

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of)

Thomas C. Bouvier, R.Ph.)

Pharmacist Registration No. 16413)

Received
JEC 10 2007

Docket No. PH-08-003

BOARD OF
PHARMACY

CONSENT AGREEMENT

The Board of Registration in Pharmacy ("Board") and Thomas C. Bouvier, R.Ph. ("Registrant"), a pharmacist registered by the Board (Pharmacist Registration No. 16413), 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") in order to resolve disputed matters arising out of a complaint pending against the Registrant before the Board as Docket No. PH-08-003 (the "Complaint").
2. The Registrant acknowledges that he knowingly signed a renewal of his pharmacist license in which he attested "under the penalties of perjury" that he had fulfilled requisite continuing education (CE) requirements for the period 2005 and 2006, yet when audited by the Board, the Registrant only provided documentation of eight contact hours of CE (no law and or live contact hours completed) in 2005 (15 contact hours required) and six contact hours of CE (no law and or live contact hours completed) in 2006 (15 contact hours required).
3. The Registrant acknowledges that at the time of the Board CE Audit, he was employed at Bouvier Pharmacy (the "Pharmacy"), located at 515 Lincoln Street, Marlboro, Massachusetts (Permit Number 9725). The Pharmacy was inspected by Investigator James C. Emery on June 20, 2007 wherein deficiencies were noted to include 247 CMR 9.01(14), 9.07(3)(c), and 6.01(5)(a)(5).
4. Accordingly, the Registrant freely agrees to the following:
 - a. The Registrant agrees that the conduct as described in Paragraph 2 above warrants disciplinary action for violation of G.L. c. 112, s. 61 and 247 CMR 4.03(3), 4.03(4), 9.01(1), and 10.03;
 - b. The Registrant agrees to the **Reprimand** of his pharmacist license in this matter;
 - c. The Registrant must pass the Multistate Pharmacy Jurisprudence Examination (MPJE), with a score of at least 75%, within six months of the effective date of this

Agreement (the "Effective Date"); and

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.

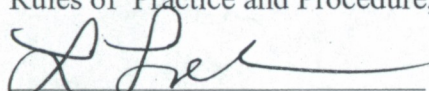
6. The Board agrees that in return for the Registrant's execution of this Agreement, the Board will not advance the prosecution of the Registrant pursuant to the Complaint; any and all other rights of the Board to take action within the scope of its authority are expressly reserved.

7. The Registrant understands and agrees that his failure to satisfy the terms of this Agreement shall constitute grounds for the Board to take additional disciplinary action regarding without the requirement for additional proceedings pursuant to the State Administrative Procedure Act (G.L. c. 30A) and 801 CMR 1.00 *et. seq.*

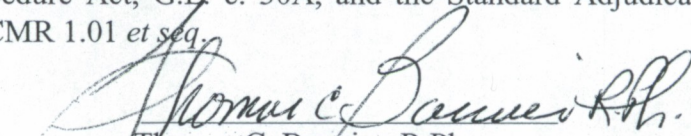
8. The Registrant understands and agrees that his decision to enter into this Agreement and to accept the terms and conditions herein described is a final act and is not subject to reconsideration or judicial review.

9. The Registrant states that he has used legal counsel in connection with his decision to enter into this Agreement or, if he did not, that she had an opportunity to do so and that his decision to enter into this Agreement was made of his own free will.

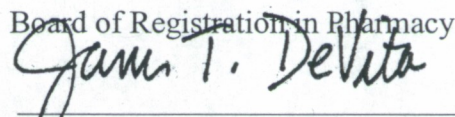
10. Registrant certifies that he has read this document entitled "Consent Agreement". The Registrant understands that, by executing this Agreement, he is waiving his right to a formal hearing at which he would possess the rights to confront and cross-examine witnesses, to call witnesses, to present evidence, 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.*


Witness (signature)

Witness (print name)


Thomas C. Bouvier, R.Ph.
Registrant
Date: 12/04/07

Board of Registration in Pharmacy


James T. DeVita, R.Ph.
President

EFFECTIVE DATE: 12-4-07

Dec. No. 1657

Certified Mail No. 7003 1010 0003 3509 6365