



CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs  
Board of Pharmacy  
124 Halsey Street, 6<sup>th</sup> Floor, Newark, NJ 07102



PAULA T. DOW  
Attorney General

THOMAS R. CALCAGNI  
Acting Director

June 15, 2011

**By Certified and Regular Mail**

Shehab G. Morcos, RPIC  
CVS Pharmacy Dept. #4626  
187 Millburn Avenue  
Millburn, NJ 07041

**Mailing Address:**  
P.O. Box 45013  
Newark, NJ 07101  
(973) 504-6450

**RE: Catherine Rowe  
Complaint #75818**

Dear Mr. Morcos:

*This letter is to advise you that the New Jersey State Board of Pharmacy (the "Board") has had an opportunity to review information concerning your practice of pharmacy following an investigation that uncovered the following infractions of the law and regulations:*

***The Board agreed to issue a \$400.00 fine to the Pharmacist in Charge, Shehab G. Morcos for violation of NJAC 13:39-6.2(f)3. In addition, Mr. Morcos is to complete 4 continuing education modules on medication errors and/or patient safety. The completion of these modules will not be considered as part of the biennial continuing education requirement.***

*The Board has determined that it will first offer you an opportunity to settle this matter and thereby avoid the initiation of formal disciplinary proceedings. Should you wish to avail yourself of this opportunity, you should sign the acknowledgment below and agree to the following:*

*pay a penalty in the amount of \$400.00 (to be paid immediately upon your signing of the acknowledgment at the bottom of this letter), and **Letter of Correction.***

*Alternatively, you may waive your right to a hearing and submit a written statement or explanation to the Board. The Board will then consider your submission and render a final decision, which may include any of the terms set forth above. Any disposition by way a settlement will be a public record, and will have the same effect as an order of the Board. Any failure to comply with the terms to which you agree will be deemed a violation.*

**JUL 11 2011**

Shehab G. Morcos, RPIC  
CVS Pharmacy Dept. #4626

June 15, 2011

*If you do not wish to settle this matter, you may request a hearing. In that event, this letter will serve as notice of the charges against you and a hearing will be scheduled before the Board. At that hearing you either personally or with the assistance of an attorney will have an opportunity to respond to the charges and submit evidence and present testimony as may be necessary in order for the Board to make a final determination concerning the charges of unlawful activity.*

*You should be aware that in making its final decision, the Board may, if unlawful activity has been proven, assess civil penalties in an amount greater than that offered in this letter. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring you to pay costs incurred in the matter.*

*Should you have any questions concerning this letter or the settlement offer herein, I suggest that you contact the Board of Pharmacy, at (973) 504-6450.*

*The enclosed certification should be completed and returned to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and you will be deemed in default. The allegations against you will be deemed uncontested. The Board will then proceed to schedule the matter for final review and will enter an appropriate order. Once an order has been entered, your failure to pay any penalties may result in further action to suspend or revoke your license.*

NEW JERSEY STATE  
BOARD OF PHARMACY

By: Joanne Boyer  
Joanne Boyer, R.Ph.  
Executive Director

JB/me

cc: Gregg Pennington, CVS

**CERTIFICATION**

I, Shehab Morcos, hereby acknowledge that I have read and reviewed the Board's letter dated 6-15-11 regarding allegations of violations of the Board's enabling act and/or regulations.

Please check one:

Shehab Morcos  I acknowledge the conduct which has been charged and **agree** to:

1. pay a penalty in the amount **\$400.00** (to be paid upon signing of this certification);
2. proof of successful completion of **four(4)** CE credits within thirty (30) days of receipt of this letter; and
3. **Letter of Correction.**

I am also aware that the action taken against me by the Board here is a matter of public record, and that the Board's letter and this certification are public documents.

\_\_\_\_\_ I hereby waive any rights I may have to a hearing in this matter in order to defend myself against any charges, but ask the Board to **consider my explanation** before rendering its final decision I understand that the Board may order any of the terms specified in its letter and that if does so I will be obligated to comply. I am also aware that the action taken against me by the Board herein is a matter of public record, and that the Board's letter and this certification are public documents. Failure to comply may subject me to further disciplinary action and any failure to make a required payment will result in the filing of a certificate of debt.

