

FILED

APR 15 2010

BOARD OF PHARMACY

STATE BOARD OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

IN THE MATTER OF	:	Administrative Action
	:	
Zulma Zoe Bonelli	:	
	:	
Applicant	:	FINAL ORDER
	:	OF DENIAL OF INITIAL
	:	REGISTRATION
FOR REGISTRATION AS A PHARMACY	:	
TECHNICIAN IN THE STATE OF	:	
NEW JERSEY	:	

This matter was opened to the Board of Pharmacy (hereinafter "the Board") upon submission of an application for registration as a pharmacy technician by Zulma Zoe Bonelli (hereinafter "Respondent"). The application has been reviewed and the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. On or about August 17, 2009, Respondent completed a New Jersey application for registration as a Pharmacy Technician and answered "yes" to the following questions:

a. Question #8 "Have you ever been ... arrested ... or pled guilty to any violation of law, ordinance, felony, misdemeanor or disorderly persons offense, in New Jersey, any other state, ... or in any other jurisdiction?"; and

b. Question #16 "Are there any criminal charges now pending against you in New Jersey, any other state, ... or in any other jurisdiction...?".

2. Respondent plead guilty on October 5, 2009 to a Drug Act

Violation for "acquiring or obtaining possession of a controlled substance by misrepresentation" and two counts of forgery in the Bucks County Court of Common Pleas (Pennsylvania). Respondent was sentenced on October 5, 2009 to 18 months of probation.

CONCLUSIONS OF LAW

The above preliminary findings of fact provide grounds for denying Respondent's application for registration as a Pharmacy Technician, pursuant to N.J.S.A. 45:1-21(f) and N.J.A.C. 13:39-2.5 in that Respondent has pled guilty and been convicted of a crime that involves moral turpitude and relates adversely to the activity regulated by the Board.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Denial of Initial Registration was entered by this Board on February 3, 2010, which provisionally denied the Respondent's application to register as a pharmacy technician in the State of New Jersey. The Provisional Order of Denial of Initial Registration clearly stated that it 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 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. Respondent failed to submit a response to the POD. Because the POD was forwarded to Respondent's address of record, and because the regular mail was not returned although the certified mail was returned as unclaimed, the Board deems service to have been effected. Respondent cannot evade process by failing to claim mail and failing to respond. Accordingly, it is determined that further proceedings are not necessary and that the Provisional Order should be made final.

IT IS, THEREFORE, on this 14th day of APRIL 2010,

ORDERED that:

1. Respondent's application for registration to practice as a pharmacy technician in the State of New Jersey is denied.
2. Prior to the Board considering any future application for registration, Respondent shall provide documentation of completion of all terms of probation and shall show rehabilitation to the satisfaction of the Board.

NEW JERSEY STATE BOARD OF PHARMACY

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