



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

DIVISION OF CORPORATIONS, BUSINESS AND
PROFESSIONAL LICENSING

550 West Seventh Avenue, Suite 1500
Anchorage, Alaska 99501-3567
Main: 907.269.8160
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CERTIFIED MAIL 7016 1370 0000 2312 6872
RETURN RECEIPT REQUESTED

December 28th, 2016

Basic Home Infusion, Inc.
1401 Valley Road, 4th Floor
Wayne, NJ 07470

RE: Case No. 2016-001018

Basic Home Infusion:

This letter shall serve as formal notice to you that the Alaska Board of Pharmacy, during its November 17th, 2016 meeting, adopted the Consent Agreement, presented to the Board by members of the staff from the Division of Corporations, Business and Professional Licensing. A copy of the Consent Agreement, as adopted, is enclosed.

If you wish to pay with a credit card, a payment form has been included for your convenience.

Please be advised that you were under official investigation by the Alaska Board. You may be required to report this license action and to disclose it when applying for licensure in other states. Should you have any questions regarding this matter, please do not hesitate to contact me at the address and telephone number listed above.

Sincerely,

A handwritten signature in black ink, appearing to read "Angela G. Birt".

Angela G. Birt,
Chief Investigator

Enclosure

cc: Office of Administrative Hearings
Mary Sikes, Licensing Examiner
Sonia Lipker, Investigator
Karina Medina, Office Assistant III
Litigation File: 2016-001018(Original)

AGB: kbm

1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
3 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
4 BEFORE THE BOARD ON PHARMACY

5
6 In the Matter of:)
7)
8 Basic Home Infusion)
9)
10 Respondent)
11 Case No. 2016-001018

12 CONSENT AGREEMENT

13
14 IT IS HEREBY AGREED by the Department of Commerce, Community and Economic
15 Development, Division of Corporations, Business and Professional Licensing (Division) and
16 Basic Home Infusion (Respondent) as follows:

- 17 1) **Licensure.** Respondent is currently licensed as an Out-of-State Pharmacy in the State of
18 Alaska. Respondent holds license number PHAO1111. This license was first issued on
19 November 23, 2011 and will lapse unless renewed by June 30, 2018.
- 20 2) **Admission/Jurisdiction.** Respondent admits and agrees that the Board of Pharmacy (Board)
21 has jurisdiction over the subject matter of their license in Alaska and over this Consent
22 Agreement.
- 23 3) **Admission/Facts.** Respondent admits to the following facts:
24 a) On October 11, 2011, the Division received an initial Out-of-State Pharmacy Registration
25 application for Respondent. On the application, Respondent answered “no” to all
26 Professional Fitness Questions.
- 27 b) On May 11, 2012, the Division received a Biennial Out-of-State Pharmacy Renewal
28 application for Respondent. On the application, Respondent answered “no” to all
29 Professional Fitness Questions.
- 30 c) On June 11, 2014, the Division received a Biennial Out-of-State Pharmacy Renewal
31 application for Respondent. On the application, Respondent answered “no” to all
32 Professional Fitness Questions.
- 33 d) In 2015, Respondent notified the Alaska Board of Pharmacy of previous disciplinary
34 actions by other boards, dating back to 2009.

- 1 e) On May 17, 2016, the Division received the Respondent's Biennial Out-of-State
2 Pharmacy License Renewal application. On the application, Respondent answered "yes"
3 to the question "*Since the date the facility license was last issued, has the owner or any*
4 *partner, corporate officer, the pharmacist-in-charge, or any employee had a professional*
5 *license denied, revoked, suspended, or otherwise restricted, conditioned, or limited or*
6 *have you surrendered a professional license, been fined, placed on probation,*
7 *reprimanded, disciplined, or entered into a settlement with a licensing authority in*
8 *connection with a professional license you have held in any jurisdiction including Alaska*
9 *and including that of any military authorities or is any such action pending?"* and
10 provided documentation of disciplinary actions from 1999 – present.
- 11 f) Respondent asserts a former employee did not disclose previous disciplinary actions for
12 unknown reasons.
- 13 g) Respondent admits that as a result of the above facts, grounds exist for possible
14 suspension, revocation, or other disciplinary sanctions of their license pursuant to Alaska
15 Statute (AS) 08.01.075, AS 08.80.261(a)(1) and 12 AAC 52.920(a)(13).
- 16 4) **Formal Hearing Process.** It is the intent of the parties to this Consent Agreement to provide
17 for the compromise and settlement of all issues addressed in Paragraph 3 (above) which could
18 be raised by an Accusation to revoke, suspend, or impose disciplinary sanctions against
19 Respondent's license through a formal hearing process.
- 20 5) **Waiver of Rights.** Respondent understands they have the right to consult with an attorney of
21 their own choosing and has a right to an administrative hearing on the facts in this case.
22 Respondent understands and agrees that by signing this Consent Agreement, Respondent is
23 waiving their rights to counsel and to a hearing. Further, Respondent understands and agrees
24 that they are relieving the Division of any burden it has of proving the facts admitted above.
25 Respondent further understands and agrees that by signing this Consent Agreement they are
26 voluntarily and knowingly giving up their right to present oral and documentary evidence, to
27 present rebuttal evidence, to cross-examine witnesses against Respondent, and to appeal the
28 Board's decision to Superior Court.
- 29 6) **Effect of Non-Acceptance of Consent Agreement.** Respondent and the Division agree that
30 this Consent Agreement is subject to the approval of the Board. They agree that, if the Board
31 rejects this Consent Agreement, it will be void, and an Accusation may be filed. If this

