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OPLC-FINANCE



September 12, 2022

Re: Consent Agreement

NIR0146

We are writing to let you know of a consent agreement, see enclosed, that Health Options Inc. DBA Postal Prescription Services (PPS) entered in with the Oregon Board of Pharmacy. PPS is a mail order pharmacy located in Portland, OR.

When we were in the process of switching to a new pharmacy application in 2014, we reached out to the director of the Oregon Prescription Drug Monitoring Program (PDMP). We were wanting direction on whether the Oregon PDMP wanted us to report all controlled substances dispensed regardless of the resident's state or only those prescriptions that were dispensed to OR residents. At the time we were told to only report to the OR PDMP prescriptions for OR residents. We have been reporting to the PDMP of resident's state since that time.

It was brought to our attention that we should be reporting all controlled substances dispensed to the OR PDMP regardless of the recipient's state of residence. We have fixed our reporting and are now in compliance with the OR rules and are submitting all required prescriptions to the OR PDMP as well as the PDMP of the state the prescription is shipped to.

Sincerely,

Jeff Welter, R.Ph.

General Manager



# Oregon

Kate Brown, Governor

**Oregon Board of Pharmacy**

800 NE Oregon St., Suite 150

Portland, OR 97232

Phone: 971-673-0001

Fax: 971-673-0002

[pharmacy.compliance@bop.oregon.gov](mailto:pharmacy.compliance@bop.oregon.gov)

[www.oregon.gov/pharmacy](http://www.oregon.gov/pharmacy)

September 8, 2022

HEALTHY OPTIONS INC  
DBA POSTAL PRESCRIPTION SERVICES  
1014 VINE ST  
CINCINNATI OH 45202-1141

POSTAL PRESCRIPTION SERVICES - LIC# NR0146  
3500 SE 26<sup>TH</sup> AVE  
PORTLAND OR 97202

RE: Case Number 2022-0185

Enclosed is a copy of the completed consent order for case number 2022-0185. Please retain this copy with your records.

Sincerely,

Kim Oster  
Compliance Coordinator

AUG 26 2022

OREGON BOARD OF PHARMACY

BEFORE THE BOARD OF PHARMACY  
OF THE STATE OF OREGON

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In the Matter of the	)	Case No. 2022-0185
Retail Drug Outlet Registration of	)	
	)	
HEALTHY OPTIONS INC DBA dba:	)	CONSENT ORDER
POSTAL PRESCRIPTION SERVICES	)	
	)	
Registrant	)	

WHEREAS, the Board of Pharmacy of the State of Oregon has filed a Notice of Proposed Disciplinary Action ("Notice"), hereby incorporated by reference, regarding the registrant in the above-captioned matter; and

WHEREAS, the above-noted Notice was duly served on the registrant as required by law; and

WHEREAS, the parties are desirous of resolving and settling those matters contained in the above-noted Notice without further proceedings thereon; and

WHEREAS, the registrant is aware of the right to a hearing with the assistance of counsel and the right to judicial review of the Board's decision, and hereby freely and voluntarily waives those rights; and

WHEREAS, the registrant admits that the facts alleged in the above-noted Notice are true, that legal cause exists pursuant to ORS 689.405 and ORS 689.445 for disciplinary action and imposition of a civil penalty by the Board; and

WHEREAS, the registrant consents to the disciplinary action as set forth herein;

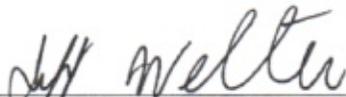
The Board finds that the allegations in the Notice are true and hereby:

1. The registrant shall pay a civil penalty to the Board in the amount of \$10,000 with \$10,000 stayed pending no further violations for three years. If Licensee violates any term or condition of this Consent Order, within three years of the effective date of this Consent Order, the Board may take action to lift the stayed portion of the civil penalty.
2. If Registrant violate any term or condition of this Consent Order, the Board may take action to lift the stayed civil penalty.
3. Failure of the Registrant to comply with the sanctions of this Consent Order may, after notice and hearing, result in further disciplinary action.

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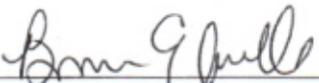
CONSENT

I hereby acknowledge that I am the authorized representative of registrant. On behalf of the registrant, I hereby acknowledge that I have read and understand the above-noted Notice and the terms of the Consent Order. I hereby acknowledge that I understand that the Consent Order with incorporated Notice is a public record and shall be available via the Board's online licensure verification; is available upon written request pursuant to public disclosure laws; and shall be reported to the National Practitioner Data Bank as required by federal law. I agree to the Board entering the Consent Order.

