

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION IN
PHARMACY

IN THE MATTER OF
PIERCE M. KOCJAN
PI159311

DOCKET NO. PHA-2014-0081

CONSENT AGREEMENT FOR VOLUNTARY SURRENDER

The Massachusetts Board of Registration in Pharmacy ("Board") and Pierce M. Kocjan ("Licensee"), a pharmacy intern licensed by the Board, PI159311, 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 a complaint has been filed with the Board against his Massachusetts Pharmacy Intern license¹ related to the conduct set forth in Paragraph 2, identified as Docket No. PHA-2014-0081 ("Complaint").
2. The Board and Licensee acknowledge and agree to the following facts:
 - a. On or about March 8, 2014, Pierce Kocjan ingested 3 tablets of hydrocodone/APAP 10/325 mg immediately prior to working at Lemuel Shattuck Hospital as a pharmacy intern. Shortly thereafter, while working as a pharmacy intern, licensee ingested multiple additional tablets of different strengths of gabapentin and cyclobenzaprine. Due to the use of drugs, Licensee had slurred and incoherent speech and lost consciousness while working as a pharmacy intern.
 - b. Licensee diverted multiple packages of gabapentin from Lemuel Shattuck Hospital for personal ingestion. Licensee diverted approximately 43 tablets of hydrocodone and various benzodiazepines from Stop & Shop. Licensee did not have a valid prescription for said medications.
3. The Board and Licensee acknowledge and agree that, based on Licensee's Conduct described Paragraph 2, Licensee's continued or further practice as a Pharmacy Intern presents an immediate and serious threat to the public health, safety, or welfare warranting summary suspension set forth in 247 CMR 10.07.

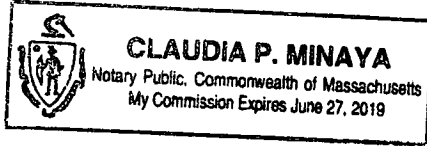
¹ The term "license" applies to both a current license and the right to renew an expired license.

4. The Board and Licensee acknowledge and agree that Licensee's conduct described in Paragraph 2 is a violation M.G.L. c. 94C, § 34 and warrants disciplinary action by the Board under M.G.L. c. 112, § 61 and Board regulations at 247 CMR 10.06.
5. The Licensee agrees to SURRENDER his license for an indefinite period of time and refrain from practicing as a Pharmacy Intern and 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 his original Massachusetts pharmacy intern registration to the Board.
6. The Board may determine the terms and conditions for potential reinstatement of Licensee's pharmacy intern license following an evaluation by and recommendation from the Massachusetts Professional Recovery System ("MPRS").
7. 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.
8. The Licensee understands that he has a right to formal adjudicatory hearing concerning the Complaint and that during said adjudication he would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on his 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, 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 he is knowingly and voluntarily waiving his right to a formal adjudication of the Complaint.
9. The Licensee acknowledges that he has been at all times free to seek and use legal counsel in connection with the Complaint and this Agreement.
10. 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.

11. The Licensee certifies that he has read this Agreement. The Registrant understands and agrees that entering into this Agreement is a voluntary and final act and not subject to reconsideration, appeal or judicial review.

Blaumlein 4/7/14
Witness (sign and date)

Pierce M. Kocjan 4/7/14
Pierce M. Kocjan
(sign and date)



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

4-14-14
Effective Date of Agreement

Fully Signed Agreement Sent to Registrant on 4-14-14 by
Certified Mail No. 7012 3460 0001 7331 3337