

STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH
HEALTH SERVICES REGULATION
BOARD OF PHARMACY

VS.

PAWTUXET VALLEY PRESCRIPTION CENTER

CONSENT ORDER

Pursuant to Rhode Island general laws (1999 reenactment) 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 the Pawtuxet Valley Prescription Center (hereinafter "Respondent"), with a violation 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:

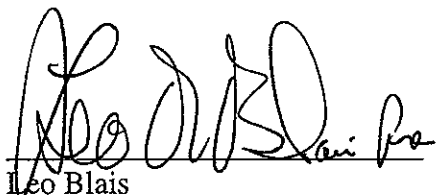
1. Respondent is a pharmacy licensed in the State of Rhode Island;
2. A routine inspection of said facility on October 22, 2007 by the Department of Health found the following:
 - a. Outdated, unusable or mislabeled...medication shall be segregated to ensure that no such medication or products are dispensed;
 - b. Misbranded drugs;
 - c. Top 10 Drug List not posted;
 - d. No proper identification of pharmacists (name/designation);
 - e. Policies and Procedures;
 - f. Technician training program documentation;
 - g. Technician training for compounding technicians;
 - h. No inventory of controlled substances at change of PIC
 - i. No biennial inventory on premises;

- j. No Certificate of Analysis for non-USP/NF bulk products; and NO established expiration dates for bulk products / active ingredients with only "Packaged On" dates.

The parties agree as follows:

1. Respondent is a pharmacy licensed in 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, through its agents, has read this Consent Order and understands that it is a proposal of the Department and is subject to the final approval by the Department. This Consent Order and the contents thereof are not binding on Respondent until final approval 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 present evidence on its 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 potential bias against Respondent may occur as a result of 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.

6. Respondent admits that the allegations contained above were the responsibility of the PIC and that the corporation failed to provide the necessary oversight.
7. Respondent agrees to a Reprimand and is placed on probation for a period of two (2) years, during which time Respondent will submit quarterly reports evidencing compliance.



Leo Blais
President, Pawtuxet Valley Prescription Center



Kathleen Kuttel
Chairperson
Board of Pharmacy

Ratified as an Order of the Board of Pharmacy on this _____ day of June, 2009.

CERTIFICATION

I do hereby certify that this Consent Order was mailed to Leo Blais, 40 Bank Street, P.O. Box 335, Coventry, RI 02816 on this _____ day of _____, 2009.
