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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

ROBERT SCOTT TARGAN, R.P.
License No. RI15811

TO PRACTICE PHARMACY IN THE
STATE OF NEW JERSEY

:
: Administrative Action
:

:
: **FINAL ORDER**
: **OF DISCIPLINE**
:

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 November 14, 2007 respondent was the subject of a Judgment filed in the Criminal Circuit Court, State of Maryland. Specifically, respondent was convicted of multiple counts of

practicing physical therapy without a license, theft over \$500.00, and misrepresentation as a practitioner. Specifically, respondent operated as a physical therapist in Montgomery County, Maryland, specializing in intensive facial rehabilitation. Targan presented false credentials to his patients, and used the title "Dr." since 1985.

3. Respondent was sentenced to a work/release program for nine months and a five year supervised probation to commence immediately thereafter.

CONCLUSIONS OF LAW

1. The above Judgment provides grounds for the suspension or revocation 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 relates adversely to the practice of pharmacy.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending respondent's license to practice pharmacy in the State of New Jersey was entered on April 9, 2008 and a copy served on respondent. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence

supporting respondent's request for consideration and reasons therefor.

The respondent submitted a letter dated May 9, 2008 for Board consideration requesting modification or dismissal of the Provisional Order. In his correspondence, respondent stated that his conviction had nothing to do with the practice of pharmacy, that the conviction was a "sham", and that he had received a Ph.D in the State of California. No further documentation was submitted by respondent.

Respondent's submissions were reviewed by the Board, and the Board determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as respondent did not dispute the Findings of Fact or Conclusions of Law, i.e. that he was the subject of a conviction that was one of moral turpitude and/or adversely reflected on the practice of pharmacy. Respondent's conviction is one of misrepresentation and health care fraud and, as such, goes to the core of the health care practitioner's ethics. The Board will not go behind the conviction.

IT IS THEREFORE on this *21st* day of *July*, 2008,

ORDERED that:

1. Respondent's license to practice pharmacy in the State of New Jersey be and hereby is suspended until further order of the Board, with no right to request reinstatement for five (5) years from the date of entry of this Order.

2. Prior to resuming active practice in New Jersey respondent shall be required to appear before the Board (or a committee thereof) to demonstrate his fitness to do so, and any practice in this State prior to said appearance shall constitute grounds for the charge of unlicensed practice. In addition, the board reserves the right to place restrictions on respondent's practice should his license be reinstated.

NEW JERSEY STATE BOARD OF PHARMACY

By: Edward McGinley RPh
Edward McGinley, R.Ph.
President