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fraudulent claims to Medicaid seeking reimbursements he was not authorized to receive.

3. The following sentence was ordered: pay a \$75,000.00 civil penalty, \$152,215.00 in restitution and serve incarceration for a term of five (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 July 29, 2004 and a copy was forwarded to respondent's last known address by means of both regular and certified mail. 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 record reflects that the Provisional Order was served upon respondent, no response has been received to date. Accordingly the Board considered the matter, determined that further proceedings were not necessary and the Provisional Order should be made final.

IT IS THEREFORE on this 17th day of December, 2004,

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 resume practice. Any practice in this State prior to formal reinstatement of license by the Board 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.

NEW JERSEY STATE BOARD OF PHARMACY

By: Pamela Allen, R.P.H.
Pamela Allen, R.P.
Board President