

STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH
HEALTH SERVICES REGULATION
BOARD OF PHARMACY

vs.

MARLUZ LEWIS

CONSENT ORDER

Pursuant to Section 5-19.1-21 the General Laws of the State of Rhode Island, 2004 Reenactment, and the Rules and Regulations promulgated thereunder, the Department of Health (hereinafter "Department"), the Board of Pharmacy (hereinafter "Board") has received an application for licensure as a Pharmacist from the respondent.

After consideration by the Department, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent:

Respondent is a licensed Pharmacist licensed to practice in the State of Massachusetts

That on December 29, 2004 the respondent entered into a Consent Agreement with the Massachusetts Board of Pharmacy at which time she admitted to diverting hydrocodone, a Schedule III controlled substance, for her personal use, while employed at Walgreens Pharmacy #3469, of 369 Plymouth Avenue, Fall River, Massachusetts.

The conduct described in paragraph two (2) herein constitutes unprofessional conduct pursuant to Section 5-19.1-21 of the Rhode Island General Laws and the Rules and Regulation promulgated thereunder:

parties agree as follows:

Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Department.

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.

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; and
- f) Any and all rights of appeal of this Consent Order.

This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties.

5. Acceptance by the Respondent and approval by the Department of this Consent Order constitutes an admission of the facts contained herein.

6. Respondent shall be issued a Rhode Island license as a pharmacist which license shall be subject to probation and the terms and conditions of the Massachusetts Consent

Agreement which the respondent executed; the terms of which are hereby incorporated by reference and merged herein.

That during the period of probation, Respondent shall notify the Department forthwith of any changes in her employment, including the name and address of the new employer(s) and the reason for said change.

That should Respondent fail to comply with the laws and regulations governing the practice of pharmacy and/or fail to comply with the terms of this Consent Order, her license as a pharmacist shall be subject to appropriate disciplinary action.

Maria Luz Lewis
Chairperson
Board of Pharmacy

Kathleen Kittle
Chairperson
Board of Pharmacy

Ratified as an Order of the Board of Pharmacy on this 28 day of May 2009.

CERTIFICATION

I hereby certify that the within Consent Order was mailed by certified mail to Maria Luz Lewis, 23 Steeple Lane, Lincoln 6852865 on this 22 day of May 2009.

Ann Phares