95566

JEFFREY CHIESA
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street- 5th Floor
P.O. Box 45029
Newark, New Jersey 07101

By: Megan Cordoma
Deputy Attorney General
Tel. No. (973) 648-3453

FILED
MAR 15 2013
BOARD OF PHARMACY

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

---

IN THE MATTER OF THE PERMIT OF

MedPrep Consulting Inc.
Permit No.28RS00615400

TO OPERATE AS A PHARMACY
IN THE STATE OF NEW JERSEY

---

**Administrative Action**

**Voluntary Interim Consent Order**

This matter was opened to the New Jersey State Board of Pharmacy ("Board") on March 15, 2013 upon receipt of information from MedPrep Consulting, Inc., a pharmacy located at 1540 West Park Avenue, Suite 5, Tinton Falls (hereinafter "the Pharmacy"), that it voluntarily recalled all magnesium sulfate products compounded at its facility. The recall resulted from the Pharmacy being notified by Yale New Haven Hospital that it observed visible particulate contaminants in 50 ml

bags of magnesium sulfate intravenous solution belonging to unique and distinct lots compounded and dispensed by the Pharmacy only to Yale New Haven Hospital. As of the time of this order, there is no indication that the sterility of the magnesium sulfate products that the pharmacy dispensed to twelve other facilities was compromised, nonetheless the Pharmacy included these products in the voluntary recall.

The Pharmacy voluntarily refrained from engaging in compounding activities beginning on March 15, 2013. While the root cause of the alleged contamination remains under investigation, the Pharmacy, in addition to instituting an immediate voluntary recall of all magnesium sulfate products, arranged to have its clean room re-certified and inspected for mold.

The parties, having agreed to entry of this Interim Order without further formal proceedings, and the Pharmacy, having agreed and given voluntary consent to the within order and waiving any 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** 15 **day of** March**, 2013,**

**ORDERED AND AGREED that**

1. The Pharmacy shall immediately refrain from and stop all pharmacy operations through the close of business on Friday March 22, 2013. Pharmacy operations include, but are not limited to:

compounding and mailing, dispensing, distributing or delivering in any manner, legend drugs or devices or controlled substances, and participation in any and all central prescription handling arrangements.

2. However, the Pharmacy may resume operations for the limited purposes of allowing monitored observation of its operation by State or Federal entities investigating this matter.

3. The Pharmacy shall demonstrate to the Board's satisfaction that the clean room is re-certified and checked for and free of mold and other contaminants.

4. The Pharmacy shall provide to the Board copies of all documents produced to the Federal Drug Administration within 48 hours of any such production.

5. The Pharmacy shall submit to the Board on an ongoing basis all test results and certifications within 48 hours of receipt. The Board agrees to consider all information provided by the Pharmacy, as well as all available investigative materials beginning Monday March 18, 2013.

6. This Consent Order is not and shall not be construed to be a disciplinary action or sanction of any kind, nor as an admission of liability or wrongdoing by the Pharmacy.

7. The entry of the within Order is without prejudice to the further investigation and/or prosecution by the Board, the Attorney General or any other regulatory or law enforcement agency of any

violations by the Pharmacy of any statutes or regulations governing the practice of pharmacy in the State or any violations of law, including but not limited to any pending matters under investigation.

8. The terms of this consent order may be extended beyond Friday March 22, 2013 upon voluntary consent of the parties or upon application by the Attorney General.

NEW JERSEY STATE BOARD OF PHARMACY

By: Edward G. McGinley RPh
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.

_____ Dated: _____

Gary Tighe
TITLE: _____
on behalf of and duly authorized by MedPrep Consulting, Inc.

Consent as to form and entry of this Order

_____ Dated: _____

Satish Poondi, Esq.
Counsel for MedPrep Consulting, Inc.

6. This Consent Order is not and shall not be construed to be a disciplinary action or sanction of any kind, nor as an admission of liability or wrongdoing by the Pharmacy.

7. The entry of the within Order is without prejudice to the further investigation and/or prosecution by the Board, the Attorney General or any other regulatory or law enforcement agency of any violations by the Pharmacy of any statutes or regulations governing the practice of pharmacy in the State or any violations of law, including but not limited to any pending matters under investigation.

8. The terms of this consent order may be extended beyond Friday March 22, 2013 upon voluntary consent of the parties or upon application by the Attorney General.

NEW JERSEY STATE BOARD OF PHARMACY

By: _____
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.

_____ Dated: 3/15/2013
Gerry Tighe
TITLE: PRESIDENT
on behalf of and duly authorized by MedPrep Consulting, Inc.

Consent as to form and
entry of this Order

Satish Poondi, Esq.
Counsel for MedPrep Consulting, Inc.

Dated: 3/15/2013