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DEBORAH T. PORITZ  
ATTORNEY GENERAL OF NEW JERSEY

JUN 29 1995

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BOARD OF PHARMACY

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

IN THE MATTER OF THE SUSPENSION :  
OR REVOCATION OF THE LICENSE OF :  
:  
Neal Appel, R.P. :  
License No. 13427 :  
:  
TO PRACTICE PHARMACY IN THE :  
STATE OF NEW JERSEY :  
:

Administrative Action  
ORDER FOR REINSTATEMENT

This matter was opened to the New Jersey State Board of Pharmacy upon the application of Neal Appel, R.P. for reinstatement of his license to practice pharmacy.

On March 18, 1994 an Order was filed with the Board which suspended the license of respondent effective April 1, 1994 following respondent's conviction of the crimes of Medicaid Fraud and PAAD Fraud in the amount of \$2,500.00. Pursuant to that Order respondent was required to appear before the Board prior to reinstatement, no earlier than April 1, 1995, to demonstrate his fitness and competency to resume the practice of pharmacy prior to being reinstated.

At the May 10, 1995 Board of Pharmacy meeting, respondent testified under oath in response to questions from the Board members

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in attendance. Mr. Appel stated that since his surrender he had been working as a pharmacist in two pharmacies in New York using his active State of New York pharmacy license. In addition, Respondent presented documentation from one of his employers as to his successful practice of pharmacy. Shortly after the proceeding, the Board received written notice from the Department of Health and Human Services that respondent had been excluded from participation in the Medicare program and any state health care program from May 7, 1995 until May 7, 2000. Given this exclusion, respondent is limited in his practice of pharmacy in the traditional pharmacy setting, i.e. he is prohibited from interpreting and dispensing prescriptions or medication orders for medicaid recipients.

As a result of the aforementioned five year exclusion from any state sponsored health care program, the Board has determined to reinstate respondent's license with certain conditions to continued licensure.

WHEREFORE, IT IS ON THIS

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DAY OF June, 1995

ORDERED AND AGREED:

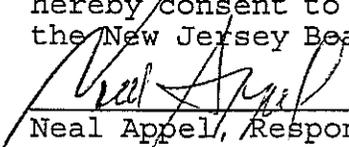
1. That the license of Neal Appel shall be reinstated upon the entry of this Order.
2. That respondent shall notify the Board in writing prior to commencing any position as a pharmacist in the State of New Jersey.
3. That prior to commencing work respondent shall provide a copy of this Order to his employer and shall ensure that the employer confirm in writing to the Board that he/she is aware of respondent's exclusion from participating in Medicare and Medicaid programs.

4. The requirements set forth in paragraphs two and three shall remain in effect for the duration of the health care program exclusion, i.e. May 7, 2000.

NEW JERSEY BOARD OF PHARMACY

By:   
Sophie Heymann, President

I have read the within Order and understand it. I agree to be bound by its terms and hereby consent to it being entered by the New Jersey Board of Pharmacy

  
Neal Appel, Respondent