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BOARD OF PHARMACY

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

IN THE MATTER OF THE SUSPENSION	:	Administrative Action
OR REVOCATION OF THE LICENSE OF	:	
	:	CONSENT ORDER
THOMAS B. DELVERS, R.P.	:	
	:	
TO PRACTICE PHARMACY IN THE	:	
STATE OF NEW JERSEY	:	
<i>RI 16779</i>	:	

This matter was opened to the New Jersey State Board of Pharmacy by way of application of Thomas Delvers for the reinstatement of his license to practice pharmacy. On August 21, 1990, after having submitted to his treatment program a urine screen that tested positive, respondent entered into a Consent Order with the Board suspending the license of respondent for three years from the entry of that order, and providing that reinstatement of respondent's license would occur only after he had satisfied the Board that he was fit and competent to resume the practice of pharmacy.

Thomas Delvers appeared before the Board on July 27, 1994, and testified under oath in response to questions from the Board members. Respondent is presently employed in a consulting

position that does not require licensure and he does not anticipate any immediate change in his career if his license is reinstated. At this time, Mr. Delvers is not being monitored for the use of any substances; however, he has indicated his willingness to participate in screening if the Board were to require testing as a condition of reinstatement.

The Board has considered and reviewed all relevant documentation submitted by the respondent as well as those facts to which he has testified before the Board. The respondent being desirous of resolving this matter, and the Board finding the within Order to be adequately protective of the public interest,

IT IS THEREFORE, on this 29th day of August, 1994
ORDERED AND AGREED:

1. The license of Thomas B. Delvers, R.P., to practice pharmacy in the State of New Jersey is hereby reinstated. Respondent shall be placed on a probationary status for a two (2) year period contemporaneously with the entry of this Order.

2. Respondent shall have his urine monitored at his own expense on a random unannounced monthly basis for the entire two (2) year probationary period with direct witnessing of the samples. The initial drug screen will utilize the EMIT technique and all confirming tests and/or secondary tests will be performed by gas chromatographing/mass spectrometry (GC/MS). The testing procedure shall include a forensic chain of custody protocol to ensure sample integrity and to provide documentation thereof.

3. Respondent shall cause the results of all tests to

be reported directly to H. Lee Gladstein, Executive Director of the Board, or his successor or designee in the event he is unavailable. The Board may at anytime alter or modify the manner of the testing directed herein. In the event of any such alteration or modification, the Board shall give timely notice of any new testing requirement to the respondent.

4. In the event respondent is unable to appear for a scheduled urine test due to illness or other impossibility, consent to waive that day's test must be secured from the Board's Executive Director or his designee. The lab will not be authorized to provide consent. In addition, respondent must provide the Board, within two days, written substantiation for his inability to appear, e.g. physician's report.

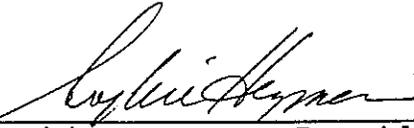
5. Respondent shall give written notice to the Board prior to beginning any job and prior to any change in employment.

6. In connection with any job in which respondent has access to Controlled Dangerous Substances, he shall disclose his prior drug problem to his employer and serve a copy of the within Order on his employer. Respondent shall cause the Board to receive a letter acknowledging the employer's receipt of the notice required by this paragraph. Further, respondent shall have his urine screen increased to one time per month.

7. In the event that the Board receives a report of an adulterated urine specimen or any information indicating that respondent has been non-compliant with any aspect of the urine monitoring regimen, within two (2) days of having been

given notice by the Board, he will be required to show cause why the activation of the suspension should not take place.

NEW JERSEY STATE BOARD OF PHARMACY

By: 

Sophie Heymann, President

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



Thomas P. Delters, R.P.
Respondent