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BOARD OF PHARMACY

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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION	:	Administrative Action
OR REVOCATION OF THE LICENSE OF	:	
NAVEEN GUPTA, R.P.	:	
TO PRACTICE PHARMACY IN THE STATE	:	CONSENT ORDER
OF NEW JERSEY	:	
AND THE PERMIT OF GUPTA PHARMACY	:	
TO OPERATE A PHARMACY IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Pharmacy upon the receipt of information that an inspection of Gupta Pharmacy conducted by the Enforcement Bureau on September 25, 1998, revealed that 571 medications, or approximately half of the store's active drug stock inventory, were found to be "out of date." Moreover, the pharmacy permit and the controlled danerous substances registration had expired on June 30, 1997. None of the required reference texts were present on the premises; the required biennial inventory of controlled dangerous substances had not been conducted; there existed no prescription filing device or system; and an examination of the entries in the Exempt Narcotic Register

disclosed that three (3) individuals had been dispensed more than the maximum permissible five (5) bottles of Schedule V Controlled Dangerous Substances within a twelve month period; in fact the individuals received respectively 19, 17 and 13 dispensings. Such breaches and violations of N.J.A.C. 13:39-1 et seq. amount to professional misconduct and repeated acts of negligence, all in violation of N.J.S.A. 45:1-21.

On October 14, 1998, Naveen Gupta appeared before the Board of Pharmacy and testified under oath in response to questions from the Board members in attendance. Respondent explained that he had been unable to recoup any profit from the pharmacy and had, in fact, incurred debts in excess of \$200,000. He further testified that he became despondent and immobilized and as a result he failed to keep current in his practice of pharmacy and in his management of the store.

Respondent being desirous of resolving this matter without the necessity of further formal proceedings, and having agreed to abide by the terms of the within Order, and for good cause shown,

IT IS THEREFORE ON THIS DAY OF 1998, ORDERED AND AGREED:

1. Respondent Gupta Pharmacy shall cease and desist operations as a pharmacy at the close of business on October 21, 1998. All permits and licenses held by the pharmacy, whether current or expired, shall be surrendered to the custody of the Board. Gupta Pharmacy shall ensure that all patient records are transferred to a nearby pharmacy and that all patients are provided

notice of the transfer. Moreover, all inventory and signage shall be removed in compliance with N.J.A.C. 13:39-1 et seq.

2. Respondent Naveen Gupta shall immediately surrender his license to practice pharmacy and his wall certificate to the custody of the Board. Respondent shall cease and desist in the practice of pharmacy until he has complied with the following requirements:

a. Respondent shall complete a 500 hour practicum as a pharmacy technician under the immediate supervision of a Board approved licensee. The practicum shall be performed on a continuous basis, within a six month period. Respondent's supervisor(s) shall provide an evaluation of respondent's performance at the completion of the practicum.

b. Respondent shall successfully pass the New Jersey State Board of Pharmacy Law Exam.

3. After respondent has completed the practicum, submitted the evaluation(s) to the Board, and passed the law exam, respondent shall appear before the Board. At that time the Board will determine whether respondent's license may be reinstated to a probationary status and, if so, under what, if any, conditions.

4. Respondent shall pay for costs of the investigation within six (6) months of the entry of this Order. An affidavit of costs shall be served on respondent by the Executive Director of the Board.

STATE BOARD OF PHARMACY

By: Richard A. Palombo
Richard A. Palombo, R.P.
President,

I have read the terms of the
within Order, I understand them,
and I agree to be bound by them.

Naveen Gupta 10/21/98.
Naveen Gupta, R.P.