

**STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS**

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

vs.

JENNIFER MICHAILIDES, RPH (RPH03736)

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 Jennifer Michailides, 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. An inspection conducted by the Department on June 7, 2011 at Respondent's facility at 55 John Cummings Way, Woonsocket, RI, revealed the following violations:
 - On or about June 6, 2011, Respondent dispensed a misbranded prescription for the schedule IV controlled substance, lorazepam. Respondent dispensed a handwritten label which failed to include a patient name, directions for use, identifying serial number, date of

dispensing, beyond use date, pharmacy name, pharmacy address, and pharmacy telephone number.

- Quality Pharmacy stocked, and dispensed from, its registered location at 55 John Cummings Way, Woonsocket, RI, controlled substances and legend prescription drugs ordered under the license and DEA registration of Quality Pharmaceutical Services at 1130 Ten Rod Road, North Kingstown, RI.
- Quality Pharmacy routinely accepted controlled substances and legend prescription drug deliveries from personnel at Quality Pharmaceutical Services at 1130 Ten Rod Road, North Kingstown, RI instead of Respondent's licensed wholesale drug distributor. Respondent failed to maintain DEA-222 forms and proper documentation denoting drug transfer.
- Quality Pharmacy failed to maintain effective controls against diversion secondary to distributing its expired/unusable pharmaceutical stock to Quality Pharmaceutical Services at 1130 Ten Rod Road, North Kingstown, RI instead of a licensed reverse drug distributor.

3. Respondent is, and was at the time of inspection, Pharmacist-In-Charge of Quality Pharmacy located at 55 John Cummings Way, Woonsocket, RI, 02895.

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 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 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 shall be suspended for a period of three (3) months, effective upon the date of ratification of this Consent Order; provided, however, said suspension shall be stayed. Respondent shall obtain an additional two (2) credit hours (0.2CEUs) of continuing education in a field relating to pharmacy laws and regulations. Said two (2) credit hours (0.2CEUs) of continuing education shall be in addition to those specified and required under R5-19.1-PHAR-7.4 and

Respondent shall submit to the Department satisfactory evidence demonstrating completion of these two (2) continuing education credits within three (3) months of the ratification of this Order.

8. That should Respondent fail to comply with the laws and regulations governing the practice of pharmacy, or fail to achieve the required two (2) credit hours of continuing education in a field relating to pharmacy laws and regulations within three (3) months of the ratification of this order, the stay on the suspension of her

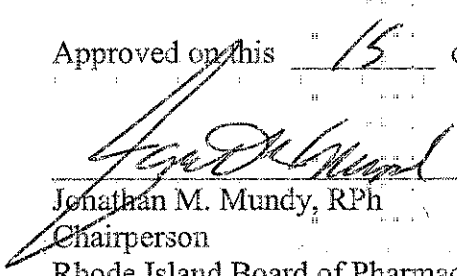
license as set forth above shall be lifted and her license as a pharmacist shall be suspended for a period of three (3) months.

9. Respondent agrees to a Formal Reprimand of her registered pharmacist license.

8/27/11
Date

Jennifer Michailides RPh RI 3736
Jennifer Michailides, RPh
License # RPH03736

Approved on this 15 day of September 2011


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

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