

BEFORE THE STATE BOARD OF PHARMACY

STATE OF COLORADO

Case No. 2011-3973

CEASE AND DESIST ORDER

IN THE MATTER OF THE UNAUTHORIZED AND UNLAWFUL DISTRIBUTION OF
PRESCRIPTION DRUGS AND/OR COMPOUNDED PRESCRIPTION DRUGS IN
COLORADO BY NEW ENGLAND COMPOUNDING CENTER, INC.,

Respondent.

Pursuant to guidance established by the Colorado State Board of Pharmacy ("Board") at its January 15, 2009 meeting, documentation has been considered, including, but not limited to, the written complaint dated April 13, 2011, 2011, in the above-captioned matter.

Based upon this review, the Board hereby finds that it has jurisdiction over Respondent and the subject matter herein, and that there exists credible evidence that Respondent has acted without the required license or registration, in violation of §12-22-130(2) and 12-22-802, C.R.S.

The Board finds as follows:

1. Respondent's location at 697 Waverly St, Framington, MA 01702 is licensed or registered with the Board as a nonresident prescription drug outlet to dispense and deliver prescription drugs and/or compounded prescription drugs in the State of Colorado pursuant only to valid, patient-specific prescription orders.
2. Respondent's location at 697 Waverly St, Framington, MA 01702 is not licensed or registered to distribute stock prescription drugs and/or compounded prescription drugs in the State of Colorado.
3. On or around January 17, 2011 and March 24, 2011, Respondent distributed a stock compounded prescription drug from 697 Waverly St, Framington, MA 01702 to a prescription drug outlet in the State of Colorado.
4. Respondent's conduct constitutes the unlawful distribution of prescription drugs into the State of Colorado, in violation of §12-22-130(2) and 12-22-802, C.R.S.

WHEREFORE, pursuant to §12-22-125.2(9), C.R.S., the Board hereby ORDERS that Respondent immediately CEASE AND DESIST in engaging in the unlawful distribution of prescription drugs in the State of Colorado, in violation of §§12-22-130(2) and 12-22-802, C.R.S.

Within ten days after service of this order to cease and desist, Respondent may request a hearing on whether such acts or practices in violation Article 22 of Title 12, C.R.S. have occurred. Such hearing shall be conducted pursuant to §§24-4-104 and 24-4-105, C.R.S.

The Board authorized the undersigned representative to sign this Cease and Desist Order on its behalf.

DATED this 15th day of April 2011.

STATE BOARD OF PHARMACY

BY: Wendy Anderson
Wendy Anderson
Program Director
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