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FILED

JUL 20 2012

BOARD OF PHARMACY

By: Megan Cordoma
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION OR	:	
REVOCAION OF THE LICENSE OF	:	
	:	
Randy Binder, R.Ph.	:	ADMINISTRATIVE ACTION
License No. 28RI02639900	:	
	:	CONSENT ORDER
	:	OF VOLUNTARY SURRENDER
TO PRACTICE PHARMACY	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Pharmacy ("Board") upon receipt of information alleging Randy Binder ("Respondent") was criminally charged June 26, 2012 in the United States District Court for the District of New Jersey with a one count Complaint alleging conspiracy to distribute CDS. Respondent was named as one of ten defendants in violation of 21 U.S.C. 841(a)(1) and (b)(1)(C) and 21 U.S.C. 846. The Complaint alleged that from in or about January 2009 to June 2012, Respondent, who worked at Texas Road Pharmacy in Manalapan, New Jersey, along with nine other defendants, did knowingly and intentionally conspire and agree with each other and with others to distribute and possess with intent to distribute oxycodone, a Schedule II controlled substance.

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The Complaint alleges that Respondent illegally distributes Schedule II narcotics and other pharmaceuticals to coconspirators "in exchange for cash and other non-monetary compensation." The Complaint also alleges that Respondent "accepts prescriptions which he knows to be either counterfeit or stolen" and transports the controlled substances from New Jersey to South Carolina by using mail courier services such as FedEx and UPS.

The Complaint further alleges that, on May 17, 2012, Respondent offered 60 or 120 Oxycodone pills to another defendant in exchange for two \$800.00 tickets to a hockey playoff game in Newark, New Jersey and on other occasions left controlled substances in his unlocked car at the Texas Road Pharmacy for individuals without a valid prescription to pick in order to "keep investigators away from his pharmacy."

The allegations, if proven, would demonstrate that Respondent has engaged in professional misconduct, in the use of employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense and engaged in 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).

It appearing that respondent wishes to voluntarily enter into an interim agreement without making admissions and the Board finding the within disposition adequately protective of the public health, safety and welfare, and other good cause having been shown;

IT IS on this 28 day of JUNE, 2012,

ORDERED that:

1. Respondent is hereby granted leave and shall immediately surrender his license to practice pharmacy in the State of New Jersey pending disposition of the criminal charges, successful completion of all criminal sentencing terms (if any) and until further Order of the Board.

2. Respondent shall immediately 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; 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. 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 Joanne Boyer, Executive Director, Board of Pharmacy, P.O. Box 45013, Newark, New Jersey, 07101.

4. Prior to any application for restoration of his license, Respondent shall appear before the Board or a committee thereof to discuss his readiness to reenter the practice of pharmacy. At that time Respondent shall be prepared to propose his plans for future practice in New Jersey and demonstrate he is fit and competent to practice and has been rehabilitated to the Board's satisfaction.

5. Nothing herein shall preclude the Board from initiating disciplinary action based upon the conduct relating to Respondent as alleged above. The entry of the within Order is without prejudice to the further investigation and/or prosecution of any violations by Respondent of any statutes or regulations governing the practice of pharmacy in the State or any violations of law, by the Board, the Attorney General, or any other regulatory or law enforcement agency, including but not limited to any pending matters under investigation. This is an interim order that does not preclude the Board from taking further action on the alleged conduct detailed herein.

6. Nothing contained herein shall be deemed an admission of liability on the part of the Respondent.

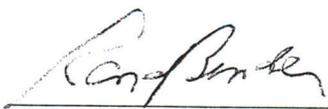
7. Upon reinstatement of Respondent's license to practice pharmacy, the Board, in its discretion, may impose any conditions or restrictions on licensure it deems necessary to protect the public health, safety and welfare.

NEW JERSEY STATE BOARD OF PHARMACY

By: _____

Edward G. McGinley, R.Ph.
Board President

I have read the within Order and agree to its terms.



Randy Binder, R.Ph.

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NEW JERSEY STATE BOARD OF PHARMACY

By:

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Randy Binder, R.Ph.