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FILED

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BOARD OF PHARMACY

By: Jodi Krugman
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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
RAJESH B. DESAI, R.P.	:	
License No. 28RI01963000	:	CONSENT ORDER
	:	
TO PRACTICE PHARMACY	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Pharmacy (the "Board") upon receipt of information that on November 5, 2008, in Mercer County Superior Court, Rajesh B. Desai ("Respondent"), entered a conditional guilty plea to charges of Theft by Deception in the Third Degree, in violation of N.J.S.A. 2C:20-4. Specifically, the offense information provides that between approximately October 1, 2005 and August 30, 2008, respondent obtained health care benefits from the State by submitting documents for health insurance benefits for which he and his family were not eligible. Respondent was admitted into the pre-trial intervention program ("PTI"), required to be supervised

for a period of twelve (12) months, and to pay fees and restitution. Restitution was ordered on November 5, 2008 by entry of a Consent Order/Judgment in the amount of \$49,383.30 plus interest.

Respondent's actions provide grounds for disciplinary action pursuant to N.J.S.A. 45:1-21(b) and (f) in that Respondent has engaged in the use of dishonesty, fraud, deception and misrepresentation and has engaged in acts constituting a crime or offense relating adversely to the activity regulated by the Board.

Respondent, being desirous of resolving this matter without the necessity of further formal proceedings, and agreeing to waive any right to same and the Board having determined that this Order is sufficiently protective of the public health, safety and welfare, and all parties agreeing to the terms of this Order;

IT IS on this 9th day of MARCH, 2011,

HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby reprimanded for the conduct described above.

2. Respondent shall provide proof of completion of the Pre-Trial Intervention no later than thirty (30) days after entry of this Order to Joanne Boyer, Executive Director, Board of Pharmacy, P.O. Box 45013, 124 Halsey Street, Newark, New Jersey 07101.

3. Respondent shall provide proof of complete payment of the restitution required by the Consent Order/Judgment, or if

respondent is making installment payments, proof that he is current on his payment obligation, within thirty (30) days of entry of this Order. Proof shall be forwarded to Joanne Boyer, Executive Director, Board of Pharmacy, P.O. Box 45013, 124 Halsey Street, Newark, New Jersey 07101.

4. Failure to comply with any of the terms of this Consent Order or the laws governing the practice of pharmacy may result in further disciplinary action.

5. This Order is effective upon its filing date with the Board of Pharmacy.

NEW JERSEY STATE BOARD OF PHARMACY

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

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.

Rajesh B. Desai 3-1-11
Rajesh B. Desai, R.P. Date

Consent as to form and entry of this Order.

A. Ross Pearlson 3/3/11
A. Ross Pearlson, Esq. Date
Attorney for Rajesh B. Desai