

STATE OF RHODE ISLAND

**DEPARTMENT OF HEALTH
DIVISION OF CUSTOMER SERVICES
RI BOARD OF PHARMACY**

**In the Matter of:
THOMAS REITANO, RPH
LICENSE NUMBER RPH03354
COMPLAINT NUMBER C19-0598**

SUSPENSION ORDER

Pursuant to Rhode Island General Laws § 5-19.1-21 and the Rules and Regulations promulgated thereunder, the Department of Health (Department), Board of Pharmacy (Board) has investigated a complaint charging Thomas Reitano, registered pharmacist (hereinafter "Respondent"), with violations of RIGL § 5-19.1 of the R.I. Rules and Regulations Pertaining to Pharmacists, Pharmacies and Manufacturers, Wholesalers and Distributors. After consideration by the Board and the Department, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent:

1. Respondent is licensed as a registered pharmacist in the State of Rhode Island and holds license number RPH03354.
2. On or about September 11, 2017 while employed as a pharmacist at Rite Aid, 2595 West Shore Rd, Warwick, RI, that Respondent failed to properly conduct a drug utilization review (DUR) by allowing a prescription to be refilled which had already been replaced by a similar medication for the same condition. This act led to a potential therapeutic drug duplication in violation of Rhode Island pharmacy regulation 216-RICR-40-15-1.5.13(E)(1).

3. This failure to conduct drug utilization review occurred while the Respondent was on probation for a similar DUR error.
4. The foregoing facts constitute unprofessional conduct in the State of Rhode Island.

Based on the foregoing, the parties agree as follows:

1. Respondent is a registered pharmacist and was able to conduct business under and by virtue of the pharmacy laws of the State of Rhode Island § 5-19.1-21.
2. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department.
3. Respondent has read this Consent Order and understands that it is a proposal of the Department and is subject to the final ratification by the Department. This Consent Order and the contents thereof are not binding on Respondent until final ratification by the Department.
4. Respondent hereby acknowledges and waives:
 - a) The right to appear personally or by counsel or both before the Department;
 - b) The right to produce witnesses and evidence in his behalf at a hearing;
 - c) The right to cross-examine witnesses;
 - d) The right to have subpoenas issued by the Department;
 - e) The right to further procedural steps except for those specifically contained herein;
 - f) Any and all rights of appeal of this Consent Order;
 - g) Any objection to the fact that this Consent Order will be presented to the Department for consideration and review;

- h) Any objection to the fact that it will be necessary for the Department to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent Order;
 - i) Any objection to the fact that the Department reviewing this Consent Order may be the same as the hearing committee presiding over this matter should it later be brought to an administrative hearing; and
 - j) Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order to the Department.
5. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and accepted by the Department.
 6. Acceptance by the Respondent and approval by the Department of this Consent Order constitutes an admission of the facts contained herein.
 7. Respondent hereby agrees to this Suspension of his pharmacist license.
 8. Respondent's pharmacist license shall also be suspended for 3 (three) months from the ratification date of this consent order, and Respondent must appear before the Board to request reinstatement.
 9. That should Respondent violate the terms of this Consent Order, Respondent shall be subject to further disciplinary sanctions.

1/3/2020
Date

Thomas F. Reitano, RPh
Thomas Reitano, RPh
License Number RPH03354

1/16/20
Date

Stacey R. Ruccia, RPh
Stacey Ruccia, RPh
Chairperson
Rhode Island Board of Pharmacy

Validated by the Board of Pharmacy on this 16th day of January, 2020.