

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS



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DEPARTMENT OF HEALTH
DIVISION OF CUSTOMER SERVICES
BOARD OF PHARMACY

In the Matter of:
Cardinal Health – Nuclear Pharmacy
LICENSE #PHA00334

CONSENT ORDER

Pursuant to Rhode Island General Laws § 216-RICR-40-15-1 and the Rules and Regulations promulgated there under, the Department of Health (Department), Board of Pharmacy (Board) has been made aware that Cardinal Health Nuclear Pharmacy (hereinafter “Respondent”), is currently operating in violation of 216-RICR-40-15-1(F) of the Rules and Regulations Pertaining to Pharmacists, Pharmacies and Manufacturers, Wholesalers and Distributors (“Rules”). After consideration by the Board, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent:

1. Respondent pharmacy is licensed as a pharmacy in the State of Rhode Island and holds license #PHA00334.
2. Respondent pharmacy provides a specialized comprehensive technician training program in the compounding of radiopharmaceuticals to its staff of pharmacy technicians, a training based upon the unique characteristics and circumstances found only in the compounding of radiopharmaceuticals.
3. Respondent pharmacy does not require pharmacy technicians who are compounding radiopharmaceuticals to become nationally certified, a requirement to become a Pharmacy Technician II in the State of Rhode Island.

4. Respondent pharmacy is permitting technicians designated as Pharmacy Technician I to compound radiopharmaceuticals in violation of Rhode Island Pharmacy Regulation 216-RICR-40-15-1.12.1(F).

Based on these findings, the Respondent agrees to the following conditions of this Consent Order:

1. Respondent pharmacy shall require its entire staff of pharmacy technicians to become nationally certified and licensed as Pharmacy Technician II within one (1) year from the ratification of this order.
2. Respondent pharmacy may allow its staff of pharmacy technicians who are not yet nationally certified as a Pharmacy Technician II to continue compounding radiopharmaceuticals while in the process of becoming a Pharmacy Technician II within the one (1) year deadline.
3. Respondent pharmacy shall notify the Department in writing when all pharmacy technicians have become licensed as a Pharmacy Technician II and are thus in full compliance with the pharmacy regulations.

Based on the foregoing, the parties agree as follows:

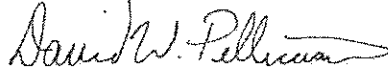
1. Respondent is a pharmacy and is able to conduct business under and by virtue of the laws of the State of Rhode Island.
2. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department.
3. Respondent has read this Consent Order and understands that it is a proposal of the Board 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 Board;
 - b) The right to produce witnesses and evidence on its behalf at a hearing;
 - c) The right to cross-examine witnesses;
 - d) The right to have subpoenas issued by Board and or 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 Board 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 acknowledges that the Respondent neither admits or denies the facts; but admits that the facts if proven, constitute a violation of Rhode Island laws or regulations and an admission of the facts contained herein.

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

June 27, 2019

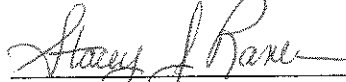
Date



Cardinal Health – Nuclear Pharmacy
License # PHA00334
David W. Pellicciarini
Vice President, Pharmacy Safety,
Practice and Tech. Ops.

8/15/19

Date



Stacey Ranucci, RPh
Chairperson
Rhode Island Board of Pharmacy

Ratified on this 15th day of August 2019.