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author	Lyann Hope
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Queens County. Specifically, respondent was convicted of Grand Larceny 3rd Degree in violation of PL 155.35

3. Respondent was sentenced to a six (6) month imprisonment, a five (5) year probationary term and ordered to make restitution of \$811,000.

CONCLUSIONS OF LAW

1. The above judgment 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 conviction is one of moral turpitude and/or reflects adversely on the practice of pharmacy.

IT IS THEREFORE on this 20th day of July, 2005,

ORDERED that:

1. Respondent's license is provisionally revoked.
2. The within Order shall be subject to finalization by the Board at 5:00 p.m. on the 30th 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.

3. 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 or mitigation of the penalties set forth herein, a Final Order of Discipline will be entered.

4. 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 proceeding. However, the Board shall not be limited to the sanctions contained herein and may seek to recoup costs to the State.

NEW JERSEY STATE BOARD OF PHARMACY

By: Edward H. McHale, R.P.
~~Pamela Allen, R.P.~~
Vice-President

SUPREME COURT OF THE STATE OF NEW YORK
QUEENS COUNTY
125-01 QUEENS BOULEVARD
KEW GARDENS, NY 11415

NO FEE

CERTIFICATE OF DISPOSITION - SUPERIOR COURT INFORMATION

DATE: 06/01/2005

CERTIFICATE OF DISPOSITION NUMBER: 3594

PEOPLE OF THE STATE OF NEW YORK
VS.

CASE NUMBER: SCI-01305-2004
LOWER COURT NUMBER(S): 2004QN021770
DATE OF ARREST: 05/06/2004
ARREST #: Q04621848
NYSID #: 9737777P
DATE OF BIRTH: 06/20/1955

IGBINADUWA, NEWTON B

DEFENDANT

I HEREBY CERTIFY THAT IT APPEARS FROM AN EXAMINATION OF THE RECORDS ON FILE IN THIS OFFICE THAT ON 05/17/2004 BEFORE THE HONORABLE BRANDT, D C THEN A JUDGE OF THIS COURT, THE ABOVE NAMED DEFENDANT ENTERED A PLEA OF GUILTY TO THE CRIME(S) OF

GRAND LARCENY 3rd DEGREE PL 155.35 00 DF

THAT ON 06/30/2004 THE ABOVE NAMED DEFENDANT WAS SENTENCED BY THE HON. BRANDT, D C , THEN A JUDGE OF THIS COURT TO

GRAND LARCENY 3rd DEGREE PL 155.35 00 DF
IMPRISONMENT = 6 MONTH(S)
PROBATION = 5 YEAR(S)

RESTITUTION = \$811,000

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL ON THIS DATE 06/01/2005.


COURT CLERK

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

JUL 20 2005

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
OR REVOCATION OF THE LICENSE OF

CAROLINE J. SIM, R.P.

TO PRACTICE PHARMACY IN THE
STATE OF NEW JERSEY

:
: Administrative Action
:
: **CONSENT ORDER**
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:
:

This matter was opened to the New Jersey State Board of Pharmacy upon a request for reinstatement by respondent. Respondent had entered into a Consent Order with the Board of Pharmacy on February 24, 2004 whereby she agreed to the voluntary surrender of her pharmacy license pending further Order of the Board upon respondent's application for relicensure.

In connection with an application for reinstatement respondent appeared before the full Board and testified as to her past treatment for substance abuse and her present efforts to maintain her sobriety. It appearing that respondent has completed a treatment program, continues to attend support group meetings, is under the care of a therapist and continues to have negative drug and alcohol screens, and respondent having satisfied the Board of her intention to continue in her present treatment program, and it further appearing that respondent wishes to resolve this matter without the necessity of

further formal proceedings, the Board finding the within Order sufficiently protective of the public health, safety and welfare and for good cause shown,

ACCORDINGLY, IT IS on this 20th day of July , 2005,

ORDERED AND AGREED,

1. Respondent shall submit documentation of her successful completion of 30 continuing education credits. Thereafter, the license to practice pharmacy of Caroline Sim shall be reinstated and placed on a probationary status for two (2) years subject to compliance with paragraphs 2 through 10 herein. If respondent violates any of the provisions of paragraphs 2 through 10 herein, the Board may initiate proceedings to revoke her license to practice pharmacy in addition to any action pursuant to paragraph 8 below.

2. (a) Respondent shall submit to random urine monitoring a minimum of two (2) times per week at a laboratory facility approved by the Board for the first six months of the probation; thereafter, she shall be monitored one (1) time per week for the duration of the probation. The urine monitoring shall be conducted with direct witnessing of the taking of the samples as designed by the laboratory facility. The initial drug screen shall utilize appropriate screening techniques and all confirming tests and/or secondary tests will be performed by gas/chromatography/mass spectrometry (G.C./M.S.). The testing procedure shall include a forensic chain of custody protocol to ensure sample integrity and to provide documentation in the event of a legal challenge.

