

STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

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

vs. :

DAVID SIMPSON, R.Ph. :
(RPH01542) :

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 David Simpson, R.Ph. (hereinafter "Respondent"), with a violation of Chapter 5-19.1 of the Rules and Regulations.

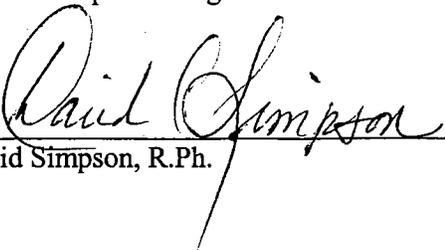
After consideration by the Department, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent:

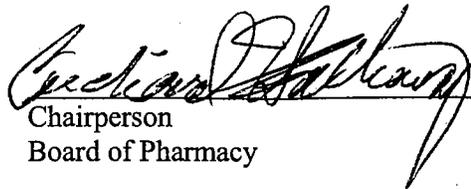
1. Respondent is a Registered Pharmacist licensed to practice pharmacy in the State of Rhode Island.
2. At all relevant times the Respondent was the pharmacist in charge at Simpson's Pharmacy, 10 Newport Avenue, Pawtucket, RI.
3. That during the months of ~~March and April 2007~~ ^{September 23-2006 - April 29, 2007} the Respondent did not properly maintain policies and procedures to protect employee diversion and allowed for unauthorized access by employees to medication which led to a substantial loss at the facility,

The parties agree as follows:

1. Respondent is a Registered Pharmacist 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 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 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 present evidence in his 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 agrees to a letter of Reprimand.


David Simpson, R.Ph.


Chairperson
Board of Pharmacy

Ratified as an Order of the Board of Pharmacy on this 20th day of September, 2007.

CERTIFICATION

I do hereby certify that this Consent Order was mailed, by certified mail, to David Simpson, 74 Pequot Road, Pawtucket, RI 02861 on this 10th day of August 2007.

Carole Allsworth