STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH
HEALTH SERVICES REGULATION
BOARD OF PHARMACY

vs.

BRYAN DAVID COUTURE, RPH (RPH04667)

CONSENT ORDER

Pursuant to Rhode Island General Laws Section 5-19.1-21 and the Rules and Regulations promulgated thereunder, the Department of Health, Board of Pharmacy (hereinafter "Department") has investigated a complaint charging Bryan David Couture, RPh (hereinafter "Respondent"), with violations of Chapter 5-19.1 of the Rules and Regulations. After consideration by the Department, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent:

1. Respondent is a registered pharmacist licensed to operate in the State of Rhode Island.
2. Respondent renewed his license as a registered pharmacist on 6/17/10 and answered "YES" to the following question: "I have completed all applicable CE (Continuing Education) requirements for this renewal period as stated in the Rules and Regulations for my profession".
3. A routine audit conducted by the Department on August 4, 2011 demonstrated that the Respondent failed to obtain the necessary fifteen (15) credit hours of continuing education as required under R5-19.1-PHAR-7.4 for the 7/1/09 through 6/30/10 renewal period. Records submitted by the Respondent to the Department demonstrate he was unable to obtain five and one-half (5.5) total hours for this period, five (5) of the hours corresponding to the "live" program requirement.

Pursuant to Section 5-19.1-21, this conduct constitutes unprofessional conduct in the State of Rhode Island.

The parties agree as follows:

1. Respondent is a registered pharmacist 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.
   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 agrees to a **Formal Reprimand** of his registered pharmacist license.
8. Respondent shall obtain an additional fifteen (15) hours of continuing education credit in addition to the fifteen (15) credit hours of continuing education required under R5-19.1-PHAR-7.4 for the 7/1/11 through 6/30/12 renewal period. Respondent shall submit to the Department, on or before 6/30/12, satisfactory evidence demonstrating completion of a total of thirty (30) credit hours (minimum 10 "live" hours) for the 7/1/11 through 6/30/12 renewal period.
9. That should Respondent violate the terms of this Consent Order, Respondent shall be subject to further disciplinary sanctions.

11/10/11
Date

Bryan David Couture, RPh
License # RPH04667

Approved on this 10 day of November 2011

Jonathan M. Mundy, RPh
Chairperson
Rhode Island Board of Pharmacy

Signed & ratified by Board of Pharmacy on November 17, 2011.

Catherine Cady, RPh
Chief/Board of Pharmacy.