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Jeffrey Chiesa
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street, 5th Floor
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the Board of Pharmacy

FILED

MAY 29 2013

BOARD OF PHARMACY

BY: Megan Cordoma
Deputy Attorney General
(973) 648-3453

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 REGISTRATION OF :

TIFFANY L. THOMAS :
Registration No. 28RW00457600 :

ADMINISTRATIVE ACTION

**PROVISIONAL ORDER OF
DISCIPLINE**

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 preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Tiffany L. Thomas ("Respondent") is a registered pharmacy technician in the State of New Jersey and has been registered at all times relevant hereto. (Exhibit A)

2. Upon receipt of a flagging notice indicating that Respondent was arrested on September 15, 2012 by the Lower Township Police Department for violating N.J.S.A. 2C:20-7 [Receiving Stolen Property] and N.J.S.A. 2C:20-4 [Theft By Deception], the Board sent a letter of inquiry requesting certain information and the submission of documents to Respondent's address of record in Villas, New Jersey via regular and certified mail on or about October 19, 2012. The regular mailing was not returned; the certified mailing was delivered on or about October 26, 2012. (Exhibit B)

3. Upon receipt of a flagging notice indicating that the aforementioned charges were administratively dismissed by Cape May County Superior Court on January 23, 2013 the Board sent a second letter of inquiry requesting certain information and the submission of documents to Respondent's address of record in Villas, New Jersey via regular and certified mail on or about February 14, 2013. The regular mailing was not returned; the certified mailing was delivered on or about February 15, 2013. (Exhibit C)

4. To date, Respondent has not provided a response to the Board's requests for information and documentation.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's letter constitutes violations of N.J.S.A. 45:1-21(e) and (h) in that Respondent has failed to cooperate with the Board's investigation in contravention of N.J.A.C. 13:45C-1.2 & 1.3.

ACCORDINGLY, IT IS on this 29th day of MAY, 2013,

ORDERED that:

1. Respondent's registration to practice as a pharmacy technician is provisionally suspended until Respondent cooperates with the Board's investigation by providing the Board with the information and documentation requested in the Board's letters of inquiry.

2. A civil penalty in the amount of \$250.00 is provisionally imposed upon Respondent. Payment shall be made by certified check or money order, payable to the State of New Jersey, delivered to Anthony Rubinaccio, Executive Director, State Board of Pharmacy, P.O. Box 45013, Newark, New Jersey 07101. Payment shall be made no later than 15 days after the entry 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.

3. Upon the filing of a Final Order in this matter, Respondent shall immediately cease and desist from engaging in practice as a pharmacy technician, which 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 legend drugs and controlled substances; shall not fill an automated medication system; shall not accept authorization for a prescription refill or renewal; shall not handle anything requiring prescription, including devices and medications; Respondent shall not handle prescriptions; and shall not be present within a prescription filling area of a pharmacy.

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 to Anthony Rubinaccio, Executive Director, 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.

7. 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