

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of)
Vashkar Karim, R. Ph.)
License Number: PH22444)
Expiration: December 31, 2016)

Received
PHA-2015-0101 AR 16 2016

BOARD OF
PHARMACY

CONSENT AGREEMENT FOR REPRIMAND

The Massachusetts Board of Registration in Pharmacy ("Board") and Vashkar Karim ("Licensee"), a pharmacist licensed by the Board, license number PH22444, 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 No. PHA-2015-0101 ("Complaint").¹
2. The Board and the Licensee acknowledge and agree to the following facts:
 - a. Licensee was the owner and interim manager of record of Prescription Shoppe ("Pharmacy"), a pharmacy licensed by the Board, DS89816, at all times relevant hereto.
 - b. On or about February 26, 2015, Board Investigators conducted a compliance inspection of Prescription Shoppe ("Pharmacy") and observed the following regulatory violations:
 - i. The Front door to the store was not alarmed, in violation of 247 CMR 6.02(6)(d);
 - ii. Schedule II medications were stored in an unlocked cabinet and not dispersed throughout the inventory, in violation of 247 CMR 6.02(6)(c);
 - iii. The name of the Manager of Record was not conspicuously displayed, in violation of 247 CMR 6.02(7);

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

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- iv. Pharmacy failed to make customers aware of the availability of lockboxes, in violation of M.G.L c. 94C, § 21B
 - v. Manager of Record was absent from approximately May 2014 until the time of inspection on February 15, 2015, in violation of 247 CMR 6.07(1)(e);
 - vi. Intern name tags were not in compliance with 247 CMR 8.01(11);
 - vii. Technician trainee name tags were not in compliance with 247 CMR 8.03(2)(a);
 - viii. Pharmacy failed to maintain policies and procedures regarding the duties and scope of responsibility for pharmacy support staff and also failed to maintain copies of technician training program guidelines, in violation of 247 CMR 8.06;
 - ix. Pharmacy failed to reconcile its perpetual inventory at least once every 10 days, in violation of 247 CMR 9.01(14);
 - x. End of day reports were not printed and signed by the pharmacist, in violation of 21 CFR 1306.22(f)(2);
 - xi. Pharmacy was not maintained in a clean and sanitary manner and had water stained ceiling tiles and a dirty sink, in violation of 247 CMR 6.02(1);
 - xii. Balance seal was expired, in violation of 6.01(5)(a)(4);
 - xiii. Refrigerator temperatures were not recorded and a certified thermometer was not used, in violation of 247 CMR 9.01(1) & (5) and Board Policy No. 2011-01;
 - xiv. Pharmacy did not have a written copy of its CQI program, in violation of 247 CMR 15.00; and
 - xv. Expired medication was on a shelf in violation of 247 CMR 9.01(10).
- c. On or about March 24, 2015, Board Investigators and Drug Enforcement Agency (DEA) investigators conducted an inspection of the Pharmacy and observed the following violations:
- i. Schedule II medication were stored on a shelf and not dispersed throughout the inventory, in violation of 247 CMR 6.02(6)(d);
 - ii. The Pharmacy's Drug Store Permit and Controlled Substance Registration was not displayed, in violation of 247 CMR 6.02(3)(a-d);
 - iii. The pharmacy intern name tags were designated as "student", in violation of 247 CMR 8.01(11);
 - iv. The pharmacy technician trainee name tags were designated as "technician", in violation of 247 CMR 8.03(2)(a);

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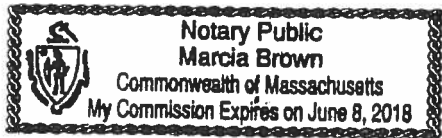
- v. Pharmacy failed to maintain policies and procedures regarding the duties and scope of responsibility for pharmacy support staff and also failed to maintain copies of technician training program guidelines, in violation of 247 CMR 8.06;
 - vi. Pharmacy was not maintained in a clean and sanitary manner and had water-stained tiles and a clogged and dirty sink, in violation of 247 CMR 6.02(1);
 - vii. Balance seal had expired in 2012, in violation of 247 CMR 6.01(5)(a)(4);
 - viii. Box of expired medication was located outside of the quarantine area, in violation of 247 CMR 9.01 (10); and
 - ix. Pharmacy did not have a written copy of its CQI program, in violation of 247 CMR 15.00.
3. The Licensee acknowledges that the foregoing facts warrant disciplinary action by the Board under M.G.L. c. 12, §§ 42A & 61 and 247 CMR 10.03.
 4. The Licensee agrees that the Board shall impose a REPRIMAND on his license based on the facts described in Paragraph 2, effective as of the date on which the Board signs this Agreement ("Effective Date").
 5. The Board acknowledges the receipt of an attestation demonstrating the Licensee has read and reviewed 247 CMR 6.00, 9.00, and 15.00. 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.
 6. 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.
 7. The Licensee understands that he has a right to 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.

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8. 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.
9. 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.
10. 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.

Marcia Brown
 Witness (sign and date)

Vashkar Karim 3/14/16
 Vashkar Karim (sign and date)



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

3-22-16
 Effective Date of Reprimand Agreement

Fully Signed Agreement Sent to Registrant on 3/28/16 by
 Certified Mail No. 7015 3010 0001 6744 5268

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