

**STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS**

**DEPARTMENT OF HEALTH
HEALTH SERVICES REGULATION
BOARD OF PHARMACY**

vs.

JOSEPH A. IANNUCILLI, RPH (RPH04184)

CONSENT ORDER

Pursuant to Rhode Island General Laws Sections 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 Joseph A. Iannuccilli, 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, by a preponderance of the evidence standard, 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 obtained dosage units of the schedule III controlled substance Hydrocodone through the utterance of false prescriptions.

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;

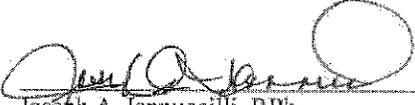
- g) Any objection to the fact that this Consent Order will be presented to the Department for consideration and review;
 - h) Any objection to the fact that it will be necessary for the Department to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent 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. Respondent does not contest the facts contained herein and approval by the Department of this Consent Order constitutes a finding of the facts contained herein by a preponderance of the evidence.
7. Respondent agrees to a two (2) year suspension of his registered pharmacist license. Said period of suspension will commence upon ratification of this order, and shall be for the period from the date of the Summary Suspension Order on May 7, 2012 until May 7, 2014 and will remain in full force pending further order or action of the Department.

8. Respondent shall undergo treatment and/or counseling for substance abuse with a healthcare provider approved by the Board and shall continue such treatment and/or counseling as the healthcare professional rendering care deems appropriate. Further, it shall be the responsibility of Respondent to have his treating healthcare professional and/or counselor submit monthly progress reports to the Board. Said reports shall include monthly treatment and/or counseling reports and random urine screenings conducted at frequencies at the discretion of the treating healthcare professional.
9. Respondent waives confidentiality of his treatment in regard to the Department and will direct the healthcare professional rendering treatment to release any progress reports to the Department including but not limited to monthly progress reports and random urine and drug screening reports for the duration of the Respondent's treatment program.
10. This Consent Order will be transmitted forthwith to the healthcare professional which is hereby directed by the Respondent to notify the Department of any breach or termination by the Respondent of his treatment.
11. That upon the termination of the two (2) year period of suspension, if Respondent complies with the Laws and Regulations governing the practice of pharmacy in Rhode Island, he must, in writing, apply for reinstatement of his registered pharmacist license. In addition, upon approval of his reinstatement by the Department, Respondent must submit

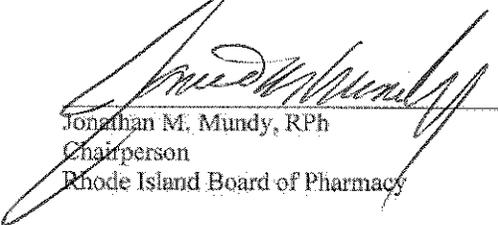
a new application to the Department and fulfill any prerequisites, to the extent not already achieved, including certifications, continuing education, and fees required of the application. Respondent shall not commence practice as a registered pharmacist prior to the approval of his application by the Department.

12. That should Respondent violate the terms of this Consent Order, Respondent shall be subject to further disciplinary sanctions.

12/19/12
Date


Joseph A. Iannuccilli, RPh
License # RPH04184

Approved on this 20 day of December 2012


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