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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 LICENSE OF	:	Administrative Action
	:	
HARENDRA BHATT, R.Ph.	:	CONSENT ORDER OF
	:	SETTLEMENT
TO PRACTICE PHARMACY IN THE	:	
STATE OF NEW JERSEY.	:	

This matter was opened to the State Board of Pharmacy ("Board") upon the filing of a Uniform Penalty Letter ("UPL") on October 3, 2008, against Respondent, Harendra Bhatt, R.Ph. The UPL was issued due to deficiencies found during a May 22, 2008, inspection of the pharmacy premises maintained by Respondent, located at Inman Rx Drugs, 976-5 Inman Avenue, Edison, New Jersey 08820. Among the deficiencies found were Respondent's failure to use correct labeling language on prescription labels and a failure to produce his inventory record of controlled dangerous substances ("CDS"). Respondent's response to the UPL was to demand a hearing on the matter, which was scheduled for April 14, 2010, before the Board.

FINDINGS OF FACT

The Board has considered the inspection report prepared by the Enforcement Bureau, Division of Consumer Affairs, as well subsequent correspondence between Respondent and the Board.

The Board finds that although Respondent's prescription labels used "expiration date" language instead of the required "use by" language, he immediately remedied this defect when alerted by the state investigator during the May 22, 2008, inspection, by instructing his computer labeling software provider to make the required change.

The Board finds that Respondent was unable to produce a record of his biennial CDS inventory, which he is required to maintain by law, during the inspection. Although Respondent subsequently supplied an inventory record to the Board following the inspection, the Board finds that this inventory is still incomplete. Specifically, Respondent has failed to provide an inventory of his Schedule II CDS, which he is required to separately maintain.

ORDER

In lieu of further civil or administrative proceedings in this matter, Respondent has agreed to each and every term as set forth in this consent order. The Board finds the terms of this consent order to be adequately protective of the public health, safety and welfare.

IT IS, therefore, on this 21st day of MAY, 2010,

ORDERED THAT:

1. Respondent, Harendra Bhatt, R.Ph., is reprimanded for failure to maintain or produce upon demand a biennial inventory of Schedule II controlled dangerous substances in violation of N.J.A.C. 8:65-5.7.

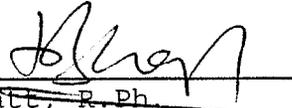
2. Respondent shall be assessed a civil fine of \$1,250.00 and costs of prosecution of \$1,200.00 pursuant to N.J.S.A. 45:1-25, for an aggregate monetary penalty of \$2,450.00. The Board, in its sole discretion, may file a Certificate of Debt for the amounts due under this consent order, and the Certificate shall be discharged upon payment in full of all amounts required under this consent order. Payments shall be made by certified check or money order payable to the "State Board of Pharmacy" and delivered to the Executive Director of the Board, within thirty days of the effective date of this consent order.

3. Respondent shall, within thirty days of the effective date of this consent order, provide to the Board a certified letter of corrective action with certified true copies of his complete current inventories of controlled substances, including a separate inventory of Schedule II controlled substances.

NEW JERSEY STATE BOARD OF PHARMACY

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

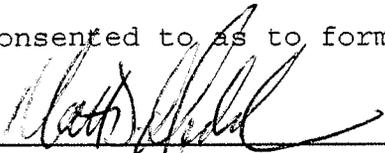
I have read the within Consent Order. I understand the Consent Order and I agree to be bound by its terms and conditions. I hereby consent to the entry of this Consent Order.



Harendra Bhatt, R.Ph.
Respondent

Dated:

Consented to as to form:



Matt D. Mandel, Esq.
Attorney for Mr. Bhatt

Dated: