

**State of New Hampshire
Board of Pharmacy
Concord, New Hampshire**

In the Matter of:

Bounhange (Adam) Tang, PhT
License No.: PhT09730 (expired)
(Misconduct Allegations)

CONSENT DECREE

In order to avoid the delay and expense of further proceedings and to promote the best interests of the public and the practice of pharmacy, the New Hampshire Board of Pharmacy (“Board”) and Bounhange (Adam) Tang, PhT (“Mr. Tang” or “Respondent”), who held a pharmacy technician registration (“registration”) that was issued by the Board and expired on March 31, 2017, do hereby stipulate and agree to resolve certain allegations of professional misconduct now pending before the Board according to the following terms and conditions:

1. Pursuant to RSA 318:29, I, 318:30, and 318:31, and Pharmacy Administrative Rules (“Ph”) 204 and 805, the Board has jurisdiction to investigate and adjudicate allegations of professional misconduct committed by registered pharmacy technicians. Pursuant to RSA 318:30, VII, and Ph 204.15, the Board may, at any time, dispose of such allegations by consent decree and without commencing a disciplinary hearing.
2. The Board first issued a registration to Respondent to practice as a pharmacy technician in the State of New Hampshire on March 17, 2015. Respondent held license number PhT09730 until it expired on March 31, 2017. Prior to the expiration of his registration, Respondent worked as a pharmacy technician at CVS pharmacy located at 214 Daniel Webster Highway, Nashua, New Hampshire.
3. On or about March 17, 2017, the Board received notification that Respondent was arrested for misappropriation of credit card information while working as a pharmacy technician at CVS pharmacy in Nashua, New Hampshire.
4. The Board conducted an investigation of Respondent.
5. The investigation revealed and Respondent admits that if a disciplinary hearing were to take place, Hearing Counsel would prove that Respondent engaged in professional misconduct, in violation of RSA 318:29, II (c) by the following facts:
 - A. On March 17, 2017, Respondent was a registered pharmacy technician in good standing when he was arrested for misappropriation of credit card information while working at CVS Pharmacy in Nashua, New Hampshire. Respondent was subsequently terminated from CVS Pharmacy.
 - B. Respondent’s pharmacy technician registration expired on March 31, 2017.
 - C. While working at the CVS Pharmacy drive thru window, Respondent would request credit card payment from patrons who were picking up prescriptions. With his cell phone, respondent would take pictures of both sides of the credit


- card. Using the CVS Pharmacy computer, Respondent would look up the credit card holder's address.
- D. Using the stolen credit card information and addresses, Respondent would then order items from various retailers in Massachusetts and re-sell the new items on the Internet. Respondent also used the stolen credit card information to purchase meals at the cafeteria for the college he was attending.
 - E. On August 11, 2017, Respondent pled guilty to credit card fraud and theft by deception. He was sentenced to time served (14 days), given a suspended sentence and was ordered to pay restitution for 18 stolen credit cards.
6. The Board finds that Respondent committed the acts as described above and concludes that, by engaging in such conduct, Respondent violated RSA 318:29, II (c).
 7. Respondent acknowledges that this conduct constitutes grounds for the Board to discipline him.
 8. Respondent consents to the Board imposing the following discipline, pursuant to RSA 318:29, IV:
 - A. Respondent is **reprimanded**.
 - B. Respondent is assessed an **administrative fine** in the amount of \$250.00. Respondent shall pay this fine in full within thirty (30) days of the effective date of this *Consent Decree*, by delivering a money order or bank check, made payable to "Treasurer, State of New Hampshire," to the Board's office at 121 South Fruit Street, Concord, New Hampshire, 03301.
 - C. Respondent is assessed **costs of investigation and prosecution** in the amount of \$250.00. Respondent shall pay these costs in full within thirty (30) days of the effective date of this *Consent Decree*, by delivering a money order or bank check, made payable to "Treasurer, State of New Hampshire," to the Board's office at 121 South Fruit Street, Concord, New Hampshire, 03301 and making a notation that it is for "costs of investigation pursuant to RSA 332-G:11."
 9. Except as provided herein, this *Consent Decree* shall bar the commencement of further disciplinary action by the Board based upon the misconduct described above. However, the Board may consider this misconduct if Respondent applies for a permit to practice as a pharmacy technician in the future.
 10. This *Consent Decree* shall become a permanent part of Respondent's file, which is maintained by the Board as a public document.
 11. Respondent voluntarily enters into and signs this *Consent Decree* and states that no promises or representations have been made to him other than those terms and conditions expressly stated herein.
 12. The Board agrees that in return for Respondent executing this *Consent Decree*, the Board will not proceed with the formal adjudicatory process based upon the facts described herein.
 13. Respondent understands that his action in entering into this *Consent Decree* is a final act and not subject to reconsideration or judicial review or appeal.
 14. Respondent has had the opportunity to seek and obtain the advice of an attorney of his choosing in connection with his decision to enter into this *Consent Decree*.
 15. Respondent understands that the Board must review and accept the terms of this *Consent Decree*. If the Board rejects any portion, the entire *Consent Decree* shall be

null and void. Respondent specifically waives any claims that any disclosures made to the Board during its review of this *Consent Decree* have prejudiced his right to a fair and impartial hearing in the future if this *Consent Decree* is not accepted by the Board.

16. Respondent is not under the influence of any drugs or alcohol at the time he signs this *Consent Decree*.
17. Respondent certifies that he has read this document titled *Consent Decree*. Respondent understands that he has the right to a formal adjudicatory hearing concerning this matter and that at said hearing he would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on his own behalf, to contest the allegations, to present oral argument, and to appeal to the courts. Further, Respondent fully understands the nature, qualities and dimensions of these rights. The Respondent understands that by signing this *Consent Decree*, he waives these rights as they pertain to the misconduct described herein.
18. This *Consent Decree* shall take effect as a Final Order of the Board on the date it is signed by an authorized representative of the Board.

Date: 12/18/18

FOR RESPONDENT




Bounhange (Adam) Tang,
Pharmacy Technician
Respondent

FOR THE BOARD

This proceeding is hereby terminated in accordance with the binding terms and conditions set forth above.

BY ORDER OF THE BOARD

Date: 12/26/18



Michael Bullek, Administrator
Authorized Representative of the
New Hampshire Board of Pharmacy