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**FILED**  
SEP 20 2011  
BOARD OF PHARMACY

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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 :  
: Administrative Action  
:  
:  
: CONSENT ORDER  
:  
:  
Richard Zaborowski, R.P. :  
License No. 28RI01440700 :  
:  
TO PRACTICE PHARMACY :  
IN THE STATE OF NEW JERSEY :

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This matter was opened to the New Jersey State Board of Pharmacy (Board) upon receipt of information from American Casualty Co. of Reading PA alerting the Board that a one million dollar insurance payment without admission of liability was made on behalf of Richard Zaborowski, R.P. (Respondent) as a result of a settlement on a claim. The complaint in the underlying civil suit alleged that, in September 2008, Respondent dispensed the medication Prostin instead of the prescribed Progesterone to a

pregnant female patient at St. Mary's Medical Center in Florida resulting in premature labor and the birth of a 23 week-old male with brain damage. Respondent resigned from his position in the St. Mary's pharmacy department at the hospital's request shortly after this incident.

Pursuant to a Final Order and Settlement Agreement filed on November 3, 2009, Respondent's license to practice pharmacy in Florida was placed on probation for one year beginning November 3, 2009 based on allegations that he violated Florida Statutes Section 465.016(1)(g) which provides: using in the compounding of a prescription, or furnishing upon prescription, an ingredient or article different in any manner from the ingredient or article prescribed constitutes grounds for disciplinary action by the Board of Pharmacy. Respondent made no admissions and the Florida Board of Pharmacy made no findings in the Settlement Agreement.

The parties, having agreed to the resolution of this matter without further formal proceedings, and Respondent having agreed and given his voluntary consent to the within Order and without making admissions, and the Board finding the within disposition is adequately protective of the public health, safety and welfare, and other good cause having been shown,

IT IS on this                    day of                    , 2011,

**HEREBY ORDERED AND AGREED THAT:**

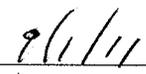
1. The license of Richard Zaborowski to practice pharmacy in this State is hereby suspended for a period of one (1) year, the entire period to be stayed and served as a period of probation, effective retroactive to November 3, 2009 through November 2, 2010, to run concurrently with his probation in Florida.

NEW JERSEY STATE BOARD OF PHARMACY

By: \_\_\_\_\_  
Edward 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.

  
\_\_\_\_\_  
Richard Zaborowski, R.P.

  
\_\_\_\_\_  
Date

IT IS on this 16<sup>th</sup> day of SEPTEMBER, 2011,

HEREBY ORDERED AND AGREED THAT:

1. The license of Richard Zaborowski to practice pharmacy in this State is hereby suspended for a period of one (1) year, the entire period to be stayed and served as a period of probation, effective retroactive to November 3, 2009 through November 2, 2010, to run concurrently with his probation in Florida.

NEW JERSEY STATE BOARD OF PHARMACY

By: Edward H. McGinley  
Edward 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.

\_\_\_\_\_  
Richard Zaborowski, R.P.

\_\_\_\_\_  
Date