STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH
HEALTH SERVICES REGULATION
BOARD OF PHARMACY

vs.

JULIA DELAINE MARTIN (LICENSE #PH102894)

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 Julia Delaine Martin (hereinafter "Respondent"), with violations of RIGL § 5-19.1-21 and Section 27 of the *Rules and Regulations Pertaining to Pharmacists, Pharmacies and Manufacturers, Wholesalers and Distributors*. After consideration by the Department, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent:

1. Respondent is licensed as a pharmacy technician I in the State of Rhode Island.
2. Respondent, on or about 1/11/12, pled Nolo Contendere to a charge of Simple Assault.
3. Respondent, on or about 4/11/12, 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 licensed 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 agrees to a six (6) month period of probation of her pharmacy technician I license. The probationary term is to commence upon ratification of this Order by the Board and will abate for the duration of any period in which Respondent ceases to be employed as a pharmacy technician I.

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.

2/6/13
Date

Julia Delaine Martin
License # PH102894

Approved on this 21 day of February 2013

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