

FILED

SEP 08 2010

BOARD OF PHARMACY

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

IN THE MATTER OF THE SUSPENSION OR :
REVOCAION OF THE REGISTRATION OF : Administrative Action
:
STACEY BOMPADRE : **FINAL ORDER**
Registration No.: 28RW00475500 : **OF DISCIPLINE**
:
TO PRACTICE AS A PHARMACY :
TECHNICIAN IN THE STATE OF NEW JERSEY :
:

This matter was opened to the New Jersey State Board of Pharmacy (the "Board") 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, Stacey Bompadre ("Respondent") is a pharmacy technician in the State of New Jersey and has been a registrant at all times relevant hereto.
2. On or about August 28, 2009, Respondent provided a handwritten, voluntary, signed, sworn statement to Lisa Bryant, CVS Unit Loss Prevention Manager, admitting that from approximately February 2009, she stole from her employer CVS Pharmacy over thirty two (32) bottles of suboxone and five hundred (500) pills of Alprazolam 2 mg, with a total value of \$7,601.91. Respondent claimed that she gave the drugs to a friend to get off of drugs.
3. On August 28, 2009, Respondent was arrested for Theft by Unlawful Taking. The Investigation Report indicates that respondent made a statement to the police and admitted that she took prescription medication from the store and gave the suboxone to a friend "so they could quit doing heroin".

4. Also on August 28, 2009, a Complaint-Summons was filed in the Paulsboro Boro Municipal Court, charging Respondent with theft in violation of N.J.S.A. 2C:20-3A. The Complaint alleges that respondent took 32 bottles of suboxone and 500 alprazolam pills from CVS Pharmacy on numerous occasions since February 2009.

CONCLUSIONS OF LAW

Respondent's theft of prescription medication is an act constituting a crime or offense adversely related to the profession of pharmacy, and provides grounds to take disciplinary action against Respondent's registration as a pharmacy technician in New Jersey pursuant to N.J.S.A. 45:1-21(f).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking suspension of respondent's registration to practice as a pharmacy technician in the State of New Jersey was entered on June 9, 2010 and a copy was forwarded to respondent's last known address by means of both regular and certified mail. 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.

Although the record reflects that the Provisional Order was served upon respondent at her address of record on file with the Board on June 25, 2010, and a signed green return receipt card was received by the Board, no response has been received to date. Accordingly the Board considered the

matter, determined that further proceedings were not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 8th day of September, 2010

ORDERED that:

1. Respondent's registration to practice as a pharmacy technician in the State of New Jersey is hereby suspended for a period of five (5) years from the date of entry of this Final Order of Discipline. Respondent may not seek reinstatement of her registration until five years from entry of this Final Order of Discipline.

2. Upon the entry of this Final Order of Discipline, Respondent shall immediately cease and desist from engaging in practice as a pharmacy technician, which includes, but is not limited to the following: respondent shall not retrieve prescription files or patient files; shall not prepare medication labels; shall not engage in data entry for any pharmacy, shall not count, weigh, measure, pour or compound prescription medication or stock legend drugs and controlled substances; shall not fill an automated medication system; shall not accept authorization for a prescription refill or renewal; shall not handle anything requiring a prescription, including devices and medications; shall not handle prescriptions; and shall not be present within a prescription filling area of a pharmacy.

3. Any practice in this State in violation of the above conditions shall constitute grounds for discipline for violation of a Board Order and professional misconduct.

4. Prior to any reinstatement of her registration as a pharmacy technician, Respondent shall:

a. Provide, to the Board's satisfaction, evidence that she is capable of discharging the functions of a registrant in a manner consistent with the public's health, safety and welfare and that she is not then suffering from any impairment or limitation resulting from the use of any addictive substance which could affect her practice.

b. Provide the Board with complete treatment records of all diagnostic and rehabilitative therapy, discharge summaries from any in-patient programs, as well as reports from each and every mental health professional (including but not limited to: psychologists, counselors, therapists, psychiatrists) who has participated in Respondent's care and/or treatment during the period of time from the date of the incidents giving rise to the within Order to her appearance before the Board pursuant to this Order, if any.

c. Provide the Board with a full account of her conduct during the intervening period of time from the entry of this Order to her appearance pursuant to this Order.

d. Provide the Board with proof of the resolution of any criminal charges filed against her and compliance with any terms imposed by the criminal authorities.

e. Appear before the Board or a committee thereof, if so requested, to discuss her readiness to reenter practice as a pharmacy technician. At that time Respondent shall be prepared to propose her plans for future practice in New Jersey.

f. Provide documentation of successful completion of all application requirements including a Criminal History Background Check and payment of all reinstatement fees.

5. If Respondent's registration to practice as a pharmacy technician is reinstated, the Board, in its discretion, may impose any conditions or restrictions on registration it deems necessary to protect the public health, safety and welfare.

NEW JERSEY STATE BOARD OF PHARMACY

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