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NOV 16 2000

BOARD OF PHARMACY

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

IN THE MATTER OF THE SUSPENSION	:	Administrative Action
OR REVOCATION OF THE LICENSE OF	:	
	:	
KIRIT CHAUDHARI, R.P.	:	FINAL ORDER OF DISCIPLINE
	:	
TO PRACTICE PHARMACY IN THE	:	
STATE OF NEW JERSEY	:	
	:	

RI 24069

This matter was opened to the New Jersey State Board of Pharmacy upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a pharmacist in the State of New Jersey and has been a licensee at all times relevant hereto.
2. On June 18, 1997, in the criminal court of the City of New York, respondent entered a plea of guilty to an "A" misdemeanor crime of criminal facilitation in the fourth degree. Specifically, respondent made false claims for dispensing payments from New York State Medicaid when in fact the dispensing had not occurred.

3. The following sentence was ordered; ten days of community service. Further, respondent has been disqualified from participation in the Medicaid and Medicare programs for 5 years.

CONCLUSIONS OF LAW

1. The above conviction provides grounds for the suspension of his license to practice pharmacy in New Jersey pursuant to N.J.S.A. 45:1-21(f) in that the crime of which respondent was convicted is one of moral turpitude and/or relates adversely to the practice of pharmacy.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending respondent's license to practice Pharmacy in the State of New Jersey was entered on August 23, 2000 and a copy was forwarded to respondent at the last known address on file with the Board. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Although the Provisional Order sent by means of certified mail was returned September 2, 2000, the regular mail was not returned. Because the Order was forwarded to respondent's address of record, the Board deems service to have been effected. Accordingly, it is

determined that further proceedings were not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS ON THIS 6th DAY OF November 2000,

ORDERED THAT:

1. Respondent's license to practice pharmacy in the State of New Jersey be and hereby is revoked.

2. Prior to resuming active practice in New Jersey respondent shall be required to appear before the Board (or a committee thereof) to demonstrate his fitness to do so, and any practice in this State prior to said appearance shall constitute grounds for the charge of unlicensed practice. In addition, the Board reserves the right to place restrictions on respondent's practice should his license be reinstated.

NEW JERSEY STATE BOARD OF PHARMACY

By: Richard A. Palombo RPh
Richard A. Palombo, President

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AUG 23 2000

BOARD OF PHARMACY

By: Marianne W. Greenwald
Deputy Attorney General
Tel. (973) 648-4738

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

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF : Administrative Action
: :
KIRIT CHAUDHRI^{MG}, R.P. :
: :
TO PRACTICE PHARMACY IN THE : PROVISIONAL ORDER
STATE OF NEW JERSEY : OF DISCIPLINE
: :
: :
: :

This matter was opened to the New Jersey State Board of Pharmacy upon receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a pharmacist in the State of New Jersey and has been a licensee at all times relevant hereto.
2. On June 18, 1997, in the criminal court of the City of New York, respondent entered a plea of guilty to an "A" misdemeanor crime of criminal facilitation in the fourth degree. Specifically,

respondent made false claims for dispensing payments from New York State Medicaid when in fact the dispensings had not occurred.

3. The following sentence was ordered; ten days of community service. Further, respondent has been disqualified from participation in the Medicaid and Medicare programs for 5 years.

CONCLUSIONS OF LAW

1. The above conviction provides grounds for the suspension of his license to practice pharmacy in New Jersey pursuant to N.J.S.A.45:1-21(f) in that the crime of which respondent was convicted is one of moral turpitude and/or relates adversely to the practice of pharmacy.

ACCORDINGLY, IT IS ON THIS *23rd* DAY OF *August*, 2000

ORDERED THAT:

1. Respondent's license to practice pharmacy in the State of New Jersey be and hereby is suspended for one year; all of said suspension is stayed. Respondent shall pay costs for the use of the the State.

2. The within Order shall be subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry hereof unless respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a) submitting a written request for modification or dismissal to H. Lee Gladstein, Executive Director, State Board of Pharmacy, 124 Halsey Street, 6th Floor, Newark, New Jersey.

b) setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

c) submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

3. Any submissions will be reviewed by the Board, and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through the submission by respondent during the thirty-day period, or if the Board is not persuaded that submitted materials merit further consideration or mitigation of the penalties set forth herein, a Final Order of Discipline will be entered.

4. In the event that respondent's submissions establish a need for further proceedings, including, but not limited to, an evidentiary hearing, respondent is ordered, the preliminary findings of fact and conclusions of law contained herein shall serve as notice of the factual and legal allegations in such proceeding.

NEW JERSEY STATE BOARD OF PHARMACY

By: 
Richard A. Palumbo, R.P.
Board President