

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION  
IN PHARMACY

In the Matter of )  
**RICHARD LICCIARDI** )  
Pharmacy Technician Reg. No. 10376 )  
Expires 05/12/2011 )

Docket No. PHA-2009-0182

CONSENT AGREEMENT

The Board of Registration in Pharmacy ("Board") and Richard Licciardi ("Registrant"), a pharmacy technician registered by the Board (Pharmacy Technician Registration No. 10376), do hereby stipulate and agree that the following information shall be entered into and become a permanent part of the file of the Registrant which is maintained by the Board:

1. The parties enter into this Consent Agreement ("Agreement") regarding matters related to a complaint (Docket No. PHA-2009-0182) regarding the Registrant's conduct while employed as a pharmacy technician at Rite-Aid Pharmacy 10109, located at 229 North Main Street in Stoneham, Massachusetts ("Complaint"); such conduct being more specifically described in the Complaint.
2. Registrant acknowledges that he executed a *Voluntary Surrender Statement* regarding his pharmacy technician registration on or about November 9, 2009 in resolution of the Complaint and that the status of his pharmacy technician registration was "surrendered" from November 18, 2008 to the Effective Date of this Agreement.
3. Since the date of the conduct which was the subject of the Complaint, Registrant has completed a medical treatment as well as enrolled in a certificate level education and training program at a community college (expected graduation Spring 2011).
4. Registrant seeks the reinstatement of his pharmacy technician registration and the Board agrees to reinstate his pharmacy technician registration on the following terms and conditions:
  - a. The Board will reinstate Registrant's pharmacy technician registration and place the registration on: (1) "PROBATION" status as of the Effective Date of this Agreement; and (2) "HOLD" status relating to the May 12, 2011 expiration date (Expiration Date) of his registration;
  - b. Registrant may not accept employment, paid or unpaid, as a pharmacy technician prior to the Expiration Date; and
  - c. The Board will convert Registrant's pharmacy technician registration to "EXPIRED" status after the Expiration Date, provided Registrant is in compliance with this Agreement.



5. The Agreement and its contents shall become a part of the records maintained by the Board, and as such, are public records subject to disclosure to the public, other licensing boards, and the National Association of Boards of Pharmacy.
6. The Board agrees that in return for the Registrant's execution of this Agreement, the Board will not advance the prosecution of the Registrant pursuant to the Complaint; any and all other rights of the Board to take action within the scope of its authority are expressly reserved.
7. The Registrant understands and agrees that his failure to abide by the terms of this Agreement shall nullify the representations contained in Paragraph 7 and permit the Board to initiate formal adjudicatory action under the State Administrative Procedure Act (G.L. c. 30A) and 801 CMR 1.00 *et. seq.*
8. 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.
10. Registrant certifies he has read this document entitled "Consent Agreement." Registrant understands that, by executing this Agreement, he is waiving his right to a formal hearing at which he would possess the rights 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 court in the event of an adverse ruling, and all other rights set forth in the State Administrative Procedure Act, G.L. c. 30A, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 *et seq.*

Marie Licciardi

Witness (signature)

Marie Licciardi

Witness (print name)

Richard Licciardi

Richard Licciardi

Registrant

Effective Date: 2/1/11

BOARD OF REGISTRATION  
IN PHARMACY

Stanley B. Walczyk, R.Ph.

President

Date: January 19, 2011