

1156340224911



1156340224911

max_versions 4
title Paradiso, Nino
Lic#28RI01367400
document Paradiso, Nino
Lic#28RI01367400
location Collection-389
summary Final Order of
Discipline
7/6/2005
keywords
dsclass Document
description
author Lyann Hope
expiration_date 7/6/2070

his 50% ownership to Betsy Gilman with the approval of the Board. Harriette Paradiso continues to hold a 50% ownership interest from 1987 to date.

2. On January 14, 2005 respondent pled guilty to the third degree crime of Health Care Claims Fraud in New Jersey Superior Court, Passaic County. Specifically, from February 16, 2001 to August 16, 2001, respondent admitted to knowingly and improperly receiving approximately \$35,000 in Medicaid benefits by submitting prescriptions at Singac Pharmacy at the request of another, which were not dispensed to the specifically named Medicaid patients.

3. Sentencing occurred on April 1, 2005. Respondent was sentenced to a probationary term of three years and, by way of Consent Order with the New Jersey Division of Medical Assistance and Health Services, agreed to make restitution in the amount of \$70,024.00. The Consent Order was filed January 14, 2005 (attached hereto and made a part of this Order).

CONCLUSIONS OF LAW

The above plea of guilt provides grounds for the revocation of his license to practice pharmacy in New Jersey and his right to operate a pharmacy in New Jersey pursuant to N.J.S.A. 45:1-21(f) in that the crime of which respondent has pled guilty to is one of moral turpitude and relates adversely to the practice of pharmacy.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline revoking respondent's license to practice pharmacy in the State of New Jersey was entered on February 24, 2005 and a copy served on respondent and Singac Pharmacy, now doing business as Phormula Pharmacy. 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 therefore.

On April 8, 2005 the respondent by way of counsel submitted a letter brief with copies of the Consent Order filed with the New Jersey Division of Medical assistance and Health Services January 14, 2005 in Superior Court, Passaic County and the plea transcript proceeding, also dated January 14, 2005. Mr. Paradiso and the State agreed that he would be debarred for a term of five (5) years from Medicaid or DMAHS or any other federal or State health insurance prescription assistance program with credit for his period of voluntary suspension commencing August 23, 2003.

Further, the State and respondent agreed that Mr. Paradiso would not control, supervise, direct, be employed by, furnish services to or own an interest in any corporation, partnership, or other entity that provides services to any of the health insurance prescription assistance programs set forth above.

Respondent was permitted to retain passive investment in two exempted entities, Atrium Pharmacy Providence and Forest Hill Healthcare Center provided that respondent does not control, supervise, direct, is not employed by, furnish services to, contract with, solicit business for, control or manage, directly or indirectly activities of the exempted entities and does not serve as an officer, director, employee, or consultant to the exempted entities or for the successor pharmacy of Singac Pharmacy.

Respondent's submissions were reviewed by the Board and the Board determined that further proceedings were not necessary and that the Division of Criminal Justice had in place sufficient safeguards to protect the public trust by prohibiting respondent to engage in any aspect of pharmacy such that Board action against Singac Pharmacy was no longer necessary. Despite respondent's representation that he voluntarily refrained from practicing pharmacy in August of 2003, he chose not to surrender his license to this Board and thus the Board has determined to exercise its jurisdiction with the entry of this Order.

IT IS THEREFORE on this 5th day of July, 2005,

ORDERED that:

1. Respondent's license to practice pharmacy in the State of New Jersey shall be and hereby is revoked with no right to seek reinstatement until the termination of the criminal probation.

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 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: Pamela Allen, R.P.
Pamela Allen, R.P.
President