

September 2, 2022

New Hampshire Office of Professional Licensure & Certification
Board of Pharmacy
7 Eagle Square
Concord, NH 03301
CustomerSupport@oplcnh.gov

Re: Notification of Consent Order Signed by Fairview Specialty Services Pharmacy (Lic # NR0651)

To Whom It May Concern:

This letter is in follow up to correspondence sent to your office on June 15, 2022 reporting that Fairview Pharmacy Services, LLC signed a Consent Order with the Illinois Department of Financial and Professional Regulation. The Consent Order settles a complaint regarding disciplinary actions imposed by other state Pharmacy Boards (Alabama, Louisiana, Maine, and Colorado) resulting from Fairview Specialty Services Pharmacy failing to provide timely notifications of a change in Pharmacist-In-Charge, and in Louisiana, operating without a Louisiana-licensed Pharmacist-In-Charge.

On September 1, 2022, Fairview Pharmacy Services received the fully executed Consent Order signed by the Illinois Department of Financial and Professional Regulation on August 26, 2022. Enclosed please find a copy of the fully executed Consent Order.

If you have any questions, feel free to contact me at dept-fps-licensing@fairview.org.

Thank you,



Shawna Audette | Compliance & Licensing Program Manager

Fairview Pharmacy Services, LLC
M Health Fairview
711 Kasota Ave SE | Minneapolis, MN 55414
shawna.audette@fairview.org | mhealthfairview.org
612-617-3513

STATE OF ILLINOIS
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF PROFESSIONAL REGULATION

ILLINOIS DEPARTMENT OF FINANCIAL AND)
PROFESSIONAL REGULATION Complainant,) Case No. 2019-05707
FAIRVIEW SPECIALTY SERVICES)
PHARMACY Respondent)
License No. 054.016200.

CONSENT ORDER

The Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation (“Department”), by Mary Meehan, Chief of Health-Related Prosecutions, and Respondent Fairview Specialty Services Pharmacy (“Respondent”), hereby agree to the following:

STIPULATIONS

Respondent currently holds Illinois pharmacy license no. 054.016200 issued by the Department, which is currently in an active status. On or about April 12, 2019, Respondent submitted a letter to the Department disclosing several sister-state disciplinary actions. On or about May 4, 2016, Respondent’s Louisiana pharmacy license no. 6186 was disciplined for failure to maintain a Louisiana permit without a proper licensed Louisiana PIC and failure to notify the Louisiana State Board of Pharmacy (LSBOP) of the change in PIC. The LSBOP ordered Respondent to report the discipline to the National Practitioner Databank. On or about August 24, 2016, Respondent’s Colorado pharmacy license no. OSP 5761 was disciplined for failure to submit a Change of PIC. Colorado State Board of Pharmacy (CSBOP) issued Respondent a Letter of Admonition. On or about September 23, 2016, Respondent’s Maine pharmacy license no. MO40000974 was disciplined for failure to submit a Change of PIC. Maine Board of Pharmacy (MBOP) issued the Respondent a Warning and fined a Civil Penalty of seven-hundred and fifty dollars, (\$750.00). On or about April 16, 2019, Respondent’s Alabama pharmacy license no. 113145 was disciplined for the sister-state disciplines referenced above. The Alabama Board of Pharmacy (ABOP) fined the Respondent three-thousand dollars (\$3,000.00). Under the Illinois Pharmacy Practice Act (“Act”), 225 ILCS 85/30(a)(8), discipline by another U.S. jurisdiction if at least one of the grounds for the discipline is

the same or substantially equivalent to those set forth in 225 ILCS 85/30(a) of the Act, is grounds for the Department to discipline Respondent's license.

Respondent admits that the information recited herein is accurate and complete. At all times material to the matter set forth in this Consent Order, the Department had jurisdiction over the subject matter and the parties herein. Respondent has been advised of the right to have any allegation(s) reduced to written charges, to a hearing where the Department bears the burden to prove its allegations by clear and convincing evidence, the right to contest any charges brought and present mitigating evidence, the right to counsel, and the right to administrative review of any order resulting from a hearing. Respondent knowingly waives each of these rights, as well as any right to administrative review of this Consent Order. Such waiver ceases if this Consent Order is rejected by the Board of Pharmacy ("Board") or Director. Respondent acknowledges that Respondent has entered into this Consent Order freely and of Respondent's own will without threat or coercion by the Department or any person and has not relied upon any representation made by or on behalf of the Department other than those specifically included herein. Respondent acknowledges that the Department attorney may be requested to communicate with the Board or Director in furtherance of the approval of this Consent Order. Respondent has been informed that this Consent Order will be presented to the Director. If this Consent Order is not approved, Respondent waives any right to raise any prejudice resulting from the Director's consideration of this Consent Order. Respondent understands that this Consent Order is not effective unless and until it is adopted by the Director. A copy of any original signature(s) shall be given the full force and effect of an original signature(s) affixed to this Consent Order.

Respondent and the Department agree, in order to resolve this matter, that Respondent be permitted to enter into a Consent Order with the Department, providing for the imposition of disciplinary measures which are fair and equitable in the circumstances, and which are consistent with the best interests of the people of the State of Illinois.

CONDITIONS

Wherefore, the Department, by Chief of Health-Related Prosecutions Mary C. Meehan, and Respondent, Fairview Specialty Services Pharmacy, hereby agree to the following:

- A. Respondent's registered Pharmacy license no. 054.016200 shall be reprimanded.
- B. Respondent shall pay a fine in the amount of three-thousand dollars (\$3,000.00) within sixty (60) days of the effective date of this Consent Order. Said fine shall be paid by personal check, cashier's check, or personal money order. In the notation portion of the check, this case no. 2019-05707 and license no. 054.016200 shall be noted. Said check or money order shall be made payable to:

Illinois Department of Financial and Professional Regulation
SSC – Accounts Receivable Section – Fines
P.O. Box 7086
Springfield, IL 62791

- C. Failure by Respondent to comply fully with the terms and conditions of this Consent Order shall be grounds for the Director of the Illinois Department of Financial and Professional Regulation to issue an Order mandating the immediate and automatic indefinite suspension of Respondent's Pharmacy License. Respondent may file an appropriate Petition within thirty (30) days from date the order was entered to contest the underlying factual basis of the indefinite suspension. Respondent shall be afforded a hearing on the merits following the filing of the Petition. Respondent waives any statute of limitations defense in any hearing on the suspension.
- D. Respondent acknowledges that this Consent Order is a public disciplinary action and will be made available to the public. It will be reported to the National Association of Boards of Pharmacy and other applicable reporting databases.
- E. This Consent Order shall become effective upon the signature of the Director, as dated below.

Signatures on following page.

6/23/22
Date

Mary Ceehan
Chief of Health-Related Prosecutions, Mary C. Meehan

6/15/2022 | 10:16:05 AM CDT
Date

DocuSigned by:
John Pastor John Pastor
Respondent, Fairview Specialty Services Pharmacy

6/21/22
Date

Donise Scarpelli
Illinois Board of Pharmacy Member

The foregoing Consent Order is approved in full.

DATED THIS 26th day of August, 2022.

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
SECRETARY MARIO TRETO, JR.

Cecilia Abundis
Director Cecilia Abundis
Division of Professional Regulation

Case No. 2019-05707
License No. 054.016200