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FILED

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BOARD OF PHARMACY

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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 :

Administrative Action .

FRED WEIN, R.P. :

2201U :

TO PRACTICE PHARMACY IN THE :
STATE OF NEW JERSEY :

CONSENT ORDER

This matter was opened to the New Jersey State Board of Pharmacy upon the receipt of information that respondent entered a plea of guilty on November 16, 2004, in the State of New York, Kings County, admitting that he knowingly transferred or delivered a prescription medication, Dilaudid, knowing that the person had no medical need for the medication as a previous prescription for Dilaudid was in effect. Respondent also admitted that in exchange for the Dilaudid, he received United States currency in excess of one thousand dollars but less than three thousand dollars.

On or about July 26, 2006 the New York State Board of Pharmacy entered into a Consent Order with respondent wherein, based on the above conviction, he was ordered to serve a two year suspension of his license to practice pharmacy in the State of New York. The first month was to be served as an active suspension and

the remaining 23 months were to be stayed and served as a period of probation. In addition he agreed to pay a civil penalty of \$2500.00.

The Board has considered that respondent has refrained from practicing in the State of New Jersey since April of 2006, that his sentence was a court-supervised period of probation which was terminated prior to one year from the date of conviction, and that respondent, _____ issued the medication to a single terminally ill patient over only a two month period.

The Board, having considered the New York Consent Order and submissions of counsel for respondent, and having determined the within Order to be adequately protective of the public health and welfare, and for good cause shown,

ACCORDINGLY, IT IS on this 15th day of *NOVEMBER*, 2006,

ORDERED AND AGREED,

1. The license of Fred Wein to practice pharmacy in the State of New Jersey is hereby suspended for two years from the date of the entry of the New York Order. All of said suspension shall be stayed and the license of respondent shall be placed on a probationary status.

2. Respondent shall pay a civil penalty of \$2500 to the New Jersey State Board of Pharmacy contemporaneously with the entry of this Order.

3. Respondent has been barred from participation in any Federal or State funded prescription program. As such, he is required to serve a copy of this Order on each employer until he is

no longer debarred. Moreover, he is to ensure that each employer notifies the Board in writing that they have received a copy of the Order.

NEW JERSEY STATE BOARD OF PHARMACY

By: Edward H. McGinley
Edward G. McGinley, R.Ph.
Board President

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

Fred Wein
Fred Wein, R.P.