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FILED

JAN 10 2013

BOARD OF PHARMACY

By: Bindi Merchant
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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 REVOCATION OF THE LICENSE OF

CONSENT ORDER

Calvin Osei, R.P.
License No.: 28RI02843500

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 that Calvin Osei, RP ("Respondent") was indicted on October 26, 2009 on one count of Conspiracy to Commit Health Care Claims Fraud and Medicaid Fraud (2nd Degree); one count of Health Care Claims Fraud (2nd degree); two counts of Medicaid Fraud (3rd Degree); and one count of Filing False or Fraudulent New Jersey Income Tax Resident Return (3rd Degree), based on conduct related to his employment as pharmacists at Campus Pharmacy in Newark, New Jersey, in violation of N.J.S.A. 2C:5-2, N.J.S.A. 2C:21-4.2, N.J.S.A. 2C:21-4.3, N.J.S.A. 54A:8-3.1, N.J.S.A. 30:4D-17, N.J.S.A. 2C:2-6, N.J.S.A. 2C:2-7, and N.J.S.A. 54:52-10.

On March 9, 2012, Respondent pled guilty to third degree Health Care Claims fraud, in violation of N.J.S.A. 30:4D-17. On May 4, 2012, Respondent was sentenced to two years probation by Superior Court Judge Martin Cronin in Essex County. Respondent was also ordered to pay \$100,000 in restitution and fines.

The above conviction provides grounds for discipline, including the revocation or suspension of respondent's license to practice pharmacy in the State of New Jersey pursuant to N.J.S.A. 45:1-21(b) in that he has engaged in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense; N.J.S.A. 45:1-21 (e) in that he has engaged in professional or occupational misconduct; and N.J.S.A. 45:1-21 (f) in that the crimes of which respondent was convicted are crimes of moral turpitude and/or relate adversely to the practice of pharmacy.

The Board, being satisfied that entry of the within Order is adequately protective of the public health, safety and welfare and being satisfied that good cause exists for the entry of the within Order,

IT IS, therefore on this 10th day of JANUARY, 2012¹³

ORDERED THAT:

1. Respondent's license to practice pharmacy in the State of New Jersey be and hereby is suspended for a minimum period of two (2) years. This period shall commence retroactively to the date of conviction, May 4, 2012.
2. Upon commencement of active suspension, Respondent shall 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; he shall not be involved in any financial matters or management of a pharmacy, and he is prohibited from being present within any area of a pharmacy.

3. Respondent shall surrender his original wall certificate, his 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 reinstatement of Respondent's license to practice pharmacy, Respondent shall appear before the Board, to demonstrate his compliance with the terms of his criminal sentence and fitness to practice and successful completion of all terms of criminal sentence, and 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
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.

Calvin Osei
Calvin Osei, RP

Consent as to form and entry:

Angelo J. Cifaldi
Angelo J. Cifaldi, Esq.
Attorney for Respondent