

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION  
IN PHARMACY

In the Matter of )  
STEVEN B. LURIE )  
License Number: PH14405 )  
Expiration: December 31, 2012 )

PHA-2010-0011

**CONSENT AGREEMENT FOR REPRIMAND**

The Massachusetts Board of Registration in Pharmacy ("Board") and Steven B. Lurie ("Licensee"), a pharmacist licensed by the Board, license number PH14405, 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 his Massachusetts pharmacist license related to the conduct set forth in Paragraph 2, identified as Docket Number PHA-2010-0011 ("Complaint").
2. The Board and the Licensee acknowledge and agree to the following facts:
  - a. From at least December 1, 2009 until January 31, 2010, Licensee was the manager of record of Margolis Pharmacy, 447 Broadway, Chelsea, Massachusetts, DS2974. Margolis Pharmacy did not hold any wholesale distributor license.
  - b. As manager of record, pursuant to 247 CMR 6.07, Licensee was responsible for maintaining the pharmacy in compliance with all applicable state and federal laws and regulations.
  - c. Evidence reviewed during an inspection of Margolis Pharmacy on January 21, 2010 indicates that on various dates from December 7, 2009 through January 13, 2010, the pharmacy sold Schedule VI controlled substances to an un-licensed entity identified as "Mika Overseas Corporation" in violation state and federal laws and regulations including but not limited to M.G.L. c. 112, §§ 36A & 36C, 247 CMR 7.00, and 247 CMR 2.00 *et seq.*

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3. The Licensee acknowledges that the facts described in Paragraph 2 warrant disciplinary action by the Board under M.G.L. c. 112, §§ 42A and 61 and under 247 CMR 10.03.
4. The Licensee agrees that the Board shall impose a REPRIMAND on his license based on the facts admitted in Paragraph 2, effective as of the date on which the Board signs this Agreement ("Effective Date").
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. The Licensee understands that he has a right to a 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, 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 he is knowingly and voluntarily waiving his right to a formal adjudication of the Complaint.
7. 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.
8. 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.

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9. The Licensee certifies that he 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.

Karen Lurie  
Witness (sign and date)  
2/9/14

Steven B. Lurie  
Steven B. Lurie (sign and date)  
2/9/14

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Effective Date of Reprimand Agreement

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

Fully Signed Agreement Sent to Registrant on February 19, 2014 by  
Certified Mail No. 7012 3460 0003 3582 1397

Steven B. Lurie  
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