

CERTIFIED TRUE COPY

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FILED

JUL 20 2004

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	:	
	:	PROVISIONAL ORDER
RONALD M. HYMAN, R.P.	:	OF DISCIPLINE
	:	
TO PRACTICE PHARMACY IN THE	:	
STATE OF NEW JERSEY	:	

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, Ronald M. Hyman, R.P., is a pharmacist licensed in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On or about March 9, 2004 respondent was convicted in Federal District Court, Eastern District of Pennsylvania of one count of unlawful distribution or dispensing of a controlled

substance in violation of USCA 21:841(a)(1). Specifically, respondent was involved in the distribution of 200 Roxicet tablets, a Schedule II CDS, to an individual who did not possess a lawful prescription.

3. Respondent was sentenced to a term of incarceration of five (5) months, five (5) months house arrest which shall be served as the initial period of a five year term of supervised release to be served after incarceration, a fine of \$5,000.00 and 100 hours of community service.

#### CONCLUSIONS OF LAW

1. The above conviction provides grounds to take disciplinary action against respondent's 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.

IT IS THEREFORE on this 14<sup>th</sup> day of July, 2004,

ORDERED that:

1. Respondent's license to practice pharmacy in the State of New Jersey is hereby 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 resume practice, and any practice in this State prior to said appearance shall constitute grounds for a charge of unlicensed practice. In

addition, the Board reserves the right to place restrictions on respondent's practice should his license be reinstated.

3. The within Order shall be subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> 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 Joanne Boyer, Executive Director, State Board of Pharmacy, 124 Halsey Street, Sixth Floor, P.O. Box 45013, Newark, New Jersey 07101.

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, as well as any evidence which respondent may wish the Board to consider or in mitigation of the penalties set forth herein.

4. 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 the submitted materials merit further consideration, a Final Order of Discipline will be entered.

5. In the event that respondent's submissions establish a need for further proceedings, including, but not limited to, an evidentiary hearing, respondent shall be notified with regard thereto. In the event that an evidentiary hearing 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 proceedings. Furthermore, in the event a hearing is held and/or upon further review of the record, the Board shall not be limited to the findings, conclusions and sanctions contained herein.

NEW JERSEY STATE BOARD OF PHARMACY

By: Edward G. McGinley R.P.  
Edward G. McGinley, R.P.  
Board President