

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 10 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 :
REVOCAION OF THE LICENSE OF :
 : ADMINISTRATIVE ACTION
 Louis F. Ferri, R.P. :
 License No. 28RI01422900 : **INTERIM CONSENT ORDER**
 : **OF VOLUNTARY SURRENDER**
 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 Louis F. Ferri ("Respondent") was observed diverting a Controlled Dangerous Substance ("CDS") from his employer for his own use. Specifically, multiple staff members at Virtua Marlton Hospital reportedly witnessed Respondent withdrawing the wastage balance of Morphine Sulfate (a CDS) from three (3) previously used vials with a syringe, and removing seven (7) other vials containing the same on or about April 8, 2013. Staff members then saw Respondent self-administer the Morphine Sulfate contained in the syringe while on

duty. It was also reported that Respondent, when questioned by his employer, admitted to taking and self-administering the CDS.

The Board finds that Respondent's alleged conduct, if proven, provides grounds to take disciplinary action against Respondent's license to practice pharmacy in New Jersey pursuant to N.J.S.A. 45:1-21(b), (e), and (f), in that Respondent has engaged in the use of dishonesty, fraud, or deception; in professional misconduct; and in acts constituting a crime or offense relating adversely to the practice of pharmacy.

It appearing that Respondent wishes to voluntarily surrender his license to practice pharmacy in the State of New Jersey without prejudice and in accordance with the terms of this Order, 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 10th day of JUNE, 2013

ORDERED THAT:

1. Respondent is hereby granted leave and shall immediately surrender his license to practice pharmacy in the State of New Jersey until further Order of the Board.

2. Respondent shall immediately cease and desist from engaging in the practice of pharmacy in New Jersey, 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, and he is prohibited from being present within a prescription filling area of a pharmacy in New Jersey.

3. Respondent shall surrender his original wall certificate, wallet certificate, and his most recent renewal card immediately upon the entry of this Order by mailing same to Anthony Rubinaccio, Executive Director, 124 Halsey Street, 6th Floor, P.O. Box 45013, Newark, New Jersey 07101.

4. Prior to any restoration of his license, Respondent shall:

a. Appear before the Board, or a committee thereof, to discuss his readiness to reenter the practice of pharmacy. At that time Respondent shall be prepared to propose his plans for future practice in New Jersey.

b. Provide the Board with evidence that he is capable of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare and that he is not then suffering from any impairment or limitation resulting from the use of any addictive substance which could affect his practice.

c. Provide documentation to the Board that he has enrolled in and complied fully with a monitoring program established for him by the Professional Assistance Program ("PAP") or other Board-approved treatment program. Respondent shall provide the Board with a report from the PAP or other Board-approved program detailing the nature and extent of his involvement with that entity.

d. Undergo an in-depth psychological or psychiatric evaluation by a practitioner pre-approved by the Board or the PAP who is experienced in addiction therapy. Respondent authorizes the Board to provide the practitioner with copies of all documents relevant to Respondent's alleged professional misconduct and with a copy of this Order and Respondent shall ensure that the practitioner has these documents prior to

initial evaluation. Respondent shall ensure that the practitioner provides the Board with a written evaluation regarding Respondent's ability to practice pharmacy in a manner protective of the public health, safety and welfare and Respondent shall provide the Board with documentary proof that she has complied with any recommendations made by the practitioner.

e. Provide the Board with complete treatment records of all diagnostic and rehabilitative therapy from each and every mental health professional (including, but not limited to, psychologists, psychiatrists, counselors and therapists) who have participated in Respondent's care and/or treatment during the period of time from the date the within Order is filed to his appearance before the Board or a committee thereof to discuss his readiness to reenter practice as a pharmacist.

f. Provide the Board with discharge summaries from any in-patient programs and reports from each and every mental health professional (including, but not limited to, psychologists, psychiatrists, counselors and therapists) who have participated in Respondent's care and/or treatment during the period of time from the date the within Order is filed to his appearance before the Board.

g. Affirmatively establish his fitness, competence and capacity to reenter the active practice of pharmacy in New Jersey.

h. Provide the Board with a full account of his conduct during the intervening period of time from the entry of this Order to his appearance pursuant to this Order.

5. Nothing contained herein shall be deemed an admission of liability on the part of the Respondent.

6. The Board reserves the right to place restrictions and/or limitations upon Respondent's license to practice as a pharmacist in the State of New Jersey in the event that his license is reinstated.

7. The entry of the within Order is without prejudice to the further investigation and/or prosecution of any violations by

Respondent of any statutes or regulations governing the practice of pharmacy in the State or any violations of law, by the Board, the Attorney General or any other regulatory or law enforcement agency, including but not limited to any pending matters under investigation.

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.

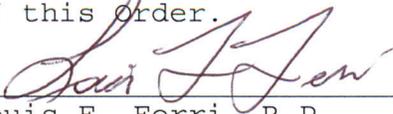
Louis F. Ferri, R.P.

Respondent of any statutes or regulations governing the practice of pharmacy in the State or any violations of law, by the Board, the Attorney General or any other regulatory or law enforcement agency, including but not limited to any pending matters under investigation.

NEW JERSEY STATE BOARD OF PHARMACY

By: _____
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.



Louis F. Ferri, R.P.