the Board effective March 24, 2009.
2. The parties acknowledges that Registrant has entered into a contract with the Massachusetts Professional Recovery System ("MPRS") dated May 3, 2011 ("Contract"), the terms and conditions of which Contract are hereby incorporated into this Agreement.
3. Registrant acknowledges that the reinstatement of his pharmacist intern registration is conditioned upon Registrant's agreement to the following terms and conditions:
  - a. As of the Effective Date of this Agreement, the Board will reinstate Registrant's pharmacist intern registration on probationary status for a minimum five-year period ("Probation Period") and continuing until Registrant is licensed by the Board as a pharmacist. Termination of the Probation Period shall be governed by Paragraph 4 of this Agreement; and
  - b. During the Probation Period, the Registrant acknowledges and agrees:
    - (1) to abide by all of the terms and conditions of the Contract for the five year duration of the Contract ("Contract Period") unless sooner dissolved by the MPRS Committee ("Committee") and the Board;



(2) to provide a copy of this Agreement to enrolled college/school of pharmacy and each employer where he is employed as a pharmacist intern or any other pharmacy support position in any pharmacy setting. Registrant's college/school of pharmacy and employer(s) must provide written verification of receipt and review of this Agreement to MPRS;

(3) to provide notice to the Board of any change in employment status and information regarding the change in status, including voluntary (resignation) and involuntary (termination) changes in employment in any employment setting within twenty four hours of any change in employment. It shall be Registrant's responsibility to ensure all verifications (employers and prescribers) are provided to the Board as required hereunder;

(4) to undergo monitoring by the Board which shall include random drug/alcohol screenings as required by MPRS or the Board;

(5) that Registrant may not dispense or self prescribe (CDTM) controlled substances and shall adhere to all laws and regulations pertaining to the dispensing, administration and distribution of controlled substances. Respondent may not fill or have filled any personal prescriptions in any pharmacy setting where he is providing pharmacy services;

(6) to refrain from the consumption of alcohol and the use of all controlled substances unless specifically prescribed by a treating physician and approved by the Board, who has been informed of the Registrant's history, for the purpose of prescribing for a legitimate medical purpose and in the usual course of the physician's practice;

(7) that Registrant hereby waives any privileges concerning and all information, reports and records, which release includes the Registrant's waiver of any privileges and immunities he may possess regarding all material covered by 42 CFR Part 2, and the Criminal Offender Records Information (CORI) Act (G.L. c. 6, §§ 167-178) and authorizes the Board to have access to all such information and records; and

(8) to notify the Board in writing within ten (10) days of any change in the Registrant's name and or address.

4. Registrant agrees that termination of the Probation Period shall be granted only if he has met the following conditions:

a. Registrant must apply in writing to the Board for termination of the Probation Period. The Board will not consider such a request without a recommendation by the MPRS Committee and the Board may request a conference to discuss the merits of such request and documentation regarding employment status; and



- b. Registrant has fully complied with all terms and conditions of this Agreement, the Contract and meets all requirements for pharmacist licensure by the Board.

5. Registrant acknowledges that this Agreement shall be incorporated into the records maintained by the Board, is a matter of public record, and subject to disclosure without limitation to the public and equivalent state licensing boards.

6. The Registrant understands and agrees that, at any time during the Contract or Probation Periods, upon a determination by the Board of any violation of any of the terms and conditions of this Agreement or the Contract as set forth in Paragraph 7. , or any violation of the applicable laws, rules and regulations governing the practice of pharmacy, Registrant shall be required to IMMEDIATELY SURRENDER his pharmacist intern registration to the Board without the requirement of any adjudicatory proceedings pursuant to G.L. c. 30A, and that the Board may immediately rescind, suspend or otherwise discipline the Registrant's pharmacist technician registration without the requirement of further proceedings pursuant to M.G.L. c. 30A.

7. The Registrant understands and agrees that any of the following may be considered by the Board to be a violation of this Agreement requiring Registrant to IMMEDIATELY SURRENDER his license to the Board:

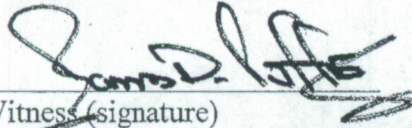
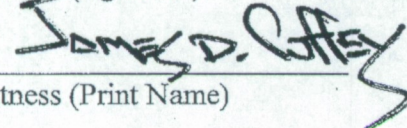
- a. A sample of the Registrant's blood, breath or other substance is found to contain any evidence of alcohol or any controlled substance in violation of this Agreement or the Contract;
- b. the Board or MPRS has other reliable evidence that the Registrant has used alcohol or any controlled substance in violation of this Agreement or the Contract;
- c. the Registrant misses, or fails to call for any random screening tests, excluding an administrative or laboratory error beyond the control of the Registrant;
- d. the Registrant refuses to cooperate with MPRS in its monitoring; or
- e. the Registrant withdraws any waiver or release provided and/or filed in connection with this Agreement or the Contract.

