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FILED

PETER VERNIERO  
ATTORNEY GENERAL OF NEW JERSEY

NOV 13 1996

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BOARD OF PHARMACY

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF PHARMACY  
DOCKET NO.

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF:	:	Administrative Action
	:	
RUBEN GUZMAN, R.P.	:	
LICENSE NO. 420328	:	INTERIM ORDER
	:	
TO PRACTICE PHARMACY IN THE	:	
STATE OF NEW JERSEY	:	
	:	

This matter was opened to the New Jersey State Board of Pharmacy upon the receipt of correspondence from Ruben Guzman requesting the reinstatement of his license to practice pharmacy. On September 20, 1995, respondent, by way of Consent Order, voluntarily surrendered his pharmacy license (September 20, 1995 Order attached hereto and made a part of this Order). At his request, on October 23, 1996, respondent appeared before the Board and responded under oath to Board members' questions regarding his impairment, his treatment history and his present activities both professionally and personally.

Having considered respondent's testimony and those documents previously submitted on behalf of respondent by an independent Board approved psychologist dated March 15, 1996 and by respondent's rehabilitation therapy counselor dated May 21, 1996

and based on the treatment counselor's recommendation that respondent not be assigned a position which included direct contact with drugs for at least 6 months and because the independent psychologist relied upon representations made by respondent rather than reviewing actual treatment and urine screen records, and the Board's prior Order in making his recommendation for conditional reinstatement and due to respondent's failure to obtain weekly random urine screens as provided in the September 20, 1995 Order, the Board has determined that in order to fairly and accurately assess respondent's readiness to re-enter the practice of pharmacy the record should be supplemented with additional information.

IT IS THEREFORE ON THIS 13 DAY OF November 1996,

ORDERED:

1. Respondent's application for reinstatement is hereby denied.

2. Respondent shall have his urine monitored at his own expense on a random, unannounced basis for a six month period. Testing shall be performed one time per week for the entire six months. The urine specimens shall be performed with direct witnessing by a Board approved monitor. 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. The results of all tests shall be reported directly to H. Lee Gladstein, Executive Director of the Board or his successor, or

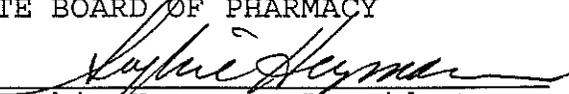
his designee in the event he is unavailable. The Board may at anytime alter or modify the manner of the testing directed herein. In the event of any such alteration or modification the Board shall give timely notice of any new testing requirement to the respondent.

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

5. Respondent shall have leave to appear before the Board for a status conference at the next regularly scheduled Board of Pharmacy meeting after six months from the date of the entry of this Order at which time respondent shall demonstrate his compliance with the terms of the within Order, i.e., that all urine screens have been performed and are negative, that he obtained weekly, individual psychotherapy or mental health counseling satisfactory to the Board and submitted a current report from his treating psychotherapist or mental health counselor, and that he has attended and continues to attend a minimum of three sessions per week of Narcotics or Alcoholic Anonymous.

STATE BOARD OF PHARMACY

By:

  
Sophie Heymann, President

FILED

SEP 20 1995

BOARD OF PHARMACY

DEBORAH T. PORITZ  
ATTORNEY GENERAL OF NEW JERSEY

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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 :  
OR REVOCATION OF THE LICENSE OF :  
:  
RUBEN GUZMAN, R.P. :  
:  
TO PRACTICE PHARMACY IN THE :  
STATE OF NEW JERSEY :  
:

Administrative Action  
ORDER FOR SURRENDER  
OF LICENSE

This matter was opened to the New Jersey State Board of Pharmacy by the receipt of information alleging that respondent had been diverting Controlled Dangerous Substances from his employer Atlantic City Medical Center.

It appearing that in lieu of a proceeding seeking to suspend respondent's license to practice pharmacy pursuant to N.J.S.A. 45:1-22, respondent without admitting to any of the allegations, has voluntarily refrained from practicing since <sup>4/21/95</sup> ~~May 23, 1995~~ and has agreed to continue to refrain from further practice of pharmacy pending a plenary hearing before the Board.

IT IS THEREFORE ON THIS *20th* DAY OF SEPTEMBER, 1995

ORDERED AND AGREED, pending further order of the Board that the license of Ruben Guzman to practice pharmacy in the State of New Jersey is hereby suspended, and it is further

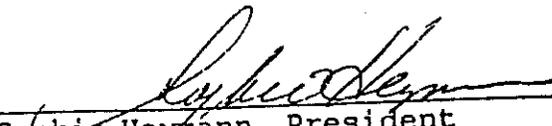
ORDERED AND AGREED, pending further order of the Board, respondent shall cease and desist from engaging in the practice of pharmacy, including the following: respondent shall not handle, order, inventory, compound, count, fill, refill or dispense any drug; shall not handle anything requiring a prescription including devices and medications; he shall not handle prescriptions; he shall not advise or consult with any patient, and he is prohibited from being present within a prescription filling area of a pharmacy, and it is further

ORDERED AND AGREED, pending further order of the Board, that respondent shall by execution of the within Order surrender his original wall certificate his wallet certificate, and his most recent renewal card of his license to an authorized representative of the Board, and it is further

ORDERED AND AGREED, upon application for reinstatement, respondent shall submit documentation satisfactory to the Board inclusive of, but not limited, to weekly, random, witnessed urine screens, complete treatment records of all diagnostic and rehabilitative therapy and an indepth, current evaluation from a Board approved psychiatrist or psychologist, and it is further

ORDERED AND AGREED, nothing herein shall preclude the Board from taking any additional action in this matter permitted by law.

NEW JERSEY STATE 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.

  
Ruben Guzman, R.P., Respondent

R. Guzman  
3417 Kenwood Ct.  
Mayslanding, N.J. 08330

P 425 915 958

**CERTIFIED**

**MAIL**



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U.S. POSTAGE  
PAID  
VINELAND, NJ  
SEP 14 1996  
AMOUNT

**\$2.75.**  
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State of New Jersey  
Department of Law & Public Safety  
Division of Consumer Affairs  
Consumer Service Center  
P.O. Box 45025  
Newark, NJ 07101

Attn: Chomy Perrison

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