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FILED

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BOARD OF PHARMACY

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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 REVOCATION OF THE REGISTRATION OF

KEVIN D. HOHNER
Registration No.: **28RW00919700**

TO PRACTICE AS A PHARMACY TECHNICIAN
IN THE STATE OF NEW JERSEY

Administrative Action

**CONSENT ORDER OF
VOLUNTARY SURRENDER**

This matter was opened to the New Jersey State Board of Pharmacy ("Board") upon receipt of information that on May 19, 2010, respondent Kevin D. Hohner ("Respondent") was convicted of one count of third degree manufacturing, distributing, dispensing of CDS in violation of N.J.S.A. 2C:35-5(a)(1) and N.J.S.A. 2C:35-5B(13) and one count of third degree theft by unlawful taking in violation of N.J.S.A. 2C:20-3.

Respondent was sentenced to three years probation for both counts with the terms to run concurrently and was required to surrender his Pharmacy Technician registration. In addition, the judgment of conviction provides, in part, that respondent was required to complete a drug and alcohol dependence evaluation through probation and comply with all

recommendations, including, if recommended, enrollment in an out-patient or in-patient program for drug education, therapy, and rehabilitation and completion of all prescribed follow-up programs, until medically discharged. Respondent is also required to submit to random urine monitoring as recommended by probation. The court asserted that the Respondent is to make restitution in the amount of \$271.35 to Rite Aid as well as other costs.

The Board has reviewed all of the information presented, including the documents relating to criminal charges against respondent. The Board finds that respondent's conviction provides a basis for discipline against his registration pursuant to N.J.S.A. 45:1-21(g), as respondent has been convicted of a crime relating adversely to the profession of pharmacy. The Board finding the within disposition adequately protective of the public health, safety and welfare, and other good cause having been shown, and Respondent desiring to resolve this matter without formal proceedings and having waived his right to those proceedings,

IT IS, therefore on this 2 day of 13th, 2012

ORDERED AND AGREED THAT:

1. Respondent hereby voluntarily surrenders his license to practice as a pharmacy technician in the State of New Jersey with prejudice effective upon entry of this Order. Respondent has already surrendered his current registration consistent with the terms of his Judgment of Conviction. Respondent agrees that he will not reapply for registration as a pharmacy technician in the State of New Jersey.
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; respondent shall not handle prescriptions; and shall not be present within a prescription filling area of a pharmacy.

3. Any practice in this State in violation of the above conditions shall constitute unlicensed practice and/ or grounds for discipline for violation of a Board Order and professional misconduct.

NEW JERSEY STATE BOARD OF PHARMACY

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

I have read and understood the foregoing Order and agree to be bound by its terms. Consent is hereby given to the Board of Pharmacy to enter this Order. I understand that this Order has serious professional and legal import, and I have decided to enter into this agreement without legal counsel.

Kevin D. Hohner 2/13/12
Kevin D. Hohner