

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

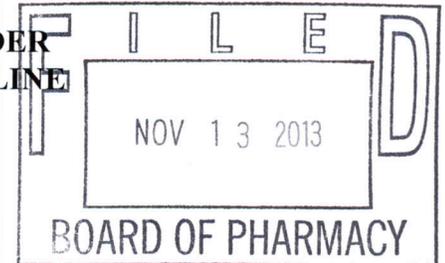
IN THE MATTER OF THE SUSPENSION OR :  
REVOCAION OF THE REGISTRATION OF :

**CHRISTOPHER A. HELVITSON** :

Registration No.: 28RW00028600 :

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

**FINAL ORDER  
OF DISCIPLINE**



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. Christopher A. Helvitson (“Respondent”) is a registered Pharmacy Technician in the State of New Jersey and was a registrant at all times relevant hereto. His registration expired on August 31, 2010.

2. On or about June 12, 2008, Respondent provided a handwritten, voluntary, signed statement to Lisa Bryant, CVS Regional Loss Prevention Manager, admitting that he stole 4,250 tablets of Hydrocodone 10/325, 300 tablets of Hydrocone 7.5/325, 25 tablets of Phentermine 37.5, 60 tablets of Alprazolam 1mg, 20 tablets of Diazepam 10mg, 8 tablets of Valium 10mg, and 20 tablets of Percocet from the CVS store in which he was employed as a registered Pharmacy Technician. Respondent admitted that he sold some of the drugs and consumed some of the drugs.

3. On or about June 12, 2008, Respondent was arrested in Middle Township, New Jersey and charged with theft of a Controlled Dangerous Substance (CDS), namely hydrocodone,

N.J.S.A. 2C:20-B(1)(C) and distribution of Prescription Legend Drug, N.J.S.A. 2C:35-10.5A(3).

4. On or about August 14, 2008, Respondent waived his right to an indictment and an accusation was filed charging him with Distribution of a Controlled Dangerous Substance, namely, Hydrocodone, schedule III, in violation of N.J.S.A. 2C:35-10.5a(1).

5. On or about October 24, 2008 Respondent entered PreTrial Intervention (“PTI”) for eighteen (18) months.

### **CONCLUSIONS OF LAW**

Respondent’s theft and unlawful distribution of medication, including controlled dangerous substances, without valid prescriptions, provides grounds to take disciplinary action against Respondent’s registration to practice as a pharmacy technician in New Jersey pursuant to N.J.S.A. 45:1-21 (b), (e) and (f), in that Respondent has engaged in the use or employment of dishonesty, fraud, deception, and misrepresentation, has engaged in multiple acts of professional misconduct, and has engaged in acts constituting a crime or offense relating adversely to the practice of pharmacy, the activity regulated by the Board.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending respondent's registration to practice as a pharmacy technician in the State of New Jersey was entered on June 9, 2010 and a copy was forwarded to respondent's last known address by means of both regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business 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.

The Provisional Order of Discipline sent by means of certified mail was returned as "unable to forward." A search of records found a second address for respondent, and the Provisional Order of Discipline was re-sent to that address by regular and certified mail. Although the Provisional Order sent to that address by means of certified mail was returned as unclaimed, the regular mail was not returned. Because the Order was originally forwarded to respondent's address of record, the Board deems service to have been effected. Respondent cannot evade process by failing to respond. Accordingly, it is determined that further proceedings were not necessary and that the Provisional Order should be made final. Moreover, the Board maintains jurisdiction over respondent and his registration, even though expired, as respondent may seek reinstatement of his expired registration at any time upon filing of the appropriate documentation and paying the necessary fees.

**IT IS therefore on this 13th day of November, 2013,**

**ORDERED that:**

1. Respondent's registration to practice as a pharmacy technician in the State of New Jersey is hereby suspended for a minimum period of five (5) years from the date of entry of this Final Order of Discipline, all such suspension to be served as a period of active suspension. The Board will not entertain an application for reinstatement of respondent's registration for at least five years from the filing of this Final Order of Discipline.

2. Respondent shall 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 a prescription, including devices and medications; shall not handle prescriptions; and shall not be present within a prescription filling area of a pharmacy.

3. Within five (5) days, Respondent shall surrender his original registration and the most recent renewal card to the Executive Director of the Board by mailing same to Anthony Rubinaccio, Executive Director, Board of Pharmacy, 124 Halsey Street, P. O. Box 45013, Newark, New Jersey 07101.

4. Prior to any reinstatement of his registration as a pharmacy technician, Respondent shall:

a. Provide, to the Board's satisfaction, evidence that he is capable of discharging the functions of a registrant 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.

b. Provide the Board with complete treatment records of all diagnostic and rehabilitative therapy, discharge summaries from any in-patient programs, as well as reports from each and every mental health professional (including but not limited to: psychologists, counselors, therapists, psychiatrists) who has participated in Respondent's care and/or treatment during the period of time from the date of the incidents giving rise to the within Order to his appearance before the Board pursuant to this Order.

c. 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.

d. Provide the Board with proof of the resolution of any criminal charges filed against him and compliance with any terms imposed by the criminal authorities, including PTI, parole and/or probation, related to this matter.

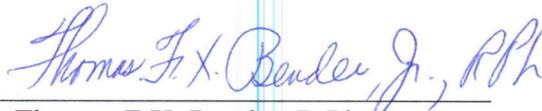
e. Appear before the Board or a committee thereof, if so requested, to discuss his readiness to reenter practice as a pharmacy technician. At that time Respondent shall be prepared to propose his plans for future practice in New Jersey.

f. Provide documentation of successful completion of all application requirements including a Criminal History Background Check and payment of all reinstatement fees.

5. If Respondent's registration to practice as a pharmacy technician is reinstated, the Board, in its discretion, may impose any conditions or restrictions on registration it deems necessary to protect the public health, safety and welfare.

6. Any practice in this State in violation of the above conditions shall constitute grounds for discipline for violation of a Board Order and professional misconduct.

NEW JERSEY STATE BOARD OF PHARMACY

By:   
Thomas F.X. Bender, R.Ph.  
Board President