

P-6092-10-1342

FILED

JUL 19 2012

BOARD OF PHARMACY

JEFFREY S. CHIESA
ATTORNEY GENERAL OF NEW JERSEY
Division of Law – 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the Board of Pharmacy

By: Megan Cordoma
Deputy Attorney General
Tel. No. (973) 648-3453

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

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :
Michael Tomasulo, R.P. :
License No.: 28RI01772700 :
TO PRACTICE PHARMACY IN THE :
STATE OF NEW JERSEY :

CONSENT ORDER
OF
REVOCATION

This matter was opened to the New Jersey State Board of Pharmacy ("Board") upon receipt of information that Michael Tomasulo, RP ("Respondent") was arrested on September 30, 2010 and charged with knowingly or purposely obtaining or possessing a controlled dangerous substance or a controlled dangerous analog that was not obtained directly from a practitioner or under a valid prescription issued by a practitioner, specifically by possessing various prescription pills while not authorized to do so in violation of N.J.S.A. 2C:35-10A(1). Respondent was further charged with committing the offense of possession with the intent to

distribute a prescription legend drug, specifically by distributing or possessing under his control, with the intent to distribute a prescription legend drug in the amount of 100 or more dosage units in violation of N.J.S.A. 2C: 35-10.5A(4). By Consent Order filed on November 10, 2010, Respondent voluntarily surrendered his license to practice pharmacy in the State of New Jersey pending the outcome of the criminal charges and further Order of the Board.

On or about March 5, 2012 Respondent plead guilty to possession with intent to distribute a prescription legend drug in violation of N.J.S.A. 2C: 35-10.5A(4) (3rd Degree). On or about May 18, 2012 he was sentenced to 364 days of incarceration followed by probation with the condition that he agree to the permanent revocation of his license to practice pharmacy.

The parties wishing to avoid formal proceedings before the New Jersey State Board of Pharmacy, and respondent having waived any right to a hearing in this matter and the Board having found that Respondent has engaged in professional misconduct, the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense and acts constituting crimes of moral turpitude and crimes which relate adversely to the practice of pharmacy in violation of N.J.S.A. 45:1-21(b), (e) and (f), and for good cause shown,

IT IS, therefore on this 30th day of MAY, 2012

ORDERED THAT:

1. Respondent's license to practice pharmacy in the State of New Jersey is hereby revoked with prejudice. Respondent shall not hereafter apply for reinstatement of his license.
2. Respondent shall continue to cease and desist from engaging in the practice of

pharmacy, which includes but is not limited to the following: Respondent shall not handle, order, inventory, compound, count, fill, refill or dispense any drug; he shall not handle anything requiring a prescription, including devices and medications; he shall not handle prescriptions, he shall not advise or consult with patients, and he is prohibited from being present within a prescription filling area of a pharmacy.

NEW JERSEY STATE BOARD OF PHARMACY

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

I have read the within Order, understand and agree to its terms and agree to be bound by them. I consent to the entry of this Order.

Michael Tomasulo
Michael Tomasulo, R.P.

Consent as to form and entry of this Order:

Mitchell Ansell
Mitchell Ansell, Esq.
Attorney for Respondent