

**STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS**

**DEPARTMENT OF HEALTH
HEALTH SERVICES REGULATION
BOARD OF PHARMACY**

vs.

COLLEGE PHARMACY, INC. (PHN09875)

CONSENT ORDER

Pursuant to Rhode Island General Laws (1999 Reenactment) Sections 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 College Pharmacy, Inc. (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 non-resident retail pharmacy licensed to operate in the State of Rhode Island.
2. That between September 2004 and July 2007, Respondent purchased and introduced into interstate commerce non-FDA approved Chinese Somatropin.

Pursuant to Section 5-19.1-21, this conduct constitutes unprofessional conduct in the State of Rhode Island.

The parties agree as follows:

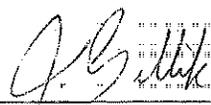
1. Respondent is a licensed non-resident retail pharmacy able to conduct business under and by virtue of the laws of the State of Rhode Island.

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 be placed on Probation, the term to run concurrently with the probationary term set forth in the April 10, 2009 Stipulation and Final Agency Order of the Colorado State Board of Pharmacy (Board Case Nos. 2008-0569, 2009-0639, and 2009-1779), and which shall terminate on April 10, 2016. During its probationary term, Respondent will submit quarterly reports and affidavits evidencing compliance.
8. That should Respondent violate the terms of this Consent Order, Respondent shall be subject to further disciplinary sanctions.

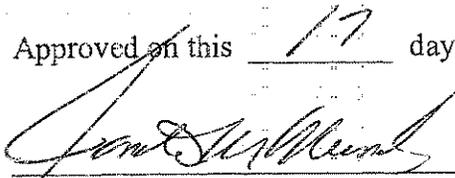
Date

1/11/11


College Pharmacy, Inc.
License # PHN09875

JERRY GILICK
PRESIDENT / PHARMACY
MANAGER

Approved on this 17 day of February, 2011


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