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BOARD OF PHARMACY

By: Marianne W. Greenwald  
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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: :  
: :  
JOHN MAIORANO, R.P. :  
: : CONSENT ORDER  
TO PRACTICE PHARMACY IN THE STATE :  
OF NEW JERSEY :  
RI 14331 :

This matter was opened to the New Jersey State Board of Pharmacy upon the receipt of information that respondent John Maiorano was convicted in Federal Court, District of New Jersey, of the crime of Conspiracy to Defraud the United States. Specifically, respondent purchased diverted drug samples from a pharmaceutical sales representative for a discounted price and thereafter, sold the samples to the public as prescription drugs. (Copy of Judgment of Conviction and attachments annexed hereto and made a part hereof). The following sentence was ordered: 4 months incarceration, 3 years supervised release, 4 months of which he is to be confined to his residence, 300 hours of community service, and a \$20,000 fine.

It appearing that respondent acknowledges the above described conviction, and further acknowledges that the conviction

constitutes a crime of moral turpitude and a crime that relates adversely to the profession of pharmacy, and respondent being desirous of resolving this matter without the necessity of further formal proceedings, and all parties having agreed to the terms and entry of the within Order, and for good cause shown,

IT IS THEREFORE ON THIS 22<sup>nd</sup> DAY OF MARCH, 2000,

ORDERED AND AGREED:

1. The license of respondent John Maiorano, R.P. to practice pharmacy shall be revoked with no right to apply for reinstatement prior to his completion of the criminal term of probation.

2. Respondent shall not engage in the practice of pharmacy in the State of New Jersey in any manner or form, including but not limited to the following: he shall not be present in the prescription area of any pharmacy; he shall not handle, order, inventory, compound, count, fill, refill or dispense any drug; he shall not engage in the acceptance of any prescription in person or by telephone; he shall not advise or consult with any person concerning the properties and actions of drugs; he shall not handle or dispense prescriptions; he shall not type labels for prescriptions or enter information on profile cards.

3. Respondent shall divest himself of all ownership which he presently holds in Maio's Medicine Chest to a person unrelated to him through consanguinity or marriage or to a partnership or corporation in which none of the partners or principals are related to him through consanguinity or marriage.

4. The terms set forth in paragraph 1 and 3 above shall be in effect as of April 20, 2000. At that time should respondent fail

to comply, the Board may proceed in the alternative to hold a hearing on short notice to suspend the permit of Maio's Pharmacy.

5. No later than April 20, 2000 respondent may for good cause shown make application for a one month extension of the date to transfer ownership of this permit. If the extension is approved, Respondent shall be temporarily restrained from entering the premises of Maio's Pharmacy until the transfer of ownership of the permit of Maio's Pharmacy has been completed. Respondent may enter the store premises, for good cause, only after having obtained authorization to enter from the Board or its designee, and only when the R.P.-in charge is present and on duty on the premises.

STATE BOARD OF PHARMACY

By: Richard A. Palombo R.P.  
Richard A. Palombo, R.P.

I have read the above Order and understand its terms. I consent to the entry of this Order by the State Board of Pharmacy.

John Maiorano R.P.  
John Maiorano, R.P., Respondent

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: Richard A. Palombo R.P.  
Richard A. Palombo, R.P.  
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.

Lucille Wexler  
Lucille Wexler, R.P.