STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH :
HEALTH SERVICES REGULATION :
BOARD OF PHARMACY :
:
vs. :
:

PAUL LETELLIER
PH200173

CONSENT ORDER

Pursuant to Rhode Island General Laws (1999 Reenactment) 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 Paul Letellier, Pharmacy Tech II, (hereinafter "Respondent") with a violation of Chapter 5-19.1 and the Rules and Regulations promulgated there under.

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 Pharmacy Technician II licensed to practice pharmacy in the State of Rhode Island.
2. That on or about October 3, 2008, the Respondent diverted Schedule III controlled substances, ie hydrocodone/apap and hydrocodone/ibuprofen from the CVS Pharmacy #642, 767 Warwick Avenue, Warwick, RI.
3. That the conduct described in paragraph two (2) constitutes unprofessional conduct as defined in Section 5-19.1-21 and Section 24.1(11) of the Rules and Regulations promulgated thereunder.

The parties agree as follows:

1. Respondent is a pharmacy technician II licensed to practice pharmacy in the State of Rhode Island.

2. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under 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 approval by the Department. This Consent Order and the contents thereof are not binding on Respondent until final approval 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 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.

6. Respondent admits the allegations contained above.

7. Respondent's license as a pharmacy technician II is hereby suspended for a minimum period of two (2) years; that the suspension be stayed subject to Respondent serving at least a two (2) year probation.

8. That Respondent shall seek treatment and/or counseling for substance abuse with a healthcare provider approved by the Board and shall continue such treatment and/or counseling as the healthcare professional rendering care deems appropriate. Further, it shall be the responsibility of Respondent to have his treating healthcare professional and/or counselor submit monthly progress reports to the Board. Said reports shall include treatment and/or counseling reports and random urine screening.

9. Respondent waives confidentiality of his treatment and will direct the healthcare professional rendering treatment to release any progress reports to the Department including but not limited to monthly progress reports and random urine and drug screening reports for the duration of the Respondent's treatment program.

10. This Consent Order will be transmitted forthwith to the healthcare professional which is hereby directed by the Respondent to notify the Department of any breach or termination by the Respondent of her treatment.

11. That should Respondent comply with the laws and regulations governing the practice of pharmacy during the two years period of probation and comply with the requirements of the consent order, he may apply to the "Department" for relief from probation.

12. 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 Order, his license as a pharmacist shall be subject to further appropriate disciplinary actions

13. That this Consent Order shall remain in full force and effect pending further Order of the Board.

Paul Letellier, PH2

Chairperson
Board of Pharmacy

Ratified as an Order of the Board of Pharmacy this 26 day of March 2009.

CERTIFICATION

I hereby certify that the within Consent Order was mailed by certified mail to Paul Letellier, 100 McKinley Street, Warwick, RI 02886on this 24 day of February 2009.

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