

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION  
IN PHARMACY

In the Matter of )  
**PATRICK M. CARPENTER** )  
PH25110 )

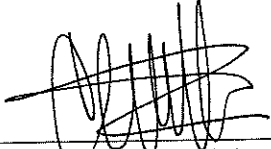
PHA-2012-0020

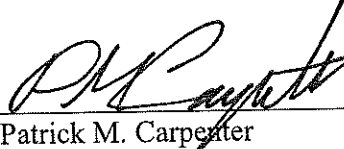
**ADDENDUM**  
**POST SUSPENSION CONSENT AGREEMENT FOR PROBATION**

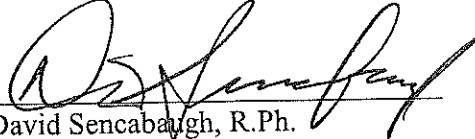
The Massachusetts Board of Registration in Pharmacy ("Board") and Patrick M. Carpenter ("Licensee"), a Pharmacist licensed by the Board, Registration No. PH25110, do hereby stipulate and agree that the following information shall be entered into and become a permanent part of the Licensee's record maintained by the Board:

1. The Board and the Licensee acknowledge and agree that the Board received and investigated a complaint against Licensee's pharmacist license, Docket PHA-2012-0020, which was resolved pursuant to the Consent Agreement for suspension, effective August 23, 2012.
2. On or about November 28, 2014, the Board and the Licensee entered into a Post Suspension Consent Agreement for Probation.
3. In accordance with Paragraph 2 of the Consent Agreement dated August 23, 2012, Licensee acknowledged and agreed he entered into the Consent Agreement for suspension as a result of violations of M.G.L. c. 94C, § 32A, M.G.L. c. 94C, § 32J, M.G.L. c. 267, § 5, 247 CMR 9.01(1), 247 CMR 9.01(6), and 247 CMR 9.01(9). Said violations constituted grounds for discipline by the Board pursuant to M.G.L. c. 112, § 61 and 247 CMR 10.03(1).
4. In accordance with Paragraph 3 of the Post Suspension Consent Agreement for Probation dated November 28, 2014, Licensee acknowledged and agreed he entered into that Agreement as a result of violations of M.G.L. c. 94C, § 32A, M.G.L. c. 94C, § 32J, M.G.L. c. 267, § 5, 247 CMR 9.01(1), 247 CMR 9.01(6), and 247 CMR 9.01(9). Said violations warranted discipline by the Board pursuant to M.G.L. c. 112, § 61 and 247 CMR 10.03(1).
5. On or about April 19, 2017, the Massachusetts Supreme Judicial Court ("SJC") vacated and dismissed with prejudice Licensee's offences under M.G.L. c. 94C. *See Attachment A.*

6. As a result of the SJC's April 19, 2017 decision, the Board and Licensee agree to strike the portions of the Consent Agreement dated August 23, 2012 and the Post Suspension Consent Agreement for Probation dated November 28, 2014 which state that Licensee violated M.G.L. c. 94C, § 32A and M.G.L. c. 94C, § 32J in connection with Docket PHA-2012-0020.
7. As a result of the SJC's April 19, 2017 decision, the only remaining violations are Licensee's violations of M.G.L. c. 267, § 5, 247 CMR 9.01(1), and 247 CMR 9.01(6). The Board and Licensee hereby acknowledge and agree that the sanctions imposed by the Consent Agreement dated August 23, 2012 and the Post Suspension Consent Agreement for Probation dated November 28, 2014 are based exclusively on Licensee's violations of M.G.L. c. 267, § 5, 247 CMR 9.01(1), and 247 CMR 9.01(6).
8. The Board and Licensee acknowledge and agree that violations of M.G.L. c. 267, § 5, 247 CMR 9.01(1), and 247 CMR 9.01(6) warrant disciplinary action by the Board under M.G.L. c. 112, §§ 42A & 61 and 247 CMR 10.03(1)(a), (g), (h), (l), (n), (r), (u), & (w).
9. The Licensee acknowledges that he has been free to seek and use legal counsel in connection with this Addendum to the Post Suspension Consent Agreement for Probation.
10. The Licensee certifies that he has read this Addendum to the Post Suspension Consent Agreement for Probation. The Licensee understands and agrees that the Addendum to the Agreement is a voluntary and final act and not subject to reconsideration, appeal, or judicial review.

  
 Witness (sign and date) 1/16/18  
 George Hickey

  
 Patrick M. Carpenter  
 (sign and date) 01/16/2018

  
 David Sencabaugh, R.Ph.  
 Executive Director  
 Board of Registration in Pharmacy 1/30/2018

1-30-2018  
 Effective Date

Fully Signed Agreement Sent to Licensee on \_\_\_\_\_ by Certified Mail  
No. \_\_\_\_\_