STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH
HEALTH SERVICES REGULATION
BOARD OF PHARMACY

vs.

MEDISCA, INC. (DIS02198)

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 Medisca, Inc. of 8300 Esters Blvd., Suite 940, Irving, Texas, 75063 (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 an out of state drug manufacturer licensed to operate in the State of Rhode Island.
2. That between 2005 and 2007 Respondent obtained human growth hormone from a source located in China, relabeled it, introduced it into interstate commerce, and purported that it was approved by the FDA.
3. On or about October 14, 2011 Respondent pled guilty to a misdemeanor charge of misbranding pharmaceuticals regarding the aforementioned circumstances.

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 licensed out of state drug manufacturer 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 agrees to a six (6) month period of probation of it's out of state drug manufacturer license. The probationary term is to commence upon ratification of

this Order by the Department and will remain in full force pending further order or action of the Department.

8. Respondent shall, in writing, request relief from probation in order to return to active unrestricted status upon completion of the six (6) month period of probation. Once Respondent's request is approved by the Department, Respondent may return to full and active status provided that Respondent abides by all laws and regulations governing the practice of pharmacy in this state.

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

09/26/2012
Date

Medisca, Inc.
License # DIS02198

Approved on this 18 day of OCTOBER 2012

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