

ANNE MILGRAM
ATTORNEY GENERAL OF NEW JERSEY
Division of Law - 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101

FILED

OCT 11 2007

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

(osei)
KWADWO AGEMANG, R.P. 23235

TO PRACTICE PHARMACY IN THE
STATE OF NEW JERSEY

:
: Administrative Action
:

:
: CONSENT ORDER
:

This matter was opened to the New Jersey State Board of Pharmacy upon receipt of information that on December 2, 2003 respondent was convicted of one count of Health Care Claims Fraud in violation of N.J.S.A. 2C:21-4 in the Superior Court of New Jersey, Essex County. Specifically respondent, from May of 2000 through January 2002, submitted to Medicaid claims for payment of prescription medications that in fact were not dispensed. Respondent was sentenced to probation for a term of two (2) years and ordered to pay \$54,000 in fines and restitution. Based on this conviction, respondent's license to practice pharmacy was revoked in New Jersey by Final Order on January 14, 2004.

Respondent has now made application for the reinstatement of his pharmacy license. He appeared before the Board on June 13, 2007 represented by Pamela Mandel, Esq., and testified under oath in response to Board member inquiries.

Respondent submits that he has paid all fines and restitution and has expressed his remorse for his unlawful conduct. He wishes to resolve this matter without the necessity of further formal proceedings. The Board finds the within Order sufficiently protective of the public health, safety and welfare and for good cause shown;

ACCORDINGLY, IT IS on this 10th day of *OCTOBER*, 2007.

ORDERED AND AGREED:

1. Respondent shall submit proof to the Executive Director of the Board of his satisfactory completion of the 60 continuing education credits required for renewal, 20 of which must be live and three (3) of which must be in law. All applicable fees for renewal and reinstatement must be paid and respondent shall undergo a criminal history background check.

2. After satisfying the terms of paragraph one (1), respondent's license will be reinstated and placed on probation for three (3) years from the date of reinstatement subject to the following conditions:

a. During the probationary period, respondent shall not be a preceptor, an R.P. in-charge or a permit holder nor shall he have any participation with any pharmacy in any manner that is owned,

managed, or operated by any relatives or members of his family by blood or marriage. During the probationary period respondent's wife shall make no application for a permit.

b. Respondent shall provide a copy of this Order to all prospective employers who participate in any State and/or federally funded insurance program. Prior to commencing any employment, respondent shall ensure that each employer submits to the Board written confirmation that he or she has read the terms of the Order and is aware that respondent is currently debarred from participation in any such program in any manner. This provision shall be enforceable for the probationary period and until respondent is no longer debarred.

c. Respondent shall comply with all statutes, regulations, and professional standards applicable to the practice of pharmacy.

NEW JERSEY STATE BOARD OF PHARMACY

By: Edward G. McGinley
Edward G. McGinley, R.Ph.
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.

Kwadwo Agemang
Kwadwo Agemang, R.P.

Agemang
Wife of Respondent