

personal narrative via regular and certified mail with receipt requested to Respondent's address of record on or about June 25, 2012. The regular mail was not returned. The return receipt indicates that the certified mail was received and signed for. (Board's Request dated June 25, 2012 and the copy of the Return Receipt, annexed hereto as Exhibit B).

3. To date, Respondent has failed to respond to the Board's request.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's letter constitutes a violation of N.J.S.A. 45:1-21(h) in that Respondent has failed to cooperate with the Board's investigation in contravention of N.J.A.C. 13:39C-1.1 et seq. Respondent's failure to provide the Board with a valid address constitutes a violation of N.J.A.C. 13:39-6.10.

ACCORDINGLY, IT IS, on this 3RD day of October, 2012,

ORDERED that:

1. Respondent's certification to practice as a pharmacy technician be and hereby is provisionally suspended until such time as Respondent cooperates with the Board's investigation by providing answers to the Board's request for information to the Board's satisfaction.

2. Respondent shall refrain from practicing as a pharmacy

technician and shall not represent himself as a licensed pharmacy technician until such time as his license is reinstated. Any practice in this State prior to such reinstatement shall constitute grounds for a charge of unlicensed practice. For the purposes of this Order, practice as a pharmacy technician 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 prescription legend drugs or 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. Respondent shall remit payment of a fine and penalty pursuant to N.J.S.A. 45:1-25 in the amount of \$250.00 by certified check or money order payable to the State of New Jersey, delivered to Executive Director Anthony Rubinaccio, Board of Pharmacy, P.O. Box 45013, Newark, New Jersey 07101. Payment shall be made no later than fifteen (15) days **after** the

entry date of any Final Order of Discipline in this matter. In the event Respondent fails to make a timely payment, a Certificate of Debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

4. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30th 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 and submitting her answers to the request for information and personal narrative to Anthony Rubinaccio, Executive Director of the State Board of Pharmacy, 124 Halsey Street, P.O. Box 45013, 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 or offered in mitigation of penalty.

5. 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 a supplemental submission during the thirty-day period, or if the

Board is not persuaded that the submitted materials merit further consideration, a Final Order of Discipline will be entered.

6. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to, an evidentiary hearing, 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 may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

NEW JERSEY STATE BOARD OF PHARMACY

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

EXHIBIT A

Quick Lookup Summary Report

Prefix **First Name** **Middle Name** **Last Name** **Suffix**
Tyrone A Morgan

SSN: ██████████ **Date Of Birth:** 08/26/1980 **Date of Death:**

School Name: Belleville High School
Degree/Certificate: High School Diploma
Date Graduated: 06/01/1999
Major:

License Type: Pharmacy Technician

License No: 28RW00873800

Expiration Date: 08/31/2012

Issue Date: 01/15/2009

Last Renewal: 08/16/2010

License Status: Active

Date This Status: 01/15/2009

Probation?

Limitation?

Restriction?

Obtained By: Application

Address of Record

20 Ford Ct.
Bergenfeild NJ 07621

Date This Address: 01/15/2009

EXHIBIT B

AUGUST 22, 2012 EVE Session SE 2(V)

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To: Tyrone Morgan
 Street, Apt. No., or PO Box No.: 30 Ford Court
 City, State, ZIP+4: Bergenfield, NJ 07621

PS Form 3800, June 2002 See Reverse for Instructions

8065
9099
2000
0520
0750
4000
7000

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>Joyce on Hill</i></p> <p>B. Received by (Printed Name) <input checked="" type="checkbox"/> Date of Delivery <i>Joyce on Hill 6/27</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>
<p>1. Article Addressed to:</p> <p>Tyrone Morgan 20 Ford Court Bergenfield NJ 07621</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label)</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>7004 0750 0002 6606 5303</p>	



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
Board of Pharmacy
124 Halsey Street, 6th Floor, Newark, NJ 07102



JEFFREY S. CHIESA
Attorney General

ERIC T. KANEFSKY
Acting Director

Mailing Address:
P.O. Box 45013
Newark, NJ 07101
(973) 504-6450

Certified Mail 7004 0750 0002 6606 5303
Return Mail Request

June 25, 2012

Tyrone Morgan
20 Ford Court
Bergenfield, NJ 07621

Re. : License # 28RI02850200

Dear Mr. Morgan:

It has come to our attention that you have been terminated from your position as a Pharmacy Technician at Clara Maass Medical Center in Belleville, New Jersey.

So that the Board can properly evaluate this matter, pursuant to N.J.S.A. 45:1-18, kindly provide this office with a personal narrative, and complete information concerning this matter, with all relevant documentation.

Your response is expected no later than 15 days from the receipt of this letter. Thank you for your anticipated cooperation. [Failure to cooperate with a Board investigation may subject you to discipline pursuant to N.J.A.C. 13:39C-1.1 et seq.]

If you have any question regarding this correspondence, contact the Board's office at the above address and/or telephone number.

Sincerely,
New Jersey State Board of Pharmacy

Anthony Rubinaccio, R.Ph.
Executive Director

AR:lb