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BOARD OF PHARMACY

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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	:	
	:	CONSENT ORDER
	:	
ROBERT THOMPSON, R.P. :	:	
	:	
TO PRACTICE PHARMACY IN THE	:	
STATE OF NEW JERSEY	:	
<i>RI 18977</i>	:	
_____	:	

This matter was opened to the New Jersey State Board of Pharmacy by receipt of information that respondent had been diverting Schedule II controlled dangerous substances, specifically Ritalin, for approximately eight (8) months from his workplace, Pathmark, for his own use. Respondent is presently participating in a rehabilitation program and is being monitored through face-to-face counseling and biweekly urine screening. Respondent refrained from practice from March 30, 2001 until August 6, 2001. Presently he is employed as a pharmacist; however his new employer is aware

of his ongoing recovery and has limited his practice at this time to dealing only with prescription legend drug dispensing. The Board believes the following conditions of continued licensure to be adequately protective of the public and it further appearing that the parties wish to resolve this matter without the necessity of further proceedings, and for good cause shown,

IT IS THEREFORE ON THIS 10th DAY OF Oct, 2001,
ORDERED AND AGREED,

1. Respondent's license shall be placed on a probationary status for two (2) years subject to the following conditions.

2. Respondent shall have his urine monitored at his own expense on a random, unannounced basis for a one (1) year period. Testing shall be performed two (2) times per week, including no less than one weekend per month. 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 result of all tests shall be reported directly from the laboratory to Lois Johnson, Executive Director of the Board, or her successor, or her designee in the event she is

unavailable. The Board may at any time 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 any written substantiation which may be obtained for his inability to appear, eg. physician's report.

5. Any failure to appear for a urine test as scheduled , pursuant to the within Order, for which consent is not secured from the board and for which no written substantiation is furnished satisfactory to the Board within two (2) days of such failure to appear shall be grounds for a hearing for the suspension of respondent's license upon short notice.

6. Respondent hereby consents to the entry of an Order of Automatic Suspension of his license without prior notice upon the Board's receipt of a report of a confirmed positive urine.

7. Respondent shall have the right to apply for removal of the automatic suspension but in such event shall be limited to a showing that the urine tested was not his or was a false positive

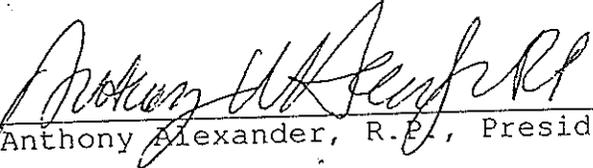
in which case respondent shall have the burden of proving either contention.

8. Respondent shall ensure the submission of quarterly reports from his rehabilitation program.

9. Respondent shall not serve as Pharmacist-In-Charge while his license is on a probationary status.

10. Respondent shall appear before the Board at the conclusion of the first year of probation to determine if any further modification of the herein Order is appropriate, specifically regarding the frequency of urine screens.

NEW JERSEY STATE BOARD OF PHARMACY

By: 
Anthony Alexander, 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.


Robert Thompson, R.P.