

Before the  
New Hampshire Board of Pharmacy  
Concord, NH

SETTLEMENT AGREEMENT

The New Hampshire Board of Pharmacy ("the Board") has received information that **Katherine Mason** ("the Licensee"), who holds license **No. 3503** has engaged in professional misconduct within the meaning of RSA 318:29, II(g), by failing to satisfy the minimum requirements for annual continuing education according to RSA 318:25, III and Ph 403.02 of the NH Code of Administrative Rules.

The Board is authorized by RSA 318:29, IV; RSA 318:30, VII; RSA 541-A:37; and RSA 541-A:38 to settle disciplinary allegations by entering into settlement agreements.

Because the Board and the Licensee desire to avoid the delay, expense and effort involved in formal proceedings, both parties stipulate and agree to dispose of the misconduct allegations described above, in accordance with the following terms and conditions:

1. The Board has the jurisdiction to investigate and adjudicate a disciplinary proceeding against the Licensee pursuant to RSA 318:29; RSA 318:30; and Ph 403.11. If such proceeding were commenced, the Licensee would be alleged to have violated RSA 318:25, III; RSA 318:29, V(g); and Ph 403.02 (a), (d), and (f).
2. The Licensee stipulates that if a disciplinary hearing were to take place, the following facts would be introduced:
  - a) That on or about **December 14<sup>th</sup>, 2016**, the Licensee completed and signed the *2017 Pharmacist License Renewal Form* ("the Renewal Form") which was

received at the Board office on **December 15th, 2016**; and

- b) That on the Renewal Form, the Licensee did state that **15** of approved continuing pharmaceutical education was completed during calendar year **2016** for **2017** licensure, of which at least 5-hours were required by law to be earned in live programs; and
- c) That the Licensee signed the Form, under penalty of perjury, attesting to the accuracy of all statements made; and
- d) That on **February 23<sup>rd</sup>, 2017**, the Board did issue a written request to the Licensee pursuant to the Board's annual continuing education audit Tuesday, April 11<sup>th</sup>, 2017, to submit all documentation (CE certificates) of participation in those continuing education programs that were completed during 2016 for the 2017 license renewal; and
- e) That in response, the Licensee submitted continuing education documentation which totaled **6.00** whereas 15 hours is the minimum required.

3. The Licensee neither admits nor denies any violation of RSA 318 or the Board's Code of Administrative Rules.

4. The Board finds that the Licensee committed the above conduct and that such violates RSA 318:25, III; RSA 318:29, V(g); and Ph 403.02 (a), (d), and (f).

5. The Licensee's license shall remain in effect provided that the following conditions are satisfied as stipulated as follows **by May 24, 2017**:

- a) The license shall sign this Settlement Agreement and have it delivered to the Board's office at 121 South Fruit St, Suite 401, Concord, New Hampshire by the date above; and

- b) The Licensee shall remit an administrative fine equaling **\$500.00** / per missing contact hour or partial missing contact hour. In your case, having been missing **9.00 contact hours**, your payment of **\$4,500.00** shall be made in the form of a money order or bank check made payable to "Treasurer, State of New Hampshire" and delivered to the Board's office at 121 South Fruit Street, Suite 401, Concord, New Hampshire by the date above; and
  - c) The Licensee shall complete and submit documentation to the Board (CE Certificates) of the **9.00 missing contact hours via home study programming** of continuing pharmacy education by **July 31, 2017**. These contact hours shall not be used to satisfy the CE requirements for the 2018 renewal of your pharmacist license; and
  - d) The Licensee shall attach to his/her 2018 pharmacist renewal application original continuing education documentation / CE certificates for all programs completed during calendar year 2017 (15 hours total, 5 of which must be earned in a live setting). Again, the hours earned as part of section c above, may not be used to satisfy the CE requirements for your 2018 pharmacist renewal.
6. The Board shall vote to accept the signed Settlement Agreement pursuant to paragraph 5a above, at the next regularly scheduled Board meeting following its receipt. Failure to comply with any terms and conditions imposed upon the Licensee by this Agreement shall be separate and sufficient ground for further disciplinary action by the Board.
7. Except as provided herein, this Settlement Agreement shall forever bar further disciplinary or other adverse action by the Board based upon the specific allegations described above. However, this Settlement Agreement may be considered by the

Board in determining whether the Licensee has engaged in a pattern of misconduct in the event similar misconduct is proven against the Licensee in the future. Additionally, the Board may consider the facts surrounding this Settlement Agreement in determining the nature of any sanctions which may be imposed in any future disciplinary proceeding.

8. This signed Settlement Agreement shall become a permanent part of the Licensee's file, which is maintained by the Board as a public document.
9. The Licensee understands that his/her action in entering into this Settlement Agreement is a final act and not subject to reconsideration or judicial review or appeal.
10. The Licensee has had the opportunity to seek and obtain the advice of an attorney of his/her choosing in connection with his/her decision to enter into this agreement.
11. The Licensee voluntarily signs this Agreement and states that no promises or representations have been made to him/her other than those terms and conditions expressly stated herein.
12. This Agreement shall take effect on the date it is signed by the representative of the Board.

For the Licensee

I, **Katherine Mason** have reviewed the foregoing Settlement Agreement settling misconduct allegations pending against me, and, of my own free will and without duress, and being knowledgeable about all of the consequences, and admit the validity thereof, and agree to all of the terms of this Settlement Agreement. Further, I knowingly and freely waive my right to further notice, opportunity for hearing, substantial evidence, and findings and conclusions with regard to the allegations which have been settled by the terms of this Settlement Agreement.

Dated: 5/22/2017



**Katherine Mason**  
Licensee

For the Board:

Dated: 5/25/17



**Michael D. Bullek BSP R.Ph.**  
Administrator/Chief of Compliance  
For the New Hampshire Board of Pharmacy

*provided 9 CE's required*