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FILED

MAR 29 2006

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 LICENSE OF

ERIK JERZY JODELKA, R.P.
License No. 28R102981000

TO PRACTICE PHARMACY IN THE
STATE OF NEW JERSEY

:
: Administrative Action
:
: **CONSENT ORDER OF**
: **VOLUNTARY SURRENDER**
: **OF LICENSURE**
:
:
:

This matter was opened to the New Jersey State Board of Pharmacy ("Board") upon receipt of information that on or about December 21, 2005, Erik Jerzy Jodelka, R.P. ("Respondent") had diverted Vicodin, a Schedule III Controlled Dangerous Substance and Phentermine, a Schedule IV Controlled Dangerous Substance, from the active drug stock of his employer, Foodtown Pharmacy Department, in Ocean, New Jersey.

It appearing that respondent wishes to resolve this matter without formal proceedings pursuant to N.J.S.A. 45:1-22, and for good cause shown,

ACCORDINGLY, IT IS on this 21 day of March, 2006,
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ORDERED AND AGREED, that respondent shall voluntarily surrender his New Jersey license to practice pharmacy upon entry of this Order to be deemed a suspension and immediately cease and desist from engaging in the practice of pharmacy including the following: respondent shall not handle, order inventory, compound, count, fill, refill or dispense any drug; he shall not handle anything requiring a prescription including devices and medications; he shall not handle prescriptions; he shall not advise or consult with patients, and he is prohibited from being present within a prescription filling area of a pharmacy, and it is further

ORDERED AND AGREED, that respondent shall immediately surrender his original wall certificate and wallet certificate and the most recent renewal card of his license to an authorized representative of the Board of Pharmacy, and it is further

ORDERED AND AGREED, that nothing herein provided shall preclude the Board from affirmatively initiating any further action which may be authorized by law, at such time as the Board may deem it appropriate to initiate such action, and it is further

ORDERED AND AGREED, that prior to any application for restoration,

a. Respondent shall appear before the Board, or a committee thereof, to discuss his readiness to re-enter the practice of pharmacy. At that time, respondent shall be prepared to propose his plans for future employment in New Jersey. Respondent hereby

agrees to provide the Board with the documentation requested in Subsections (d) through (h) below, prior to making his written request for reinstatement or with his written request for reinstatement;

b. Provide the Board with evidence that he is capable of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare and that he is not then suffering from any impairment or limitation resulting from the use of alcohol or any drug which could affect his ability to practice;

c. Provide the Board with evidence that he is not a habitual user of alcohol, drugs or intoxicants in violation of N.J.S.A. 45:1-21(1) and is not engaged in professional misconduct in violation of N.J.S.A. 45:1-21(e);

d. Respondent shall undergo a substance abuse evaluation, comply with any treatment recommended and provide the Board with complete and current treatment records of all diagnostic and rehabilitative therapy and an in-depth, current evaluation from a Board approved psychiatrist or psychologist. In addition, Respondent shall provide in-depth reports from each and every mental health professional (including, but not limited to: psychologists, psychiatrists, counselors, and therapists) who have participated in respondent's care and/or treatment during the period of time from his entry into treatment to his appearance before the Board;

e. Submit documentation to the Board that he has participated in random, weekly, and directly witnessed urine monitoring, and has not had any positive test results for alcohol or any other psychoactive substances;

f. Provide the Board with a report from a professional assistance program detailing the nature and extent of his involvement with that entity, if any;

g. Provide the Board with proof that he has satisfied the continuing education requirements of the Board, pursuant to N.J.A.C. 13:39-3A et seq.; and

h. Provide the Board with a full account of his conduct during the intervening period of time from his entry into treatment to his appearance pursuant to this Order, and it is further

ORDERED AND AGREED that the parties hereby stipulate that entry of this Order is without prejudice to further action by this Board or other law enforcement entities resulting from Respondent's conduct prior to entry of this Order.

NEW JERSEY STATE BOARD OF PHARMACY

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

I have read the within Order and understand it. I agree to be bound by its terms and hereby consent to it being entered by the New Jersey Board of Pharmacy.

Erik Jodelka
Erik Jerzy Jodelka, R.P.



JON S. CORZINE
Governor

State of New Jersey
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
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NEWARK, NJ 07101

ZULIMA V. FARBER
Attorney General

March 10, 2006

Erik Jodelka, R.P.
391 Beecroft Place
Oakhurst, New Jersey 07755

Re: **Consent Order of Voluntary Surrender of Licensure**

Dear Mr. Jodelka:

Enclosed please find the proposed Consent Order regarding your diversion of Controlled Dangerous Substance from your employer for your own use. Please be advised that the enclosed consent Order is a proposed resolution and has yet to receive final approval by the New Jersey Board of Pharmacy. Please review the attached Consent Order, sign it and then return the original (with your original signature) to me within ten (10) days of your receipt of this letter. Once you sign the consent Order, I will present it to the Board President for final approval.

Please be advised that the enclosed consent Order is a public order that is filed with the New Jersey State Board of Accountancy and is available for public inspection and copies are made available upon request.

Please contact me if you have questions or concerns at (973) 648-4876.

Very truly yours,

ZULIMA V. FARBER
ATTORNEY GENERAL OF NEW JERSEY

By: *Marianne W. Greenwald*
Marianne W. Greenwald
Deputy Attorney General

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