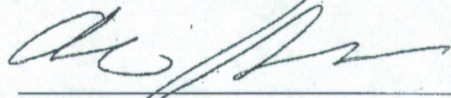
8. The Registrant understands and agrees that his decision to enter into this Agreement and to accept the terms and conditions herein described is a final act and is not subject to reconsideration or judicial review.

9. The Registrant states that he has used legal counsel in connection with his decision to enter into this Agreement or if he did not, that he had an opportunity to do so.




10. The Registrant certifies that he has read this document entitled "Consent Agreement". The Registrant understands that, by executing this Agreement, he is agreeing to the terms and conditions pursuant to which the Board will register him as a pharmacist intern and place his pharmacist intern registration on probationary status on the terms and conditions set forth herein.

  
Witness (signature)  
  
Witness (Print Name)

  
Nicholas J. Pariaros  
Effective Date: 8/16/2011

BOARD OF REGISTRATION  
IN PHARMACY

  
Stanley B. Walczyk, R.Ph.  
President  
Date: June 16, 2011

Dec. No. 2631





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

DEVAL L. PATRICK  
GOVERNOR

TIMOTHY P. MURRAY  
LIEUTENANT GOVERNOR

JUDYANN BIGBY, MD  
SECRETARY

JOHN AUERBACH  
COMMISSIONER

Board of Registration in Pharmacy  
239 Causeway Street, Suite 200, 2<sup>nd</sup> Floor  
Boston, MA 02114  
(800) 414-0168  
<http://www.mass.gov/reg/boards/pt>

March 24, 2009

Nicholas J. Pariaros  
401 Harbor Place, # 1312  
Tampa, FL 33602

Re: **Nicholas J. Pariaros** – Mass. Pharmacist Intern Registration No. 131144.  
Complaint No. PHA 2008-0041 (Hillsborough/FL - Case No. 2008-CF-024348)

Dear Mr. Pariaros:

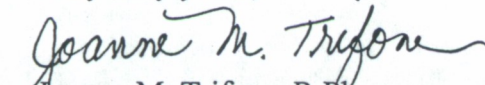
The Board of Registration in Pharmacy (Board) is aware you were charged on January 21, 2009 (Hillsborough/FL - Case No. 2008-CF-024348) with unlawfully obtained controlled substances (alprazolam). To date, the Board has received no response to the Board's January 2009 letter.

**Please be advised that the Board has rescinded your Massachusetts Pharmacist Intern Registration (No. 131144) status as of the date of this letter.**

Notice of this action is being provided to Atty. Domenic Baccarella, per information you provided to Board Investigator Jay Emery by telephone on February 5, 2009.

Your Massachusetts Pharmacy Intern registration card must be returned to the Board's Office at the address above within 10 days of the date of this letter.

Very truly yours,

  
Joanne M. Trifone, R.Ph.  
President-Elect

Dec. No. 2031

CERTIFIED MAIL No. 7003 1010 0003 3509 5658 and First Class Mail  
cc: Dominic Baccarella, Esq.





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

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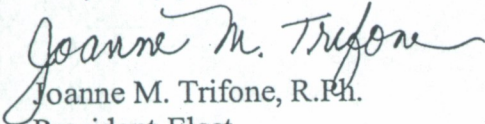
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\_\_\_\_\_ )

Docket No. PHA-2010-0019

**DISMISSAL LETTER**

The Board of Registration in Pharmacy ("Board") reviewed a complaint alleging that Nicholas J. Pariaros ("Registrant"), Massachusetts Pharmacy Intern Registration No. 131144, failed to adhere to proper standards of pharmacy practice.

Specifically, the Board of Registration in Pharmacy (Board) is aware that the Registrant pled guilty on or about June 22, 2009 (Hillsborough/FL - Case No. 2008-CF-024348) to unlawfully obtaining controlled substance (alprazolam) by fraud.

Thefeafter, on or about October 19, 2009, the State of Florida Department of Health issued an Order of Emergency Suspension against the Registrants Florida Pharmacy Intern Registration No. PSI 23812.

On April 13, 2010 the Board carefully reviewed the investigative reports and other information provided by the parties regarding the Complaint. The Board voted to **Dismiss the matter without prejudice** since the Board rescinded the Registrant's Massachusetts Pharmacist Intern Registration (No. 131144) on March 24, 2009 (Complaint No. PHA 2008-0041).

This decision is not considered formal disciplinary action. The complaint and any materials generated by means of complaint investigation will remain on file with the Board, as such is a matter of public record.

PER ORDER OF THE BOARD

*Joanne M. Trifone*

Joanne M. Trifone, R.Ph., Board President  
April 20, 2010

Board Decision No. 2308