

PAULA DOW  
ATTORNEY GENERAL OF NEW JERSEY  
Division of Law – 5th Floor  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101  
Attorney for the Board of Pharmacy

**FILED**

NOV 10 2010

**BOARD OF PHARMACY**

By: Megan Cordoma  
Deputy Attorney General  
Tel. No. (973) 648-3453

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

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IN THE MATTER OF THE SUSPENSION  
OR REVOCATION OF THE LICENSE OF

**Michael Tomasulo, R.P.**  
License No.: 28RI01772700

TO PRACTICE PHARMACY IN THE  
STATE OF NEW JERSEY

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: INTERIM CONSENT ORDER  
GRANTING SURRENDER  
OF LICENSE  
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This matter was opened to the New Jersey State Board of Pharmacy (“Board”) upon receipt of information that Michael Tomasulo, RP (“Respondent”) was arrested on September 30, 2010 and charged with knowingly or purposely obtaining or possessing a controlled dangerous substance or a controlled dangerous analog that was not obtained directly from a practitioner or under a valid prescription issued by a practitioner, specifically by possessing various prescription pills while not authorized to do so in violation of N.J.S.A. 2C:35-10A(1). Respondent was further charged with committing the offense of possession with the intent to distribute a prescription legend drug, specifically by distributing or possessing under his control, with the intent to distribute a prescription legend drug in the amount of 100 or more dosage units

in violation of N.J.S.A. 2C: 35-10.5A(4).

The allegations, if proven, would demonstrate that Respondent has engaged in professional misconduct, the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense and acts constituting crimes of moral turpitude and crimes which relate adversely to the practice of pharmacy in violation of N.J.S.A. 45:1-21(b), (e) and (f).

It appearing that respondent wishes to voluntarily enter into an interim agreement without making admissions and the Board finding the within disposition adequately protective of the public health, safety and welfare, and other good cause having been shown;

**IT IS, therefore on this** 10<sup>th</sup> **day of** NOVEMBER, 2010

**ORDERED THAT:**

1. Respondent is hereby granted leave and shall immediately surrender his license to practice pharmacy in the State of New Jersey pending disposition of the criminal charges and until further Order of the Board.
2. Respondent shall immediately cease and desist from engaging in the practice of pharmacy, which includes but is not limited to the following: Respondent shall not handle, order, inventory, compound, count, fill, refill or dispense any drug; he shall not handle anything requiring a prescription, including devices and medications; he shall not handle prescriptions, he shall not advise or consult with patients, and he is prohibited from being present within a prescription filling area of a pharmacy.
3. Respondent shall surrender his original wall certificate, his wallet certificate, and the most recent renewal card of his license contemporaneously with his submission of this Order.
4. Nothing contained herein shall be deemed an admission of liability on the part of

the Respondent.

5. The entry of the within Order is without prejudice to the further investigation and/or prosecution of any violations by respondent of any statutes or regulations governing the practice of pharmacy in the State or any violations of law, by the Board, the Attorney General or any other regulatory or law enforcement agency, including but not limited to any pending matters under investigation.

6. Nothing herein shall preclude the Board from initiating further disciplinary action based upon the conduct relating to Respondent as alleged above.

NEW JERSEY STATE BOARD OF PHARMACY

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

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

Michael Tomasulo  
Michael Tomasulo, R.P.

Consent as to form and entry of this Order:

Mitchell Ansell  
Mitchell Ansell, Esq.  
Attorney for Respondent