\_\_\_\_\_ I request a formal administrative hearing to contest the charges specified in the UPL. I understand that I will be advised of the time, date and place for that hearing at another time. I am aware that I may be represented by an attorney and that at the time of the hearing I may submit to the Board testimony and documentation relevant to the charges. I understand that in making its final decision, the Board may, if unlawful activity has been proven, assess civil penalties in an amount greater than that herein offered in its letter and may order such other remedies as it may deem appropriate. I am also aware that this proceeding is a matter of public record and that the Board's letter and this certification are public documents.

Shehab Morcos

Shehab G. Morcos, RPIC

Dated: 7/5/11

Ref: Catherine Rowe  
Complaint #75818  
Shehab G. Morcos, RPIC, 28ri03152200  
CVS Pharmacy Dept. #4626  
187 Millburn Avenue  
Millburn, NJ 07041  
5/11/2011 me

5500000670725743

Susan M. DelMonico, RPh, JD  
Director, Regulatory Compliance  
CVS  
Worship Center, NJ Office  
T: 908.770.7000  
F: 908.770.7000  
E: sdelmonico@cvsc.com

July 7, 2011

New Jersey Board of Pharmacy  
Joanne Boyer, Executive Director  
124 Halsey Street, 6th Floor  
Newark, NJ 07102

**RE: Complaint #75818**  
**CVS 4626**  
**Fine: \$400.00**

Dear Joanne Boyer:

Enclosed, please find one (1) check, which represents payment of the fine for Shehab G. Marcos associated with the above referenced Complaint number.

The Pharmacist in Charge will be forwarding you the signed certification.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Susan DelMonico, RPh JD  
Director, Regulatory Compliance

JUL 11 2011

NEW JERSEY OFFICE OF ATTORNEY GENERAL

DIVISION OF CONSUMER AFFAIRS

BOARD OF PHARMACY

124 HALSEY ST., 6TH FLOOR, NEWARK, NJ 07102

DEAR EXECUTIVE DIRECTOR JOANNE BOYER

IN REFERENCE TO THE COMPLAINANT: CATHERINE ROWE, COMPLAINT #75818,

**Corrective actions taken:**

-ALL DISPENSING PROCEDURES WERE REVIEWED WITH ALL PHARMACY TEAM MEMBERS MAKING SURE THAT ALL PRESCRIPTIONS ARE DELIVERED CORRECTLY THE PROPER WAY AS PER CVS PROCEDURES.

- ALL PRESCRIPTIONS FOR MRS.CATHRINE ROWE AND MR.CHRISTOPHER ROWE WERE TAKEN OFF OF THE READYFILL PROGRAM AS PER CUSTOMER REQUEST...TO BE FILLED WHENEVER IT IS CONVINIENT FOR THEM...AND **ONLY PER PATIENT REQUEST** THE RX WILL BE ON READYFILL OR NOT..

-DISPENSING PROCEDURES FOR PREMIXED RXS WERE REVIEWED WITH ALL TEAM MEMBERS TO MAKE SURE IT IS LABELED PROPERLY WITH THE "RECONSTITUTE" FLAG ON THE RX BAG TO BE MIXED BY THE **PHARMACIST ONLY**.

- THE PICK UP PROCEDURES WERE REVIEWED WITH ALL PSAS AND TECHNICIANS TO MAKE SURE PATIENT ADDRESS AND/OR DATE OF BIRTH IS CONFIRMED AND OFFER TO COUNCIL AT THE TIME OF PICK UP AT ALL TIMES..

-THE LEVOXYL RX WAS CORRECTED BACK IN JANUARY AND NOW THE CORRECT RX IS ON FILE AND WAS PICKED UP SEVERAL TIMES WITH NO PROBLEMS OR MISTAKES.

-I PERSONALLY SPOKE WITH ALL PHARMACISTS ON BOARD TO REVIEW QA PROCEDURES TO MAKE SURE THE RXS ARE CARFULLY VERIFIED TO AVOID MISTAKES LIKE THIS FROM HAPPENING

SHEHAB G. MORCOS RPIC

 7/5/11

CVS PHARMACY STORE #4626, 187 MILLBURN AVE, MILLBURN NJ 07041

