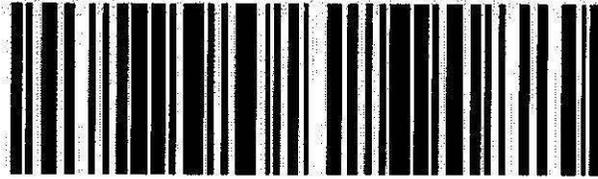
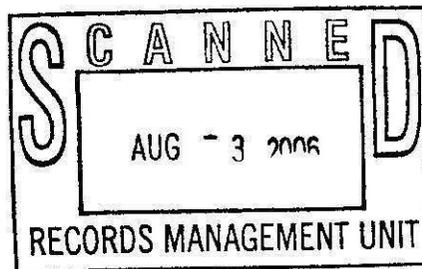


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Lic#28RI02813900
document Dolgoff Steven
Lic#28RI02813900
location Collection-389
Complaint/Notice
of Hearing and
summary Notice to File
Answer
10/20/2004
keywords
dsclass Document
description
author Donna Franklin
expiration_date 10/20/2069



PETER C. HARVEY
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, N.J. 07101

By: Hakima Bey
Deputy Attorney General
Tel: (973) 648-2478

CERTIFIED TRUE COPY

FILED

OCT 20 2004

BOARD OF PHARMACY

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
)	
Steven J. Dolgoff, R.P.)	COMPLAINT
License No. RI02813900)	
)	
TO PRACTICE PHARMACY)	
IN THE STATE OF NEW JERSEY)	
)	

Peter C. Harvey, Attorney General of New Jersey, by Hakima Bey, Deputy Attorney General, with offices located at 124 Halsey Street, 5th floor, Newark, New Jersey, on the basis of information and belief, by way of Complaint says:

GENERAL ALLEGATIONS

1. Complainant, Attorney General of New Jersey, is charged with enforcing the laws in the State of New Jersey pursuant to N.J.S.A. 52:17A-4(h), and is empowered to initiate administrative disciplinary proceedings against persons licensed by the Board of Pharmacy pursuant to N.J.S.A. 45:1-14 et seq.

SEP 20 2004

2. The New Jersey State Board of Pharmacy (hereinafter the "Board") is charged with the duty and responsibility of regulating the practice of pharmacy in the State of New Jersey pursuant to N.J.S.A. 45:14.1 et seq. and 45:1-14 et seq.

3. Steven J. Dolgoff, R.P., (hereinafter the "Respondent") holds New Jersey License No. RI02813900 and has been licensed to practice pharmacy in the State of New Jersey at all times pertinent to this Complaint.

4. The Respondent also holds New Jersey License No. MD00151600 to practice podiatry in the State of New Jersey. Respondent's podiatry license expired on October 31, 2001. By operation of N.J.S.A. 45:1-7.1., Respondent's podiatry license was automatically suspended on October 31, 2003.

5. Pursuant to N.J.S.A. 24:21-1 et seq. every person who manufactures, distributes and dispenses any Controlled Dangerous Substance in New Jersey or who proposes to manufacture, distribute or dispense any Controlled Dangerous Substance in New Jersey shall obtain a Controlled Dangerous Substance Registration.

6. Pursuant to N.J.S.A. 24:21-1 et seq., absent a valid, current Controlled Dangerous Substance registration, a practitioner is not authorized to manufacture, distribute, dispense, prescribe, order or administer Controlled Dangerous Substances in New Jersey.

7. Vicodin (hydrocodone bitartrate with acetaminophen) is a narcotic analgesic containing hydrocodone, which carries the risk of physical or psychic dependence. It has multiple actions similar to those of codeine, and is indicated for the relief of moderate to moderately severe pain. During all times pertinent to this complaint, it was a Schedule III Controlled Dangerous Substance as defined in N.J.S.A. 24:21-6 and N.J.A.C. 8:65-10.2.

8. Pursuant to N.J.S.A. 45:1-21 (b) the Board may suspend or revoke any license issued by the Board upon proof that the holder of such license has engaged in the use or employment of dishonesty, fraud, deception, or misrepresentation.

9. Pursuant to N.J.S.A. 45:1-21 (e) the Board may suspend or revoke any license issued by the Board upon proof that the holder of such license has engaged in professional misconduct as may be determined by the Board.

10. Pursuant to N.J.S.A. 45:1-21 (l) the Board may suspend or revoke any license issued by the Board upon proof that the holder of such license is presently engaged in drug or alcohol use that is likely to impair the ability to practice the profession or occupation with reasonable skill or safety.

