STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH
HEALTH SERVICES REGULATION
BOARD OF PHARMACY

vs.

HELEN GONGOLESKI (PH100431)

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 Helen Gongoleski (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 licensed pharmacy technician I in the State of Rhode Island.
2. That on or about 6/23/12 Respondent renewed her license as a pharmacy technician I and answered "NO" to the following question on her renewal affidavit: "Have you been convicted of a violation, pled Nolo Contendere or entered a plea bargain to any federal, state or local statute, regulation or ordinance or any formal charges pending?".
3. That on or about 12/11/11 Respondent pled Nolo Contendere to a charge of Driving Under the Influence.

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 pharmacy technician I 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 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 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 one (1) year, effective upon the date of ratification of this Consent Order; provided, however, said suspension shall be stayed.

8. That should Respondent fail to comply with the laws and regulations governing the practice of pharmacy for a period of one (1) year from the date 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 pharmacy technician I shall be suspended for a period of one (1) year.

9. Respondent agrees to a Formal Reprimand of her pharmacy technician I license.

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

10/1/12
Date

Helen Gongoleski
License # PH100431

Approved on this 10 day of October 2012

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