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NOV 10 2010

BOARD OF PHARMACY

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

IN THE MATTER OF THE SUSPENSION OR :
REVOCAION OF THE REGISTRATION OF :
: Administrative Action
Yaritza E. Carreras :
Registration No.: 28RW00172200 : FINAL ORDER 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. Yaritza E. Carreras ("Respondent") is a certified Pharmacy Technician in the State of New Jersey and has been at all times relevant to this matter.

2. On or about May 20, 2009, Respondent was terminated from CVS and arrested by the police for allegedly stealing 840 tablets of Hydrocodine (10/325) and 15 tablets of Hydrocodine (10/500).

3. On May 18, 2010, the Board sent a Demand for Written Statement Under Oath to Respondent's Address of Record by

certified and regular mail. The certified mailing was signed for and the Demand sent regular mail was never returned. Respondent has not responded to the Board's Demand for Written Statement Under Oath.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's Demand for Written Statement Under Oath constitutes a violation of N.J.S.A 45:1-21(h), and Respondent has not complied with the Board's investigation in contravention of N.J.A.C. 13:45-1.2 and 1.3.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending Respondent's license to practice as a pharmacy technician in the State of New Jersey was entered on July 14, 2010 and a copy was forwarded to Respondent's last known address by certified and regular mail On August 2, 2010. After entry, the Provisional Order was subject to finalization by the Board at 5:00 P.M. on the 30th day following mailing unless respondent requested 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 Provisional Order, sent by means of certified mail, was signed for on August 5, 2010 by Juan Carreras. The Provisional Order sent by regular mail has not been returned by the Post Office as undeliverable. The Provisional Order gave Respondent an opportunity to respond in 30 days. The Board determined that inasmuch as the order had been sent to Respondent's address of record, and a good faith attempt had been made to reach respondent, that service had been effected. Respondent cannot evade service by failing to provide the Board with a valid address or by failing to respond. The Board further determined that inasmuch as no discrepancies had been raised with respect to the findings and conclusions of the Provisional Order, that the Provisional Order should be made final.

ACCORDINGLY, IT IS, on this 10th day of NOVEMBER, 2010,

ORDERED that:

1. Respondent's certification #28RW00172200 to practice as a Pharmacy Technician is suspended until such time as Respondent cooperates with the Board's investigation by providing the Board with the information it requested.

2. 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 prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

4. Respondent shall remit payment of a fine and penalty pursuant to N.J.S.A. 45:1-25 in the amount of \$250 by certified check or money order payable to the State of New Jersey, and delivered to the Executive Director of the Board by mailing same to Joanne Boyer, Executive Director, Board of Pharmacy, P. O. Box 45013, Newark, New Jersey 07101. Payment shall be made no later than fifteen (15) days after this Order is entered. If Respondent does not make payment within fifteen (15) days of entry, a Certificate of Debt shall be filed in accordance with N.J.S.A. 45:1-24, and the Board will be entitled to bring any other proceedings which may be authorized by law.

NEW JERSEY STATE BOARD OF PHARMACY

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