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FILED

JUN 28 2006

BOARD OF PHARMACY

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	:	
	:	
RICHARD SERBIN, R.P.	:	PROVISIONAL ORDER
License No. RI01273400	:	OF DISCIPLINE
	:	
TO PRACTICE PHARMACY IN THE	:	
STATE OF NEW JERSEY	:	
_____	:	

This matter was opened to the New Jersey State Board of Pharmacy upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made.

FINDINGS OF FACT

1. Respondent is a pharmacist in the State of New Jersey and had been a licensee at all times relevant hereto.

2. On February 15, 2006, respondent entered into a Consent Order with the Office of Insurance Fraud Prosecutor, State of New Jersey. Specifically, respondent consented to the entry of the Order finding that he did knowingly provide false and misleading statements to Reassure America Life Insurance Co. by failing to disclose his work

with Health Star Communications, in violation of N.J.S.A. 17:33A-1 et seq. (attached as Exhibit A and made a part hereto).

3. Respondent was ordered and agreed to pay a \$50,000 civil penalty and further agreed that the Consent Order may be used against respondent in any civil or administrative proceeding related to a violation of N.J.S.A. 17:33A-1 et seq.

CONCLUSIONS OF LAW

1. The above Order provides grounds for the revocation of his license to practice pharmacy in New Jersey pursuant to N.J.S.A. 45:1-21(k) in that respondent has violated a provision of N.J.S.A. 17:33A-1 et seq. and has been subject to a final Order, entered in civil or administrative proceedings, that imposed civil penalties under that act.

IT IS THEREFORE on this 28th day of JUNE , 2006,

ORDERED that:

1. Respondent's license shall be and hereby 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 G. McGinley R.Ph
Edward McGinley, R.P.
President