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**FILED**

**NOV 28 2012**

**BOARD OF PHARMACY**

By: Jodi C. Krugman  
~~Deputy Attorney General~~  
Tel. No. (973) 648-2436

STATE BOARD 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 : Administrative Action  
: :  
Kira Fedorenko, R.P. : CONSENT ORDER  
License No. 28RI02397000 :  
: :  
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 from the family of S.R. indicating that on May 4, 2010, Kira Fedorenko, R.P. ("Respondent"), staff pharmacist at Jersey Shore University Medical Center, mislabeled the dosage of a vial of the medication Keppra for patient S.R., and that S.R.'s subsequent overdose may have contributed to his death.

A Board investigation revealed that Keppra is not in the hospital's formulary and that the generic version of the drug was known to be ineffective in controlling S.R.'s seizures.

Accordingly, the patient's family brought the medication from home. Prior to receiving the actual medication, pharmacy staff entered Keppra orders consistent with the patient's home regimen to reflect 1,000mg tablet x1 at 7:00 AM, 1,000mg tablet x1 at 2:00 PM and 500mg tablet x3 at 7:00 PM. The medication was subsequently delivered to the hospital pharmacy for identification during Respondent's shift.

Respondent identified the medication by referencing Lexicomp and other references as Keppra 1,000mg based on the color, the shape and the imprint. Respondent then verified the three earlier prescription order entries, entered by other hospital personnel for Keppra 1,000mg/1tab to be given at 7:00AM and 2:00PM and 1,500mg/3tabs to be given at 7:00PM. Respondent then placed a label on the 1,000mg medication vial incorrectly indicating the dosage of "1,500mg = 3tablets". This resulted in S.R. receiving an amount of Keppra in excess of what he was prescribed. The error was noted the following evening by nursing staff and the label was immediately corrected by the pharmacy. The same night, S.R. became agitated with hospital staff, eventually becoming unresponsive, and was pronounced dead shortly thereafter.

The Board hereby finds that Respondent's conduct as described above constitutes failure to comply with regulations administered by the Board in violation of N.J.S.A. 45:1-21(h) insofar as Respondent failed to properly verify and label the patient's own

medication as required by N.J.A.C. 13:39-9.16(b). Ensuring that all medications are identified and labeled correctly are two of a pharmacist's most basic responsibilities.

In determining an appropriate resolution of this matter, the Board considered in mitigation the events leading up to and following Respondent's involvement including the need for the patient's family to bring medication from home (rather than use a strength and dosage of medication readily available in the hospital formulary), and the actions and responsibilities of other pharmacists and licensed personnel involved in the care of this patient. The Board also took into consideration Respondent's remorse regarding her possible contribution to the tragic outcome for patient S.R.

The parties, having agreed to resolution of this matter without further formal proceedings, and Respondent, having agreed and given her voluntary consent to the within order and waiving her right to a hearing, 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 THEREFORE on this 28<sup>th</sup> day of Nov, 2012,

ORDERED AND AGREED that:

1. Respondent's license to practice pharmacy in the State of New Jersey shall be and hereby is suspended for one (1) year, the entirety of which shall be stayed and served as a period of probation. The one year period of probation shall begin on the date this Order is filed.

2. Respondent shall pay a civil penalty totaling one thousand dollars (\$1,000.00). Payment shall be made within thirty (30) days of the date this Order is filed. Payment shall be made by certified check or money order made payable to the State of New Jersey and mailed to the New Jersey State Board of Pharmacy, ATTN: Anthony Rubinaccio, Executive Director, 124 Halsey Street, P.O. Box 45013, Newark, New Jersey 07101.

3. Respondent shall take and successfully complete four (4) continuing education credits in medication errors or patient safety as described in N.J.A.C. 13:39-3A.1 et. seq. Respondent shall submit to the Board documentation of the successful completion of such continuing education credits within one (1) year of the filing of this Order. Successful completion means that all sessions were attended, all assignments were properly and appropriately completed, and a passing grade was achieved which was unconditional and without reservation. These credits shall be in addition to the

30 credits of continuing education required pursuant to N.J.A.C. 13:39-3A.1 et seq. as a condition of biennial license renewal.

NEW JERSEY STATE BOARD OF PHARMACY

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

I have read the within Order and understand it. I agree to be bound by its terms and hereby consent to it being entered by the New Jersey Board of Pharmacy.

Kira Fedorenko  
Kira Fedorenko, R.P.

Dated: 10/22/12

Consent is given as to form and entry of this Order.

Angelo Cifaldi  
Angelo Cifaldi, Esq.  
Attorney for Kira Fedorenko, R.P.

Dated: 11/5/12