COUNT I

1. Complainant repeats the General Allegations above as if set forth at length herein.

2. On or about September 18, 2004, the Respondent was

arrested in Manalapan Township and was criminally charged with two Counts of Possession of a Controlled Dangerous Substance and Possession of a Controlled Dangerous Substance with intent to manufacture, dispense or distribute in violation of N.J.S.A. 2C:35-10A and N.J.S.A. 2C:35-5A(1).

3. The Criminal Complaint alleged that on September 18, 2003, the Respondent was in possession of 75 tablets of Hydrocodone Bitartrate and Acetaminophen in a clear plastic bag in his pocket and that the Respondent did not obtain the tablets directly from a practitioner or from a valid prescription issued by a practitioner.

4. The Criminal Complaint further alleged that on September 18, 2003, the Respondent was in possession of a shipping box containing five bottles of Hydrocodone Bitartrate and Acetaminophen and that the Respondent did not obtain the bottles of medication directly from a practitioner or from a valid prescription issued by a practitioner.

5. Following the Respondent's arrest, Respondent gave a formal taped statement to law enforcement officers at the Manalapan Police Department on September 18, 2003. In the statement, Respondent admitted that he called the 1-800 telephone number at Southern Pharmaceutical Anesthesia Supplies and ordered Vicodin using his Drug Enforcement Administration certificate that was used for his podiatry practice and that he had the drugs

sent to his post office box on Route 9 in Manalapan, New Jersey.

6. Respondent further admitted to law enforcement officers that he had been ordering Vicodin for his own use every month for five years, that he ingested sixty to seventy tablets daily and that he would order between four and five bottles each month, which would contain five hundred pills each.

7. Respondent's conduct as described herein demonstrates the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense in violation of N.J.S.A. 45:1-21(b), demonstrates professional misconduct in violation of N.J.S.A. 45:1-21(e) and further demonstrates that Respondent is presently engaged in drug or alcohol use that is likely to impair his ability to practice pharmacy with reasonable skill or safety in violation of N.J.S.A. 45:1-21 (1).

WHEREFORE, Complainant demands judgment against Respondent as follows:

1. The suspension or revocation of the license of Steven J. Dolgoff, R.P., to practice pharmacy in the State of New Jersey.

2. The assessment of civil penalties pursuant to N.J.S.A. 45:1-25, for each and every transaction set forth herein constituting a separate offense.

3. The assessment of investigative costs, attorneys' fees and costs of hearing, including costs of expert witnesses and

transcripts if applicable.

4. Such other and further relief as the Board shall deem just and appropriate.

PETER C. HARVEY
ATTORNEY GENERAL OF NEW JERSEY

BY: Hakima Bey
Hakima Bey
Deputy Attorney General

Dated: September 17, 2004

CERTIFIED TRUE COPY

PETER C. HARVEY
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101

FILED

OCT 20 2004

BOARD OF PHARMACY

By: Hakima Bey
Deputy Attorney General
Tel: (973) 648-2478

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

_____	:	
IN THE MATTER OF THE SUSPENSION :	:	
OR REVOCATION OF THE LICENSE OF :	:	Administrative Action
	:	
Steven J. Dolgoff, R.P. :	:	NOTICE OF HEARING
License No. RI02813900 :	:	AND
	:	NOTICE TO FILE ANSWER
TO PRACTICE PHARMACY :	:	
IN THE STATE OF NEW JERSEY :	:	
_____	:	

TO: Steven J. Dolgoff, R.P.
4 Carriage Lane
Englishtown, New Jersey 07726

Michael Keating, Esq.
Dughi, Hewit & Palatucci, P.C.
340 North Avenue
Cranford, New Jersey 07016

This NOTICE will advise you that an Administrative Complaint
(copy attached) has been made to the New Jersey State Board of

SEP 20 2004

Pharmacy (hereinafter referenced to as the "Board") to consider the suspension or revocation of your license to engage in the practice of pharmacy in the State of New Jersey. The Board has been granted the authority to consider this Complaint by N.J.S.A. 45:14-1 et seq., and other related laws and administrative regulations. The Board requires you to file an answer to the allegations in the Complaint within ten (10) days from the service of the Complaint. You may mail your answer to the Board at the addresses listed at the end of this Notice.

