

**STATE OF RHODE ISLAND AND  
PROVIDENCE PLANTATIONS**

**DEPARTMENT OF HEALTH  
BOARD OF PHARMACY**

**In the Matter of:**

**SHERRY L. CUCCA  
LICENSE #PH201340  
C13-1046**

91 7108 2133 3938 6624 0547

**SUMMARY SUSPENSION OF PHARMACY TECHNICIAN LICENSE**

The Rhode Island Department of Health ("Department") is in receipt of a notification, assigned File #13-1046, alleging Sherry L. Cucca ("Respondent") diverted controlled substances while employed as a pharmacy technician II at Rite Aid #10259 located at 62 Polk Road, Warwick, Rhode Island.

The Department is in receipt of a written statement in which Respondent admits to diverting hydrocodone, Xanax and Adderall, which constitutes violations of R.I. Gen Laws § 5-19.1-21(2), (11), and (8). In accordance with R.I. Gen. Laws chapters 5-19.1, 21-28, 21-31 and 23-1, an investigation has been initiated into this matter and a complaint has been filed against license number PH201340.

Based on a review of the records received in the above-referenced complaint, the Director of the Department of Health makes the following findings of fact:

1. Respondent admitted to her employer, Rite Aid Pharmacy, that in December 2013 she took from her employer a bottle of hydrocodone 10/500 mg containing about forty (40) to fifty (50) pills, and a bottle of Xanax 1 mg with about twenty (20) pills. Respondent had begun working at Rite Aid on December 5, 2013, as a pharmacy technician II.

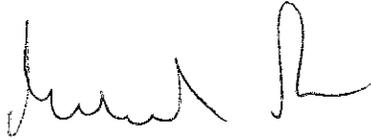
2. A Rite Aid manager viewed video footage from a store security camera and observed that on or about December 22, 2013, that Respondent put a bottle of about 30 tablets of Adderall 30 mg into her right front pocket.
3. Respondent admitted that on December 22, 2013, she took from her employer thirty (30) pills of the generic version of Adderall, and that on December 23, 2013, she took from her employer a bottle of hydrocodone 10 mg/500 mg and four (4) pills of hydrocodone 5 mg./325 mg.
4. The Rite Aid manager who viewed the security video confronted the Respondent, who admitted to taking the Adderall and other controlled substances. While Respondent was writing a statement admitting her theft of the drugs, the manager observed a bottle from a right front pocket. When asked what was in her pocket, Respondent produced a bottle that was listed as having 71 generic hydrocodone tablets, but the manager counted only 69 pills in the bottle.
5. The Rite Aid manager indicates that Respondent did not have permission to take the above-referenced controlled substances.
6. Respondent is in violation of Rhode Island General Laws § 5-19.1-21(2), (11), and (8) [due to violation of §§ 21-28-3.16(a)(4) and 21-31-3(12)].
7. Based on the foregoing, the public health, safety, or welfare imperatively requires emergency action.

**ORDER**

1. Based on the foregoing, the Director of the Department of Health has determined that the continuation of the pharmacy technician II license of Respondent constitutes an immediate threat to the health, welfare and safety of the public.
2. Accordingly, the pharmacy technician II license in Rhode Island issued to Respondent is hereby suspended forthwith pursuant to Rhode Island General Laws §§ 42-35-14(c) based on violation of § 5-19.1-21(2), (11), and (8) [due to violation of §§ 21-28-3.16(a)(4) and 21-31-3(12)].
3. Based on the foregoing, the Director of the Department of Health has determined that the continuation of the pharmacy technician II license constitutes an immediate threat to the health, welfare and safety of the public.
4. The suspension of the Respondent's pharmacy technician II license shall continue until further Order of the Department of Health and until an administrative hearing or other resolution.
5. The Respondent is entitled to a hearing in accordance with Rhode Island General Laws § 42-35-14(c) within ten days after service of this suspension, upon request to the Department of Health.

**SHERRY L. CUCCA**  
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Signed this 31st day of January, 2014.



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Michael Fine, M.D.  
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Rhode Island Department of Health  
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Three Capitol Hill  
Providence, RI 02908-5097  
Tel. (401) 222-2231  
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**CERTIFICATION OF SERVICE**

I hereby certify that a copy of this Summary Suspension Order was sent via hand delivery to the Respondent, on the \_\_\_\_ day of \_\_\_\_\_, 2014, at the following addresses:

Sherry L. Cucca  
130 Pilgrim Parkway  
Apartment 10  
Warwick, RI 02888

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