

**State of New Hampshire**  
**OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION**  
**DIVISION OF HEALTH PROFESSIONS**

Board of Pharmacy  
121 South Fruit Street, Suite 303  
Concord, N.H. 03301-2412  
Telephone 603-271-2152 · Fax 603-271-6702



In the Matter of:

**Manjula Sanikommu, R.Ph.**  
**New Hampshire Pharmacist License: 3400**

**SETTLEMENT AGREEMENT**

In order to avoid the delay and expense of further proceedings and to promote the best interests of the public and the practice of retail Pharmacy, the New Hampshire Board of Pharmacy ("Board") and Manjula Sanikommu, R. Ph. ("Respondent") a licensed Pharmacist in the State of New Hampshire, agree to resolve certain allegations of administrative rule violations now pending before the Board in accordance with the following terms and conditions:

1. The parties stipulate that the Board has jurisdiction to institute a disciplinary proceeding against the Respondent pursuant to NH RSA 318-29, II (g) , RSA 318: 29, IV (d), and RSA 541-A: 31, V, and Administrative Rule Ph 204.03 and if such proceeding were commenced, the allegations against the Respondent would be:

2. Respondent is the Pharmacist in Charge (“PIC”) at Rite Aid Pharmacy (#03482) 145 Amherst Street, Nashua, NH, 03064.
3. On December 27, 2019, Inspector James Queenan (“Queenan”) conducted an inspection of the pharmacy.
4. During the inspection, Queenan noted the smart-temp temperature device in the refrigerator was broken and determined no refrigeration monitoring occurred between December 23, 2019 and December 27, 2019, the date of inspection.
5. Queenan issued a violation notice for a violation of administrative rule Ph 702.02 “Temperature.”
6. On January 7, 2020, Respondent submitted a written notice of corrective action in response to the violation dated December 27, 2019.
7. On February 27, 2020, the Board of Pharmacy (“the Board”) mailed a formal notice of violation to the Respondent. Included in the formal notice of violation the Board issued an administrative fine in the amount of One Hundred Dollars (\$100).
8. Respondent was provided an opportunity to request a hearing on the matter if the Respondent did not agree with the findings.
9. On March 14, 2020, the Respondent emailed the interim Board Administrator Jason Richard noting the request for an appeal has been mailed and attached to the email.
10. On May 12, 2020 a Notice of Hearing was mailed to Respondent via Certified and First Class mail.

11. On May 27, 2020, Respondent communicated with the interim Administrator for the Board of Pharmacy requesting to settle the matter for the original fine of One Hundred (\$100.00) dollars.

12. Respondent acknowledges that the conduct set forth in paragraphs 1-12 constitutes grounds for the Board to impose disciplinary sanctions against Respondent pursuant to the laws and rules governing Pharmacists and Pharmacies pursuant to NH RSA 318 and Ph 100-2000.

**WHEREFORE**, the Respondent consents to the Board imposing the following discipline pursuant to RSA 318-29, II (g):

- A. The Respondent shall pay an administrative fine in the amount of **One Hundred dollars (\$100)** for a violation of Ph702.02 to the New Hampshire Board of Pharmacy, payable to the Treasurer State of New Hampshire immediately upon acceptance of this Settlement Agreement.
- B. The Board may consider Respondent's compliance with the terms and conditions herein in any subsequent proceeding before the Board regarding Respondent's license. Respondent's breach of any terms or conditions of this *Settlement Agreement* shall institute unprofessional conduct and shall serve as a separate and sufficient basis for further disciplinary action by the Board.
- C. Except as provided herein, this Settlement Agreement shall bar the commencement of further disciplinary action by the Board based upon the misconduct described above. However, the Board may consider this misconduct as evidence of a pattern of conduct in the event that similar misconduct is proven against Respondent in the future.

- D. This *Settlement Agreement* shall become a permanent part of the Respondent's file, which is maintained by the Board as a public document.
- E. Respondent voluntarily enters into and signs this *Settlement Agreement* and states that no promises or representations have been made to her other than those terms and conditions expressly stated herein.
- F. The Board agrees that in return for Respondent executing this *Settlement Agreement*, the Board will not proceed with the formal adjudicatory process based upon the facts described herein.
- G. Respondent understands that her action in entering into this *Settlement Agreement* is a final act and not subject to reconsideration or judicial review or appeal.
- H. Respondent has had the opportunity to seek and obtain the advice of an attorney of her choosing in connection with her decision to enter into this *Settlement Agreement*.
- I. Respondent understands that the Board must review and accept the terms of this *Settlement Agreement*. If the Board rejects any portion, the entire *Settlement Agreement* shall be null and void. Respondent specifically waives any claims that any disclosures made to the Board during its review of this *Settlement Agreement* has prejudiced her right to a fair and impartial hearing in the future if this *Settlement Agreement* is not accepted by the Board.
- J. Respondent certifies that she has read this document titled *Settlement Agreement*. Respondent understands that she has the right to a formal adjudicatory hearing concerning this matter and that at said hearing she would possess the right to

confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on her own behalf, to contest the allegations, to present oral argument, and to appeal to the courts. Further, Respondent fully understands the nature, quality and dimensions of these rights. Respondent understands that by signing this *Settlement Agreement*, she waives these rights as they pertain to the misconduct described herein. This *Settlement Agreement* shall take effect as an Order of the Board on the date it is signed by an authorized representative of the Board.

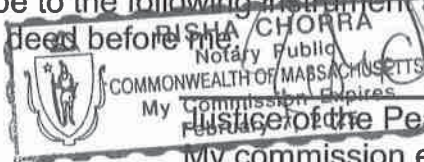
**FOR RESPONDENT**

I, Manjula Sanikommu, 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, admit to the validity thereof, and agree to all of the terms of this Settlement Agreement. Further, Manjula Sanikommu knowingly and freely waives the 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: 6-8-, 2020

Manjula  
Manjula Sanikommu

On this 8<sup>th</sup> day of June '2020 A.D. 2020 personally appeared the person who subscribe to the following instrument and acknowledged the same as her/his voluntary act and deed before me



**FOR THE BOARD OF PHARMACY**

Dated: June 16, 2020



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Jason Richard,  
Interim Board Administrator/ Chief of Compliance  
Division of Health Professions  
NH Office of Professional Licensure and Certification  
Authorized Representative of the NH Board of Pharmacy