

JEFFREY S. 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

JUN 6 2013

BOARD OF PHARMACY

By: Megan Cordoma
Deputy Attorney General
Tel. (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 :
: Administrative Action
DENISE G. ROMAN :
Registration No. 28RW01405500 : FINAL 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 ("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. Denise G. Roman ("Respondent") was registered as a pharmacy technician in the State of New Jersey on October 19, 2010 and, thereafter, permitted her registration to lapse on August 31, 2012.

2. On or about February 14, 2012, in the Superior Court of New Jersey in Essex County, Respondent pled guilty to and was

convicted of one (1) count of knowingly committing health care claims fraud in violation of N.J.S.A. 2C:21-4.3A. On March 19, 2012, Respondent was sentenced to one (1) year of probation and assessed \$157.00.

CONCLUSIONS OF LAW

Respondent's conviction provides grounds to take disciplinary action against her registration to practice as a pharmacy technician in New Jersey pursuant to N.J.S.A. 45:1-21(f), in that Respondent has engaged in acts constituting a crime or offense of moral turpitude or relating adversely to activity regulated by the Board.

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 was entered on March 14, 2013. A copy was forwarded to Respondent's last known address of record by means of both regular and certified mail. The regular mailing was not returned; and the certified mail was delivered by USPS. 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 therefor.

Because the Order was forwarded to Respondent's address of record, the Board deems service to have been effected. Respondent cannot evade service by failing to provide the Board with a valid address or failing to respond. To date, Respondent has not submitted a response to the Provisional Order. The Board further determined that inasmuch as no discrepancies have been raised with respect to the findings and conclusions of the Provisional Order, no further proceedings are necessary and the Provisional Order should be made final.

ACCORDINGLY, IT IS, on this 6th day of JUNE, 2013,

ORDERED THAT:

1. Respondent's registration to practice as a pharmacy technician is hereby suspended. Such suspension is to run concurrently with Respondent's criminal probation or for five (5) years, whichever is longer.

2. Respondent shall refrain from engaging in practice as a pharmacy technician and shall not represent herself as a licensed pharmacy technician until such time as her registration is reinstated. Any practice in this State prior to such reinstatement shall constitute grounds for a charge of unlicensed practice.

3. Respondent shall immediately, upon entry of a Final Order of Discipline, surrender her original registration to the Executive Director of the Board by mailing same to Anthony Rubinaccio,

Executive Director, Board of Pharmacy, P.O. Box 45013, Newark, New Jersey 07101.

4. Prior to any application for reinstatement of her registration, Respondent shall:

a) Appear before the Board, at the Board's discretion, to discuss her readiness to re-enter practice as a pharmacy technician. At that time Respondent shall be prepared to propose her plans for future practice in New Jersey and demonstrate she is fit and competent to practice and has been rehabilitated to the Board's satisfaction.

b) Provide the Board with documentation of successful completion of any and all criminal sentencing and probation terms.

NEW JERSEY STATE BOARD OF PHARMACY

By: Edward G. McGinley
Edward G. McGinley, RP
Board President