

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of)
Steven A. Shraiar, R.Ph.)
Registration No. 14861)
_____)

Docket Nos. PH-07-023
PHA-2010-0009

**ORDER OF REVOCATION
BASED ON VIOLATION OF CONSENT AGREEMENT**

The Board of Registration in Pharmacy (Board) and **Steven A. Shraiar, R.Ph.**, (Registrant), a pharmacist registered by the Board (Registration No. 14861), entered into that certain *Consent Agreement* (Agreement) with the Board dated September 22, 2009 (attached) related to that certain *Final Decision and Order* of the Board dated June 18, 2008 regarding above-referenced Complaint Docket No. PH-07-023. In accordance with the *Final Decision and Order*, Registrant's Pharmacist registration was suspended for a minimum twelve month period, effective July 18, 2008. Effective September 22, 2009, the Board terminated the suspension of Registrant's Pharmacist registration and reinstated his Pharmacist registration on probationary status for a minimum three year period on the terms and conditions set forth in the Agreement.

As set forth in Paragraph 6. of the Agreement, which Registrant acknowledged as understood and agreed to, "at any time during the PROBATION Period, upon a determination by the Board of any violation of any of the terms and conditions of the Contract or this Agreement or any violation of the applicable laws, rules and regulations governing the practice of pharmacy in the Commonwealth, the Board may immediately suspend or take other action regarding Registrant's license to practice pharmacy without the requirement of further proceedings pursuant to G.L. c. 30A, for such period and on such terms as the Board may deem necessary and appropriate."

On February 9, 2010, in accordance with the Paragraph 6. of the Agreement, the Board voted to REVOKE the Pharmacist registration of Registrant, effective as of the date of this Order. The revocation order was based on the February 9, 2010 *Declaration of Samuel J. Penta, R.Ph.* (Declaration) with attachments thereto documenting Registrant's conduct, as owner of Margolis Pharmacy (Pharmacy), licensed by the Board to operate at 447 Broadway in Chelsea, Massachusetts (Registration No. 2974); such conduct being more specifically described in the Declaration and attachments thereto and investigation documentation related to Complaint Docket No. PHA-2010-0009 as multiple Pharmacy sales of various quantities of various Schedule VI controlled substances to an unlicensed entity commencing on or about December 7, 2009 through January 13, 2010.

In accordance with and pursuant to Paragraphs 6 and 7 of the Agreement, the Board hereby **REVOKES** Registrant's pharmacist registration no. 14681, effective as of the date of this Order.

Registrant is hereby **ORDERED** to return Pharmacist registration no. 14681 (wallet certificate) to the Board's administrative offices at 239 Causeway Street, Suite 200, 2d Floor, Boston, Massachusetts 02114 by 5:00 p.m. on February 11, 2010.

RIGHT TO APPEAL

Registrant is hereby notified of his right to appeal this Order, pursuant to G.L. c. 112, s. 64 and G.L. c. 30A, ss. 14 and 15, within thirty (30) days of receipt of this Order.

BOARD OF REGISTRATION IN PHARMACY

By: *Joanne M. Trifone*
Joanne M. Trifone, R.Ph.
President

Date: February 9, 2010

Attachment

Dec. No. 2664

BY FAX (413 727 8292) and First Class Mail to Paul M. Garbarini, Esq., P.O. Box 1551, Northhampton, MA 01061

BY HAND to Margolis Pharmacy, 447 Broadway, Chelsea, MA 02150

Certified Mail No. 7007 3230 0002 4164 4293 and First Class Mail to Steven A. Shraiar, Margolis Pharmacy, 447 Broadway, Chelsea, MA 02150