

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION IN
PHARMACY

_____)
In the Matter of)
Paula H. Otto)
License No. PT23160)
Expires January 3, 2021)
_____)

Docket No. PHA-2019-0096

CONSENT AGREEMENT FOR VOLUNTARY SURRENDER

The Massachusetts Board of Registration in Pharmacy ("Board") and Paula H. Otto ("Licensee"), a pharmacy technician licensed by the Board, PT23160 ("License")¹ 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 her License related to the conduct set forth in Paragraph 2, identified as docket no. PHA-2019-0096 ("Complaint").
2. The Board and Licensee acknowledge and agree to the following facts:
 - a. On or about January 29, 2018, Licensee submitted to the Board an application for a pharmacy technician license (application), which failed to disclose the following criminal history:
 - i. On or about January 16, 2018, Licensee was charged with violating M.G.L. c. 266, §§37 and 30(1), larceny by check over \$250, docketed at 1801CR000217 before the Boston Municipal Court. This case was dismissed on March 22, 2019 upon the payment of \$850.00 in restitution;
 - ii. On or about December 19, 2017, Licensee was charged with violating M.G.L. c. 266, §§37 and 30(1), larceny by check over \$250, docketed at 1701CR008533 before the Boston Municipal Court. This case was dismissed on March 22, 2019 upon the payment of \$850.00 in restitution on docket 1801CR000217; and

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

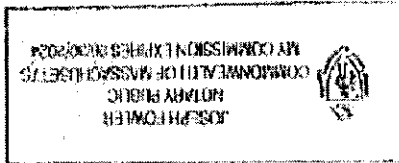
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- iii. On or about March 27, 2017, Licensee was charged with violating M.G.L. c. 266, §§37 and 30(1), larceny by check under \$250, docketed at 1764CR000986 before the Dudley District Court. This case was dismissed on May 8, 2017 upon the payment of \$100.00 in restitution;
 - iv. On or about October 16, 2003, Licensee was arraigned for alleged violations of M.G.L. c. 90, §§2, 9 and 34J, docketed as 0364CR003371 before the Dudley District Court. This case was dismissed on June 10, 2005 upon the payment of \$100.00 in Court costs; and
 - v. On or about July 30, 2002, Licensee was arraigned for alleged violations of M.G.L. c. 267, §5 (2 counts) and M.G.L. c. 266, §30(1) (2 counts), docketed as 0265CR000791 before the Uxbridge District Court. This case was dismissed on September 12, 2003 upon the payment of \$3,038.06 in restitution.
- b. Within seven business days of December 26, 2018, Licensee's failed to disclose to the Board the suspension of her real estate broker's license (no. RE-9039515-B) for six months and a fine of \$1,000 related to complaints docketed at 2016-000434-IT-ENF, *et al.* and pending before the Commonwealth's Board of Registration of Real Estate Brokers and Salespersons.
3. The Board and Licensee acknowledge and agree that Licensee's conduct described in Paragraph 2 constitutes violations of 247 CMR 10.03(1)(l), (p), (u), (z) and (aa), and is grounds for discipline by the Board pursuant to M.G.L. c. 112, §§ 42A and 61 and 247 CMR 10.06.
 4. The Licensee agrees to: (1) **SURRENDER** her License for an indefinite period of time; (2) refrain from practicing as a pharmacy technician trainee or pharmacy technician; and (3) refrain from working in any pharmacy-related setting in Massachusetts; commencing with the date on which the Board signs this Agreement ("Effective Date"). The Licensee further agrees to immediately return her original License to the Board.
 5. The Board agrees that in return for the Licensee's execution and successful compliance with all the requirements of this Agreement, the Board will not prosecute the Complaint.

6. After the Effective Date of this Agreement, the Licensee may petition the Board for reinstatement of her License in accordance with the Board's policy on license reinstatement.
7. The Licensee understands that she has the right to a formal adjudicatory hearing concerning the Complaint and that during said adjudication she would possess the right to confront and cross-examine witnesses, call witnesses, present evidence, testify on her own behalf, contest the allegations, present oral argument, 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 she is knowingly and voluntarily waiving her right to a formal adjudication of the Complaint.
8. The Licensee acknowledges that she has 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 subject to the Commonwealth of Massachusetts' Public Records Law, M.G.L. c. 4, §7. 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.
10. The Licensee certifies that she 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.

[Signature] 07/30/2020
Witness (sign and date)

[Signature]
Paul H. Otto (sign and date)



[Signature]
David A. Sennabaugh, R.Ph.
Executive Director
Board of Registration in Pharmacy

7-30-2020
Effective Date of Agreement

Fully Signed Agreement Sent to Licensee on August 5, 2020 by

Certified Mail No. 7019 0700 0000 3087 7719, and
7019 0700 0000 3087 7726

