

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of)
Trang Pharmacy, Inc.)
License No. DS3581)
Expires December 31, 2017)

Docket No. PHA-2016-0109

CONSENT AGREEMENT FOR REPRIMAND

The Massachusetts Board of Registration in Pharmacy ("Board") and Trang Pharmacy, Inc. ("Pharmacy"), a pharmacy registered by the Board, registration number DS3581 ("Registration"), do hereby stipulate and agree that the following information shall be entered into and become a permanent part of the Pharmacy's record maintained by the Board:

1. The Pharmacy acknowledges the Board opened a complaint against its Registration related to the conduct set forth in Paragraph 2, identified as docket no. PHA-2016-0109 ("Complaint").
2. The Board and the Pharmacy acknowledge and agree to the following facts:
 - a. On or about June 3, 2016, Office of Public Protection ("OPP") investigators conducted a retail compliance inspection of the Pharmacy and observed the following deficiencies:
 - i. Individual working as pharmacy technician not licensed in violation of 247 CMR 8.06(1)(a);
 - ii. Pharmacy failed to maintain in perpetual inventory and reconcile at least every ten days expired Schedule II controlled substances in violation of 247 CMR 9.01(14);
 - iii. Pharmacy's MOR's CSOS credentials were used by pharmacy technicians for ordering in violation of 21 CFR 1305.05(a);
 - iv. Pharmacy's MOR failed to maintain policies and procedures supporting the standards of professional pharmacy practice as evident by blister package label quantities did not match actual

quantities being dispensed and unlicensed practice set forth in paragraph 2.a.i., in violation of 247 CMR 6.07(1)(e);

- v. A pharmacy technician trainee was observed wearing a pharmacy smock which identified her as a pharmacy technician in violation of 247 CMR 8.03(2)(a);
 - vi. Pharmacy had on hand blister packages with incomplete labels in violation of 247 CMR 9.01(1) and 105 CMR 722.070; and
 - vii. Pharmacy maintained unlabeled product in amber prescription vials or in vials that lacked complete information on shelves in violation of 247 CMR 9.01(10).
3. The Pharmacy acknowledges that the foregoing facts warrant disciplinary action by the Board under M.G.L. c. 112, §§ 42A and 61 and under 247 CMR 10.03.
 4. The Board acknowledges the receipt of the MOR's attestation that she or he has read 247 CMR 8.00, 9.00 & 15.00. The Licensee and the Board acknowledge that the Board's receipt of this affidavit was a precondition to be met before the Board enters into this Agreement.
 5. The Pharmacy agrees that the Board shall impose a REPRIMAND on its Registration based on the facts admitted in Paragraph 2, effective as of the date on which the Board signs this Agreement ("Effective Date").
 6. The Board agrees that in return for the Pharmacy's execution and successful compliance with all the requirements of this Agreement, the Board will not prosecute the Complaint.
 7. The Pharmacy understands that it has a right to formal adjudicatory hearing concerning the Complaint and that during said adjudication the Pharmacy would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on its 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 Pharmacy further understands that by executing this Agreement the Pharmacy is knowingly and voluntarily waiving its right to a formal adjudication of the Complaint.

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8. The Pharmacy acknowledges that it has been at all times free to seek and use legal counsel in connection with the Complaint and this Agreement.
9. The Pharmacy 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.
10. The Pharmacy understands and agrees that entering into this Agreement is a voluntary and final act and not subject to reconsideration, appeal or judicial review.
11. The individual signing this Agreement certifies that he/she is authorized to enter into this Agreement on behalf of the Pharmacy, and that he/she has read this Agreement.

Naomi
 Witness (sign and date)

NTM 5/19/17
 Trang Pharmacy, Inc.
 (sign and date)

THU TRANG CHANG
 (print name)

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

5/25/17
 Effective Date of Reprimand Agreement

Fully Signed Agreement Sent to Registrant on 5/26/17 by

Certified Mail No. 70151730 0000 7974 0656

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