Your answer should admit or deny each allegation in the numbered paragraphs of the Complaint. Any explanations or affirmative defenses you may have to the allegations should be set forth in a separate statement.

A hearing in this case will not be necessary if you admit that the allegations in the complaint are true, or without admitting the truth of the allegations, you state that you will not contest the charges. Your case will then be presented to the Board for final determination of any penalty. You will have the opportunity to appear at a brief hearing to offer written or to make an oral presentation to the Board in mitigation of the penalty to be imposed. The Board then will determine whether

your license to practice should be suspended or revoked or whether a lesser penalty should be imposed. The Board also will consider the amount of investigative costs and monetary penalties, if any, which may be assessed.

A denial of the allegations in the Complaint will result in a formal hearing being conducted at a date, time and place to be determined by the Board which will give you notice when it will hear the Complaint. The Board also may, in its discretion, transfer the case to the Office of Administrative Law for a hearing before an Administrative Law Judge. Adjournments will not be granted except upon timely written application to the Board showing good cause. Any expenses incurred as a result of adjournments may be assessed to you at the end of the case. You may appear at the hearing in person or by attorney or both. You will be afforded an opportunity to make a defense to any of the charges.

Failure to respond to this Notice of Hearing and Notice to File Answer, or failure to appear when notified, will result in the matter being considered and decided in your absence. A decision rendered by the Board may affect your privilege to

practice your licensed profession in this State.

State Board of Pharmacy

By: Joanne Boyer
Joanne Boyer
Executive Director

Dated: _____

KINDLY ADDRESS AN ORIGINAL AND ONE COPY OF ALL CORRESPONDENCE TO:

NEW JERSEY STATE BOARD OF PHARMACY
124 Halsey Street, 6th Floor
P.O. Box 45013
Newark, New Jersey 07101
Tel: (973) 504-6450

WITH A COPY TO:

PETER C. HARVEY
ATTORNEY GENERAL OF NEW JERSEY
c/o Hakima Bey
Deputy Attorney General
Division of Law
124 Halsey St., PO Box 45029
Newark, New Jersey 07101
Tel: (973) 648-2478

PETER C. HARVEY
ATTORNEY GENERAL OF NEW JERSEY
Division of Law - 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101

FILED

OCT 07 2004

BOARD OF PHARMACY

By: Marianne W. Greenwald
Deputy Attorney General
Tel. No. (973) 648-4876

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 :
 :
TIMOTHY MORELLI, R.P. :
 :
TO PRACTICE PHARMACY IN THE :
STATE OF NEW JERSEY :
_____ :

CONSENT ORDER

This matter was opened to the New Jersey State Board of Pharmacy upon receipt of information that respondent was arrested by the Philadelphia Police Department, Philadelphia, Pennsylvania on or about April 30, 2004 and charged with theft of drugs, drug possession with the intent to distribute, and possession, to wit: respondent attempted to sell 3000 tablets of Vicodin, Percocet, Oxycontin, and Xanax to an undercover police officer or agent of the police. Respondent wishes to surrender his license pending an opportunity to be heard before the Board or enter an administrative Final Consent Order, after the criminal matter has been resolved.

ACCORDINGLY, it is on this 14 day of SEPTEMBER, 2004, (TW)

ORDERED AND AGREED, that pending further order of the board, the license of Timothy Morelli, R.P. to practice pharmacy in the State of New Jersey is hereby suspended, and it is further

From: Yvonne Summers
To: Yolanda Rivera
Date: 10/12/2004 2:52:31 PM
Subject: LICENSE STATUS CHANGE

PLEASE NOTE:

THE LICENSES OF THE INDIVIDUALS LISTED BELOW ALL HAD DISCIPLINARY ACTIONS TAKEN AGAINST THEM FILED ON October 7, 2004.

1. ADEBOWALE OYENUSI - LICENSE #28RI01862600
STATUS - REVOKE
FINAL ORDER
2. TIMOTHY MORELLI - LICENSE #28RI02613100
STATUS - SUSPENDED
CONSENT ORDER
3. MOHAMED ISMAIL - LICENSE #28RI02201900
STATUS - SUSPENDED
CONSENT ORDER

ALSO, I INADVERTENTLY ENTERED AN INCORRECT LICENSE # IN COMPLAINT & COMPLIANCE, AND AS A RESULT OF THIS I ENTERED INFORMATION UNDER THE WRONG LICENSEE.

PLEASE DELETE FROM C&C - LICENSE #28RI01862800 -(DIANE KRANNICH).

THANKS!