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JUL 19 2012

BOARD OF PHARMACY

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

IN THE MATTER OF THE SUSPENSION OR REVOCATION OF THE LICENSE OF	:	Administrative Action
JOBY K. GEORGE, R.P. License No. 28RI02755500	:	PROVISIONAL ORDER OF DISCIPLINE
TO PRACTICE PHARMACY IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Pharmacy upon receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Respondent, Joby K. George, R.P., is a pharmacist in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On April 30, 2010 Respondent was convicted of the crime of Health Care Fraud, in violation of 18 U.S.C. § 1347(1), in United States District Court in the District of Connecticut . Specifically: Respondent knowingly and willfully submitted, or caused to be submitted, fraudulent claims for payment to the Medicaid and Medicare programs. (Copy of the Judgment in a Criminal Case annexed hereto as "Exhibit A" and made a part hereof)

3. The following sentence was ordered: Respondent was committed to the custody of the United States Bureau of Prisons to be imprisoned for a total of 14 months. Upon release from imprisonment, Respondent was to be placed on supervised release for a total term of 2 years. Respondent was order to pay $344,805.02 in restitution.

CONCLUSION OF LAW

The above conviction provides grounds for the suspension of his license to practice pharmacy in New Jersey pursuant to N.J.S.A 45:1-21(f) in that the crime of which Respondent was convicted is one of moral turpitude and/or relates adversely to the practice of pharmacy.

ACCORDINGLY, IT IS on this 31ST day of MAY, 2012,

ORDERED that:

_____1. Respondent's license to practice pharmacy in the State of New Jersey be and hereby is provisionally suspended for a minimum of five years. Respondent may not seek

reinstatement of his New Jersey pharmacy license until he has obtained an unrestricted license to practice pharmacy in the State of Connecticut.

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

3. Within five (5) days following the filing of the Final Order of Discipline, Respondent shall surrender his original wall certificate, wallet certificate, and the most recent renewal card of his license to the Executive Director of the Board immediately upon the entry of this Order by mailing same to: Anthony Rubinaccio, Executive Director, Board of Pharmacy, P.O., Box 45013, Newark, New Jersey 07101.

4. Prior to Board consideration of any petition for reinstatement of his New Jersey license, Respondent shall:

a) Appear before the Board or a committee thereof to demonstrate his competency to reenter the practice of pharmacy. At that time, Respondent shall be prepared to show proof that he holds an active unrestricted license to practice pharmacy in the State of Connecticut, and to demonstrate his complete compliance with his criminal sentence and with this Order.

b) Provide documentation of successful completion of all continuing education credits required by N.J.A.C. 13:39-3A.1- 13:39-3A.7.

c) Provide documentation of successful completion of all application requirements, including a Criminal History Background Check and payment of all reinstatement fees.

d) Provide documentation of his full attendance and successful completion with an unconditional pass of the ProBE (Professional Problem Based Ethics) course offered by The Ethics Group, 89 Summit Avenue, Suite 185, Summit, New Jersey 07901, or the PRIME (Professional Renewal in Medicine through Ethics) course offered by the Center for Continuing Education in the Health Professions at UMDNJ-Robert Wood Johnson Medical School, 97 Paterson Street, Room 124, New Brunswick, New Jersey 08903.

5. The Board reserves the right to impose conditions upon the reinstatement of Respondent's license and Respondent shall not act as a Registered Pharmacist in Charge or as a preceptor for a minimum of two years following any reinstatement.

6. The within Order shall be subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry hereof unless respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a) Submitting a written request for modification or dismissal to Anthony Rubinaccio, Executive Director, State Board of Pharmacy, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101.

b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

c) Submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor, including any reasons for mitigation of the sanctions imposed.

7. Any submissions will be reviewed by the Board, and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through the submission by Respondent during the thirty-day period, or if the Board is not persuaded that submitted materials merit further consideration, a Final Order of Discipline will be entered.

8. In the event that Respondent's submissions establish a need for further proceedings, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein shall serve as notice of the factual and legal allegations in such proceedings. Furthermore, in the event a hearing is held and/or upon further review of the record, the Board shall not be limited to the findings, conclusions contained herein.

NEW JERSEY STATE BOARD OF PHARMACY

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