

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH
DIVISION OF HEALTH SERVICES REGULATION
BOARD OF PHARMACY

In the Matter of:
Wickliffe Pharmacy Inc.,
LICENSE #PHN10070

CONSENT AGREEMENT FOR PROBATION

Pursuant to Rhode Island General Laws § 5-19.1-21 and the Rules and Regulations promulgated there under, the Department of Health (Department), Board of Pharmacy (Board) has investigated a complaint charging Wickliffe Pharmacy Inc., (hereinafter "Respondent"), with violations of RIGL § 5-19.1-21 of the Rules and Regulations Pertaining to Pharmacists, Pharmacies and Manufacturers, Wholesalers and Distributors ("Rules"). After consideration by the Board, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent:

1. Respondent is licensed as a non-resident pharmacy in the State of Rhode Island and holds license #PHN10070.
2. Respondent compounded a paste that was administered to two horses in Kentucky, causing an overdose of pyrimethamine resulting in the death of both horses. Potency testing revealed that the compounded preparation was adulterated. Six additional horses were hospitalized after they received this compounded suspension from the Respondent.
3. Kentucky Board of Pharmacy inspectors performed an inspection at Respondent pharmacy location on November 4, 2014 and noted twelve (12) deficiencies which included deficiencies in sterile compounding practices.
4. Respondent failed to document stability data to substantiate extended beyond-use-dating of various compounded sterile and non-sterile products.

5. Respondent failed to indicate component name, original supplier, lot or control number, transfer date, and expiration date when transferring active pharmaceutical ingredients into a smaller container.
6. Respondent failed to prepare hazardous drugs in a biological safety cabinet or compounding aseptic containment isolator.

Based on these findings, the Respondent agrees to the following conditions of this Consent Order:

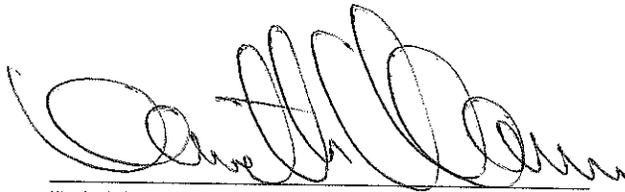
1. Respondent shall be placed on probation for a period of 3 years running concurrently with the Kentucky Board of Pharmacy consent order and shall commence upon ratification of this consent order.
2. Respondent agrees that it shall comply with all of the terms and requirements contained in the consent agreement ratified by the Kentucky Board of Pharmacy.
3. Respondent agrees to report all prescription data for pharmaceuticals shipped into Rhode Island for the period of probation.

Based on the foregoing, the parties agree as follows:

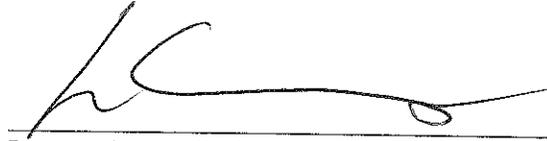
1. Respondent is a non-resident pharmacy and is able to conduct business under and by virtue of the laws of the State of Rhode Island.
2. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department.
3. Respondent has read this Consent Order and understands that it is a proposal of the Board 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 Board;
 - b) The right to produce witnesses and evidence on its behalf at a hearing;
 - c) The right to cross-examine witnesses;
 - d) The right to have subpoenas issued by Board and or 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 Board 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; and
 - 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. That should Respondent violate the terms of this Consent Order, Respondent shall be subject to further disciplinary sanctions.

6/30/2016
Date


Wickliffe Pharmacy Inc.
License # PHN10070

8/18/2016
Date


Leo Lariviere, RPh
Chairperson
Rhode Island Board of Pharmacy

Ratified on this 18 day of August, 2016.