

STATE OF RHODE ISLAND AND  
PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH  
DIVISION OF HEALTH SERVICES REGULATION  
BOARD OF PHARMACY

In the Matter of:  
Prompt Care New England Respiratory LLC  
LICENSE #DIS02362

CONSENT ORDER

Pursuant to Rhode Island General Laws § 5-19.1-21 and the Rules and Regulations promulgated thereunder, the Department of Health (Department), Board of Pharmacy (Board) has investigated a complaint charging Prompt Care New England Respiratory LLC (hereinafter "Respondent"), with violations of RIGL § 5-19.1-21, and § 27 of the Rules and Regulations Pertaining to Pharmacists, Pharmacies and Manufacturers, Wholesalers and Distributors. After consideration by the Board, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent:

1. Respondent is licensed as a drug wholesaler in the State of Rhode Island and holds license #DIS02362.
2. That Respondent was found to have been operating in Rhode Island without a license since September 30, 2013.
3. Pursuant to § 5-19.1-21, the foregoing facts constitute unprofessional conduct in the State of Rhode Island.

Based on the foregoing, the parties agree as follows:

1. Respondent is a drug wholesaler and is able to conduct business under and by virtue of the laws of the State of Rhode Island.

2. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department.
3. Respondent has read this Consent Order and understands that it is a proposal of the Department and is subject to the final ratification by the Department. This Consent Order and the contents thereof are not binding on Respondent until final ratification by the Department.
4. Respondent hereby acknowledges and waives:
  - a) The right to appear personally or by counsel or both before the Department;
  - b) The right to produce witnesses and evidence in his behalf at a hearing;
  - c) The right to cross-examine witnesses;
  - d) The right to have subpoenas issued by the Department;
  - e) The right to further procedural steps except for those specifically contained herein;
  - f) Any and all rights of appeal of this Consent Order;
  - g) Any objection to the fact that this Consent Order will be presented to the Department for consideration and review;
  - h) Any objection to the fact that it will be necessary for the Department to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent Order;
  - i) Any objection to the fact that the Department reviewing this Consent Order may be the same as the hearing committee presiding over this matter should it later be brought to an administrative hearing; and
  - j) Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order to the Department.

5. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and accepted by the Department.
6. Acceptance by the Respondent and approval by the Department of this Consent Order constitutes an admission of the facts contained herein.
7. Respondent hereby agrees to a Formal Reprimand of his registered pharmacist license.
8. That should Respondent violate the terms of this Consent Order, Respondent shall be subject to further disciplinary sanctions.

December 10, 2014  
Date

*J. L. Polio*  
Prompt Care New England Respiratory LLC  
License # DIS02362

January 15, 2015  
Date

*Katherine Kelly Orr*  
Kelly Orr, Pharm.D., RPh  
Chairperson  
Rhode Island Board of Pharmacy

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