

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION  
IN PHARMACY

In the Matter of )  
SARA ELIZABETH FLYNN )  
LICENSE # PH234009 )  
Expiration Date: 5/2/13 )

PHARMACY BOARD  
**RECEIVED**

JUN 12 2014

OFF PUBLIC PROTECTION

**CONSENT AGREEMENT FOR PROBATION**

The Massachusetts Board of Registration in Pharmacy ("Board") and SARA ELIZABETH FLYNN ("Licensee"), PH234009, 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. Licensee acknowledges that the Board opened a complaint against her Massachusetts pharmacist license related to the conduct set forth in Paragraph 2, identified as Docket No. PHA-2013-0018.<sup>1</sup>
2. The Board and Licensee acknowledge and agree that Licensee diverted approximately 20 Wellbutrin tablets from the pharmacy where she was employed.
3. 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.
4. Licensee agrees that her pharmacist license shall be placed on PROBATION for one (1) year ("Probationary Period"), commencing with the date on which the Board signs this Agreement ("Effective Date").
5. During the Probationary Period, the Licensee further agrees that she shall comply in all material respects with all laws and regulations governing the practice of pharmacy and the United States Pharmacopeia.

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

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6. The Board acknowledges the receipt of documentation of a mental health evaluation indicating that Licensee is safe to practice as a pharmacist. Licensee and the Board acknowledge that the Board's receipt of said documentation was a precondition to be met before the Board entered into this Agreement.
7. The Board agrees that in return for Licensee's execution and successful compliance with the requirements of this Agreement it will not prosecute the Complaint.
8. If the Licensee has complied to the Board's satisfaction with all the requirements contained in this Agreement, the Probationary Period will terminate **one (1) year** after the Effective Date upon written notice to the Licensee from the Board.<sup>2</sup>
9. If the Licensee does not materially comply with each requirement of this Agreement, or if the Board opens a Subsequent Complaint<sup>3</sup> during the Probationary Period, the Licensee agrees to the following:
  - a. The Board may upon written notice to the Licensee, as warranted to protect the public health, safety, or welfare:
    - i. **EXTEND** the Probationary Period; and/or
    - ii. **MODIFY** the Probation Agreement requirements; and/or
    - iii. **IMMEDIATELY SUSPEND** the Licensee's pharmacist license.
  - b. If the Board suspends the Licensee's pharmacy license pursuant to Paragraph 9(a)(iii), the suspension shall remain in effect until:
    - i. the Board provides Licensee written notice that the Probationary Period is to be resumed and under what terms; or
    - ii. the Board and Licensee sign a subsequent agreement; or

<sup>2</sup> In all instances where this Agreement specifies written notice to the Licensee from the Board, such notice shall be sent to the Licensee's address of record.

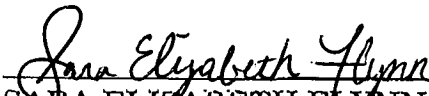
<sup>3</sup> The term "Subsequent Complaint" applies to a complaint opened after the Effective Date concerning acts, omissions, or events occurring after the Effective Date, which (1) alleges that the Licensee engaged in conduct that violates Board statutes or regulations, and (2) is substantiated by evidence, as determined following the complaint investigation during which the Licensee shall have an opportunity to respond.

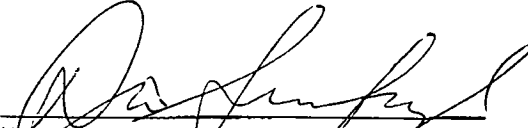
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- iii. the Board issues a written final decision and order following adjudication of the allegations (1) of noncompliance with this Agreement, and/ or (2) contained in the Subsequent Complaint.
10. Licensee agrees that if the Board suspends her pharmacist license in accordance with Paragraph 9, she will immediately return her current Massachusetts pharmacist license to the Board, by hand or certified mail. Licensee further agrees that upon said suspension, she will no longer be authorized to practice as a pharmacist in the Commonwealth of Massachusetts and shall not in any way represent herself as a pharmacist until such time as the Board reinstates her pharmacist license or right to renew such license.
11. Licensee understands that she has a right to formal adjudicatory hearing concerning the Complaint and that during said adjudication she would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on her 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, 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 Complaints.
12. The Registrant acknowledges that she has been represented by legal counsel in connection with the Complaint and this Agreement.
13. The Licensee acknowledges that after the Effective Date, the Agreement constitutes a public record of disciplinary action by the Board. 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.

14. 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.

 6/11/2014  
Witness (sign and date)

 6/11/14  
SARA ELIZABETH FLYNN  
(sign and date)

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

September 15, 2014  
Effective Date of Probation Agreement

Fully Signed Agreement Sent to Licensee on September 11, 2014 by  
Certified  
Mail No. 7014 0510 0001 0379 6038