 8-25-2022  
Authorized Representative Date  
HEALTHY OPTIONS INC DBA dba  
POSTAL PRESCRIPTION SERVICES  
Registrant (Reg. No. RP-0002910)

IT IS SO ORDERED.

BOARD OF PHARMACY  
FOR THE STATE OF OREGON

 8/31/2022  
Brianne Efremoff, Pharm.D, R.Ph., Date  
Compliance Director

BEFORE THE BOARD OF PHARMACY  
OF THE STATE OF OREGON

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5 In the Matter of the ) Case No. 2022-0185  
6 Retail Drug Outlet Registration )  
7 )  
8 HEALTHY OPTIONS INC DBA dba: ) NOTICE OF PROPOSED  
9 POSTAL PRESCRIPTION SERVICES ) DISCIPLINARY ACTION  
10 )  
11 Registrant )  
12 )  
13 )

14 Under the authority granted pursuant to ORS 689.135, 689.145, 689.335, 689.405 and 689.445,  
15 the Oregon Board of Pharmacy proposes to take disciplinary action against your Certificate of  
16 Registration No. RP-0002910 because Postal Prescription Services violated the Oregon Pharmacy Act  
17 and the Board of Pharmacy rules as set forth below:  
18

19 From in or about April 2014 to in or about April 2022, Postal Prescription Services failed to  
20 report any of the required prescription data to the Oregon Prescription Drug Monitoring Program (OR  
21 PDMP) for all prescriptions of Schedule II controlled substances, Schedule III controlled substances,  
22 and Schedule IV controlled substances dispensed to non-Oregon residents.  
23

24 From on or about 01/01/2020 to in or about April 2022, Postal Prescription Services failed to  
25 report any of the required prescription data to the OR PDMP for all gabapentin prescriptions dispensed  
26 to non-Oregon residents.  
27

28 From on or about 01/01/2018 to in or about April 2022, Postal Prescriptions Services failed to  
29 report any of the required prescription data to the OR PDMP for all naloxone prescriptions dispensed  
30 to non-Oregon residents  
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32 Postal Prescription Services' failure to report the aforementioned data to the OR PDMP is in  
33 violation of OAR 855-041-1010(3) as it was a failure to be in compliance with the following state  
34 statute and rule relating to pharmacy practice: OAR 333-023-0810(1) and ORS 431A.860(1). This  
35 violation is grounds for discipline under ORS 689.405(1)(i), ORS 689.445(1)(d)(A) and ORS 689.832.  
36

37 Based on these alleged violations, the Board proposes to impose a civil penalty in the amount  
38 of \$10,000.  
39

40 **HEARING RIGHTS**

41  
42 The corporation is entitled to a hearing as provided by the Administrative Procedures Act (ORS  
43 chapter 183). An attorney must represent the corporation. If the corporation wishes to have a hearing,  
44 the corporation's attorney must file a written request for hearing with the Board within 21 days from  
45 the date this notice was mailed. The corporation's attorney may send or deliver a request for hearing  
46 to:

47 Oregon Board of Pharmacy  
48 800 NE Oregon Street, Suite 150

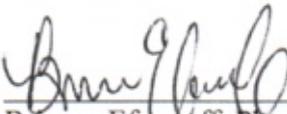
Portland, OR 97232  
Fax: (971) 673-0002

If a request for hearing is not received within this 21-day period, the corporation's right to a hearing shall be considered waived.

If the corporation requests a hearing, the corporation's attorney will be notified of the time and place of the hearing. Before the commencement of the hearing, the corporation will be given information on the procedures, right of representation and other rights of parties relating to the conduct of the hearing.

If the corporation does not request a hearing within 21 days, or if it withdraws a hearing request, notifies the Board or Administrative Law Judge that it will not appear, or fails to appear at a scheduled hearing, the Board may issue a final order by default imposing discipline. If the Board issues a final order by default, it designates its file on this matter as the record.

BOARD OF PHARMACY  
FOR THE STATE OF OREGON

  
\_\_\_\_\_  
Brianne Efremitoff, Pharm.D, R.Ph.,  
Compliance Director

7/22/2022  
Date

DATE OF MAILING 8/3/22