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FEB 26 1997

PETER VERNIERO
ATTORNEY GENERAL OF NEW JERSEY

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 :
OR REVOCATION OF THE LICENSE OF : Administrative Action
: :
MICHAEL TANCREDI : PROVISIONAL ORDER FOR
: SUSPENSION OF LICENSE
TO PRACTICE PHARMACY IN THE :
STATE OF NEW JERSEY :
RI 24011 :

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 suffered from a condition necessitating these medications, Michael Tancredi submitted to the Board copies of his medical records which substantiate that he was in fact being treated by a physician for a specific medical condition and was receiving valid prescriptions for the same controlled dangerous substances which he was alleged to have diverted.

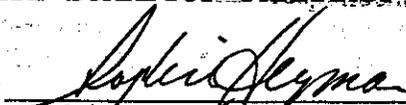
On December 15, 1995, a Consent Order was filed with the "Board" requiring respondent to participate in bi-weekly random urine screening for 18 months and to submit a current psychological

evaluation within six (6) months of the entry of the Order. (December 15, 1995 Consent Order attached hereto and made a part of this Order) respondent has failed to provide the required evaluation and has failed to forward the results of any random urine screens as set forth in the December 15, 1995 Order.

Based on the aforesaid, the Board finds that Michael Tancredi has failed to comply with the prior Board Order and that pursuant to paragraph 3 of the December 15th, 1995 Order, it is the decision of the New Jersey State Board of Pharmacy that any application of Michael Tancredi for the reinstatement of his presently lapsed license to practice pharmacy in the State of New Jersey shall be and hereby is provisionally denied.

If respondent wishes to present information refuting any of the factual findings contained herein, such information must be presented to the Board within thirty days of the entry of this Provisional Order of Suspension of License, and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during that thirty day period, or if the Board is not persuaded that submitted materials merit further consideration, this Order shall become final.

In order to STATE BOARD OF PHARMACY respondent presently suffers from a condition

BY: 
Sophie Heymann, Board President

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DEBORAH T. PORITZ
ATTORNEY GENERAL OF NEW JERSEY

BOARD OF PHARMACY

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STATE BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

Administrative Action

MICHAEL TANCREDI

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

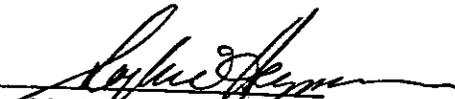
(2) days of such failure to appear, shall be grounds for activation of the suspension upon short notice.

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

12. Respondent shall not use or possess any Controlled Dangerous Substances, except for bona fide medical purposes as deemed necessary by a physician or other authorized prescriber during the entire period of probation. In such event, respondent is to serve notice to the Board in writing:

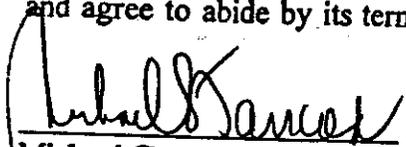
13. At any time during the probation period, the Board may require the appearance of respondent at a meeting for a status conference.

STATE BOARD OF PHARMACY

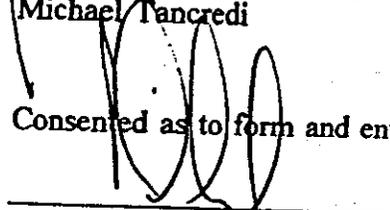
By: 
Sophie Heymann, President

05:20:11 1-10-1993

I have read the within Order,
and I understand its terms.
I agree to the entry of this
Order by the Board of Pharmacy
and agree to abide by its terms.


Michael Tancredi

Consented as to form and entry


Peter Fless, Jr., Esq.
Counsel for Respondent