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DEBORAH T. PORITZ
ATTORNEY GENERAL OF NEW JERSEY

DEC 15 1995

BOARD OF PHARMACY

By: Marianne W. Greenwald
Deputy Attorney General
Division of Law 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Tel. (201) 648-4738

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 :

Administrative Action

MICHAEL TANCREDI

24011

:
: CONSENT ORDER
:

TO PRACTICE PHARMACY IN THE :
STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Pharmacy upon the filing of a one count complaint alleging that respondent has diverted Controlled Dangerous Substances for his own consumption from his employer, HPI Pharmacy in Trenton, New Jersey, for approximately two and one half months.

In order to assure the Board that respondent presently suffers from a condition necessitating these medications, Michael Tancredi has submitted to the Board copies of his medical records which substantiate that he was in fact being treated by a physician for a specific

performed with direct witnessing by a Board approved monitor. The initial drug screen will utilize the EMIT technique and all conforming 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.

6. The result of all tests shall be reported directly from the testing laboratory to H. Lee Gladstein, Executive Director of the Board or his successor, or his designee in the event he is unavailable. The Board may without notice to respondent at anytime alter or modify the manner of the testing directed herein. In the event of any such alternation or modification the Board shall give timely notice of any new testing requirement to the respondent.

7. 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 office. The lab or monitor will not be authorized to provide consent. In addition, respondent must provide to the Board written substantiation for his inability to appear, e.g. physician's report.

8. Respondent hereby consents to the entry of an Order of Automatic Suspension of his license without notice upon the Board's receipt of a confirmed positive urine from the party responsible for monitoring respondent's urine.

9. Respondent shall have the right to apply for removal of the automatic suspension on two (2) days notice but in such event shall be limited to a showing that urine tested was not his or was a false positive.

10. Any failure to appear for a urine test for which consent is not secured from the Board, and for which no written substantiation is furnished satisfactory to the Board within two

medical condition and was receiving valid prescriptions for the same controlled dangerous substances which he was alleged to have diverted.

The Board is mindful that respondent was in possession of lawful prescriptions, however the Board must address respondent's diversion of medications without presenting a valid prescription and without making payment to the employer. Respondent wishing to resolve this matter without the necessity of formal proceedings, and the Board finding the within Order to be adequately protective of the public, and for good cause shown,

IT IS THEREFORE, ON THIS 15th DAY OF December 1995,

ORDERED AND AGREED:

1. The license of Michael Tancredi to practice pharmacy in the State of New Jersey is hereby suspended for eighteen (18) months. Six months of said suspension shall be active; twelve months of said suspension shall be stayed.

2. Respondent shall pay a civil penalty of \$5,000.00 to the Board of Pharmacy and submit a current evaluation from a Board approved psychiatrist or psychologist prior to the completion of the period of active suspension.

3. Respondent shall be on probation for the duration of the stayed suspension, subject to compliance with paragraphs 3 through 13 herein. If respondent violates any of the provisions of paragraphs 3 through 13 herein, the Board may initiate proceedings to revoke his probationary status and to actively suspend or revoke his license to practice pharmacy.

4. Respondent shall not be a pharmacist-in-charge or a pharmacy permit holder in this State during the entire period of probation.

5. Respondent shall have his urine monitored at his own expense on a random, unannounced basis biweekly for the entire 18 month period. The urine specimens shall be