1 Consent Agreement is rejected by the Board, it will not constitute a waiver of Respondent's
2 right to a hearing on the matters alleged in an Accusation and the admissions contained herein
3 will have no effect. Respondent agrees that, if the Board rejects this Consent Agreement, the
4 Board may decide the matter after a hearing, and its consideration of this Consent Agreement
5 shall not alone be grounds for claiming that the Board is biased against Respondent, that it
6 cannot fairly decide the case, or that it has received ex parte communication.

7 7) **Consent Agreement, Decision, and Order.** Respondent agrees that the Board has the
8 authority to enter into this Consent Agreement and to issue the following Decision and Order.

9 **PROPOSED DECISION AND ORDER**

10 IT IS HEREBY ORDERED that any certification issued to Respondent shall be subject to the
11 following terms and conditions:

12 **A. Violation of Agreement**

13 If Respondent fails to comply with any term or condition of this Consent Agreement, the
14 Division may enforce this agreement by immediately suspending Respondent's license, without
15 an additional order from the Board or without a prior hearing, for a violation of this agreement. In
16 addition, any suspended portion of the civil fine will be immediately due.

17 If Respondent's license is suspended under this paragraph, as provided above, they will be
18 entitled to a hearing, on an expedited basis, regarding the issue of the suspension. If
19 Respondent's license is suspended, they will continue to be responsible for all license
20 requirements pursuant to AS 08.80.

21 **B. Respondents Address**

22 It is the responsibility of the Respondent to keep the Board's agent advised, in writing, at
23 all times of their current mailing address, physical address, telephone number, current
24 employment, and any change in employment.

25 Failure to provide notice of any changes within 10 calendar days will constitute grounds
26 for suspension of their license in accordance with paragraph 'B' above.

27 **C. Good Faith**

28 All parties agree to act in good faith in carrying out the stated intentions of this Consent
29 Agreement.

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D. Civil Fine

Respondent shall pay a fine of three thousand dollars (\$3,000.00), within 90 days of the adoption of this agreement and is payable to the "State of Alaska" in cash, certified check, money order or via credit card.

All payments required by this Consent Agreement shall be addressed to:
Angela G. Birt, Chief Investigator
Division of Corporations, Business and Professional Licensing
550 West 7th Avenue, Suite 1500
Anchorage, Alaska 99501-3567

E. Reprimand

It is hereby ordered that a public reprimand be issued against licensee, Basic Home Infusion, for failing to fully disclose previous disciplinary history on their 2011 Out-of-State Pharmacy Registration application, 2012 and 2014 Biennial Out-of-State Pharmacy Renewal applications, which is a violation of AS 08.80.261(a)(1) and 12 AAC 52.920(a)(13).

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1 IT IS FURTHER ORDERED that this Adopted Decision and Order shall take effect immediately
2 upon its adoption by the Board and is a public record of the Board and the State of Alaska. The
3 State of Alaska may provide a copy of it to any person or entity.

4
5 DATED this 1ST day of November, 2016 at Anchorage, Alaska.

6
7 CHRIS HLADICK, COMMISSIONER

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11 

12 AK

13 By: 

14 Angela Birt, Chief Investigator for
15 Janey Hovenden, Director
16 Division of Corporations, Business and
17 Professional Licensing

18 I, ROY PUTRINO Registered Agent/Owner of Basic Home Infusion and
19 authorized to sign legal documents on the business' behalf, have read the Consent Agreement,
20 understand it, and agree to be bound by its terms and conditions.

21 DATED: 10/31/2016

22 
23 Registered Agent/Owner

24 SUBSCRIBED AND SWORN TO before me this 31ST day of
25 OCTOBER, 2016, at 1:15PM, New Jersey.

26
27 SEAL

28 
29 Notary Public in and for ~~Alaska~~ NEW JERSEY

30 BRYNN BEEKMAN
31 Notary Printed Name

32 My commission expires: 4/16/2020

33
34
BRYNN BEEKMAN
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 4/16/2020

State of Alaska
Department of Commerce, Community and Economic Development
Division of Corporations, Business and Professional Licensing
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STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
BEFORE THE BOARD OF PHARMACY

In the Matter of:)
)
Basic Home Infusion)
)
Respondent)
Case No. 2016-001018

ORDER

The Board of Pharmacy for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case No. 2016-001018, regarding Basic Home Infusion Pharmacy, license #PHAO1111, adopts the Consent Agreement and Decision and Order in this matter.

This Consent Agreement takes effect immediately upon signature of this Order in accordance with the approval of the Board of Pharmacy.

The Division may enforce the Consent Agreement by immediately suspending Respondent's license, without an additional order from the Board of Pharmacy or without a prior hearing, for a violation of the Consent Agreement.

DATED this 17 day of November, 2016, at
FAIRBANKS, Alaska.

Board of Pharmacy

By: 
Chairperson