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FILED
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BOARD OF PHARMACY

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 REGISTRATION OF

ADMINISTRATIVE ACTION

TYRONE A. MORGAN
Registration No. 28RW00873800

FINAL ORDER

TO PRACTICE AS A PHARMACY
TECHNICIAN
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Pharmacy (the "Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Tyrone Morgan ("Respondent") is a registered pharmacy technician in the State of New Jersey, registered on January 15, 2009.

2. Upon receipt of notification from Clara Maass Medical Center in Belleville that Respondent was terminated from employment, the Board sent a request for information and 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.

3. As of October 3, 2012, the date of the original Provisional Order of Discipline, Respondent had failed to respond to the Board's request.

CONCLUSIONS OF LAW

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

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking the suspension of Respondent's registration to practice as a pharmacy technician in the State of New Jersey and a fine of \$250 was entered on October 3, 2012. A copy was forwarded to Respondent's address

of record via certified and regular mail, return receipt requested. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefore.

On October 9, 2012 Respondent replied to the Provisional Order of Discipline via email. Respondent explained that he was terminated from his employment for abandoning his position following his hospitalization and outpatient treatment for depression and psychosis. Respondent also asserted that the aforementioned depression and psychosis was the reason he didn't respond to the Board's inquiry. Respondent chose not to renew his registration to practice as a pharmacy technician and allowed that registration to expire on August 31, 2012.

Since the Respondent has provided an answer to the letter of inquiry in which he has acknowledged that he was suffering from depression and psychosis at the time he received the Board's letter, coupled with the fact that Respondent's

registration is now expired, the Board has determined disciplinary action is not warranted at this time.

ACCORDINGLY, IT IS on this 30th day of April, 2013,

ORDERED that:

1. Respondent shall refrain from practicing as a pharmacy technician and shall not represent himself as a registered pharmacy technician until such time as his certification 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 prescriptions, shall not handle anything requiring a prescription, including devices and medications; and shall not be present within a prescription filling area of a pharmacy.

2. Nothing herein precludes the Board from taking action on the underlying conduct that was originally the subject of inquiry in this matter.

NEW JERSEY STATE BOARD OF PHARMACY

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