

STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH :
HEALTH SERVICES REGULATION :
BOARD OF PHARMACY :

vs.

James Moran
RPH02814 :

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 James Moran, RPh, (hereinafter "Respondent") with a violation of Chapter 5-19.1 and the Rules and Regulations promulgated there under.

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 pharmacist licensed to practice pharmacy in the State of Rhode Island.
2. That on or about November 2008 to June 2009, patient received the incorrect medication from the Rite Aid Pharmacy, North Main Street, Providence, RI. As pharmacist-in-charge, Respondent did not enforce compliance with policies and procedures for staff engaged in entering prescription information into the computer and distributing medication to patients.
3. That the conduct described in paragraph two (2) constitutes unprofessional conduct as defined in Section 5-19.1-21 and Section 24.1(11) of the Rules and Regulations promulgated thereunder.

The parties agree as follows:

1. Respondent is a pharmacist registered to practice pharmacy in the State of Rhode Island.
2. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under 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 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 evidence in her 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 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.
6. Respondent admits the allegations contained above.
7. Respondent shall agree to a formal Reprimand as a sanction regarding this matter. Respondent is required to complete four hours of quality assurance education to be completed within six (6) months of the date of this order.

8. That this Consent Order shall constitute a final disposition of the matters and obviates the necessity for an administrative hearing.

James Moran
James Moran, RPH

Kathleen Keate
Chairperson
Board of Pharmacy

Ratified as an Order of the Board of Pharmacy this 18th day of March 2010

CERTIFICATION

I hereby certify that the within Consent Order was mailed by certified mail to James Moran, 25 Linwood Avenue, Johnston, RI 02919 on this _____ day of _____ 2010.
