STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH
HEALTH SERVICES REGULATION
BOARD OF PHARMACY

vs.

SPECIALTY VETERINARY PHARMACY (PHN10185)

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 Specialty Veterinary Pharmacy of 4159 Bluebonnet Drive, Stafford, TX (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 a non resident retail pharmacy licensed to dispense prescription medications into the State of Rhode Island.
2. Respondent dispensed prescription medications into the State of Rhode Island without active licensure as a non resident retail pharmacy from 8/12/09 through 5/10/11 in violation of R.I. Gen Laws 5-19.1-8 and R.I. Gen Laws 5-19.1-11.
3. Respondent distributed compounded bulk prescription preparations into the State of Rhode Island from 08/12/09 to 11/5/12 without licensure as a manufacturer or wholesale drug distributor in violation of R.I. Gen Laws 5-19.1-8, R.I. Gen Laws 5-19.1-12, and R.I. Gen Laws 5-19.1-13.

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 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 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 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. Respondent agrees to a one (1) year period of probation of its non resident retail pharmacy 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 operate as a non resident retail pharmacy.

9. That should Respondent fail to comply with the laws and regulations governing the practice of pharmacy during its one (1) year probationary term, the stay on the suspension of its license as set forth above shall be lifted and its license as a non resident retail pharmacy shall be suspended for a period of one (1) year.

10. Respondent shall, in writing, request relief from probation in order to return to active unrestricted status upon completion of the one (1) year period of probation. Once Respondent's request is approved by the Department, Respondent may return to full and unrestricted status provided that it operates in conformity with all laws and regulations governing the practice of pharmacy in this State.

11. Respondent agrees to a Formal Reprimand of its non resident retail pharmacy license.

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

2/26/13
Date

Specialty Veterinary Pharmacy
License # PHN10185

Approved on this 21 day of March 2013

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