(b) All test results including any secondary test results shall be provided directly to Joanne Boyer, Executive Director of the Board, or her designee in the event she is unavailable. The Board also

will retain sole discretion to modify the manner of testing in the event technical developments or individual requirements indicate that a different methodology or approach is required in order to guarantee the accuracy and reliability of the testing.

(c) Any failure by respondent to submit or provide a urine sample within twenty-four (24) hours of a request will be deemed to be equivalent to a confirmed positive urine test. In the event respondent is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from Joanne Boyer, or her designee. Personnel at the lab facility or the Board approved Professional Assistance Program (PAP) shall not be authorized to waive a urine test. In addition, respondent must provide the Board with written substantiation of her inability to appear for a test within two (2) days, e.g., a physician's report attesting that she was so ill that she was unable to provide the urine sample or appear for the test. "Impossibility" as employed in this provision shall mean an obstacle beyond the control of respondent that is so insurmountable or that makes appearance for the test or provision of the urine sample so infeasible that a reasonable person would not withhold consent to waive the test on that day.

(d) In the event respondent will be out of the State for any reason, the Board shall be so advised so that arrangements may be made at the Board's discretion for alternate testing. The board may, in its sole discretion, modify the frequency of testing or method of testing during the monitoring period.

(e) Any urine test result showing creatinine levels below 20 mg/dL and a specific gravity below 1.009 shall create a rebuttable

presumption of a confirmed positive urine test. Such specimen shall be immediately subjected to the confirming G.C./M.S. test.

(f) Respondent shall familiarize herself with all foods, food additives or other products (such as poppy seeds) which may affect the validity of urine screens, be presumed to possess that knowledge, and shall refrain from the use of such substances. Ingestion of such substances shall not be an acceptable reason for a positive urine screen and/or failure to comply with the urine monitoring program.

3. Respondent shall continue her participation with PAP and shall have monthly face-to-face contact with representatives from that program. Respondent shall comply with aftercare as directed by the PAP and shall comply with any recommended therapeutic regimen for treatment or counseling. Respondent shall be responsible for ensuring that any treating psychiatrist/psychologist and any other person(s) providing therapy for her substance abuse provide quarterly reports regarding her progress in counseling directly to the Board.

4. Respondent shall attend support groups, including NA or AA not less than three (3) times per week. Respondent shall provide evidence of attendance at such groups directly to the Board. If respondent discontinues attendance at any of the support groups without obtaining approval of the Board, she shall be deemed in violation of this Order.

5. Respondent shall abstain from the use of alcohol and controlled dangerous substances and shall not possess any controlled dangerous substances except pursuant to a bona fide prescription written by a physician or dentist for good medical or dental cause in her own treatment. In addition, respondent shall advise any and all treating physicians and/or dentists of her history of substance abuse.

Respondent shall cause any physician or dentist who prescribes medication for her which is a controlled dangerous substance to provide a written report to the Board together with patient records indicating the need for such medication. Such report shall be provided to the Board no later than two (2) days subsequent to the prescription in order to avoid confusion which may be caused by a confirmed positive urine test as a result of such medication.

6. Respondent shall provide any and all releases to any and all parties who are participating in the monitoring, treatment or other program as outlined in this order, as may be required in order that all reports, records, and other pertinent information may be provided to, and utilized by the Board in a timely manner.

7. Respondent shall give written notice to the Board, and provide a written copy of this Order to her employer, prior to beginning or changing any employment.

8. (a) Respondent shall be subject to an order of automatic suspension of her license upon the Board's receipt of any information which the Board, in its sole discretion, deems reliable demonstrating that respondent has failed to comply with any of the conditions set forth in this Consent Order, including but not limited to report of a confirmed positive urine, or a prima facie showing of a relapse or recurrence of alcohol or drug abuse.

(b) Respondent shall have a right to apply for removal of the automatic suspension on ten (10) days notice to the Board and to the Attorney General. The Board may hold a hearing on that application before the full Board or before a committee of the Board. In the event a committee hears the application, its action shall be subject to ratification of the full Board at its next scheduled meeting. In a

hearing seeking removal of the automatic suspension, any confirmed positive urine shall be presumed valid.

9. Respondent shall not be a pharmacist-in-charge for a two year period from the entry of this Order, and shall be barred from being a permit holder either directly or indirectly through connection with any person related by blood or marriage.

10. In addition to any other therapy or counseling recommended by the PAP, respondent shall participate in joint counseling with a Board approved psychiatrist or psychologist with her spouse one (1) time per month for one (1) year from the entry of this Order.

NEW JERSEY STATE BOARD OF PHARMACY

By: Edward A. McAuliffe R.P.
~~Pamela Allen~~
Board President
YKE

I have read the above Order and understand its terms. I consent to the entry of this Order by the State Board of Pharmacy.

CSim
Caroline J. Sim, R.P.