



CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs  
Case Initiation and Tracking Unit  
124 Halsey Street, 7<sup>th</sup> Floor, Newark NJ 07102



JOHN J. HOFFMAN  
Acting Attorney General

ERIC T. KANEFSKY  
Director

February 7, 2014

**Mailing Address:**  
P.O. Box 45025  
Newark, NJ 07101  
(973) 504-6200

-Via Certified & Regular Mail-

Richard Lucente  
169 Nantucket Place  
Morganville, NJ 07751-1740

Re: In The Matter of the New Jersey CDS  
Registration issued to  
Richard Lucente, D.O.  
N.J. CDS Reg. No. D09019000  
Docket #: 13-112

Enclosed please find a Consent Order NJ CDS Registration in connection to the above captioned matter which was filed on **January 25, 2014.**

Respectfully,

  
James Rodriguez  
Clerk

cc: Eric T. Kanefsky, Director  
Maryann Sheehan, Deputy Director, Professional Boards  
David Puteska, Deputy Attorney General  
Megan cordoma, Deputy Attorney General  
Matthew R. Wetzal, Acting Manager, Drug Control Unit

JOHN J. HOFFMAN  
ACTING ATTORNEY GENERAL OF NEW JERSEY  
P.O. Box 45029  
124 Halsey Street, Fifth Floor  
Newark, NJ 07101

**FILED**

JAN 25 2014

Division of Consumer Affairs

By: David M. Puteska  
Deputy Attorney General  
(973) 648-2972  
[David.Puteska@lps.state.nj.us](mailto:David.Puteska@lps.state.nj.us)

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS

IN THE MATTER OF THE NEW JERSEY :  
CDS REGISTRATION ISSUED TO :  
:  
**RICHARD LUCENTE, D.O.** :  
**N.J. CDS REG. No. D09019000** :

Administrative Action  
**CONSENT ORDER**  
**NJ CDS REGISTRATION**

13-112

This matter was opened to Eric T. Kanefsky, Director of the New Jersey Division of Consumer Affairs (the "Director") pursuant to his authority over the dispensing of Controlled Dangerous Substances ("CDS") as set forth in N.J.S.A. 24:21-1 et. seq. On December 3, 2013, the Director issued an Order to Show Cause as to why the New Jersey CDS Registration issued to Richard Lucente, D.O. ("Respondent") should not be revoked. A copy of the Order to Show Cause, with exhibits, is attached hereto as Exhibit A. A hearing on this matter was scheduled for January 29, 2014.

Respondent was a physician previously licensed to practice medicine and surgery in New Jersey by the New Jersey State Board of Medical Examiners (the "Board"). Respondent also maintained a registration to prescribe and/or dispense CDS issued by the New Jersey Division of Consumer Affairs (the "Division") pursuant to N.J.S.A. 24:21-10 under registration number

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D09019000. At all times relevant hereto, Respondent maintained a medical practice in Middletown, New Jersey.

On May 28, 2010, the Board entered an Order revoking Respondent's license to practice medicine and surgery in New Jersey. A copy of the Order is attached as Exhibit 3 to Exhibit A and incorporated by reference.

N.J.A.C. 13:45H-7.4(a) requires that all prescriptions for CDS be issued only for legitimate medical purposes by a practitioner acting in the usual course of his professional practice. The Final Order entered by the Board, as detailed above, reflect that he issued CDS prescriptions without legitimate medical purposes and outside the usual course of professional practice.

Respondent's surrender of his New Jersey and New York medical licenses constitute grounds for the revocation of his New Jersey CDS registration pursuant to the Director's authority under N.J.S.A. 24:21-12. The Board's Consent Order which finds that he issued CDS prescriptions for non-legitimate medical purposes constitutes a violation of N.J.A.C. 13:45H-7.4(a) and thus also provides grounds for the revocation of his New Jersey CDS registration pursuant to N.J.S.A. 24:21-12(a)(3).

Upon receipt of the Order to Show Cause filed in this matter Respondent indicated his desire to consent to the surrender to be deemed a revocation of his New Jersey CDS Registration. Pursuant to the above information; the Director's authority under N.J.S.A. 24:21-12(c); Respondent's consent and for good cause shown:

IT IS ON THIS 25 day of January, 2014 ORDERED that

1. Respondent hereby surrenders his New Jersey CDS Registration, number D09019000, with such surrender to be deemed a revocation pursuant to N.J.S.A. 24:21-12 (a). The revocation of his CDS Registration shall be retroactive to May 28, 2010;

2. To the extent not already completed, any prescription pads bearing the licensee's name shall be destroyed. A destruction report form, obtained from the Division's Office of Drug Control, must be filed. Any CDS in Respondent's possession, other than for legitimate personal use pursuant to a duly issued prescription, must be returned to the manufacturer, if possible or destroyed in an approved fashion.

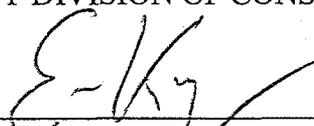
3. Within thirty (30) days of the filing of this Consent Order, the Director will provide a copy to the Drug Enforcement Administration ("DEA").

4. Any future application by Respondent to the Director for a CDS registration shall be issued only after he has been issued a license to practice medicine in New Jersey by the Board and after he proves, to the Director's satisfaction, that such issuance is in the public interest as set forth in N.J.S.A. 24:21-11.

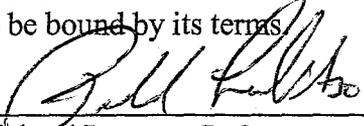
5. Respondent has been specifically informed that he may consult an attorney to represent him in this matter. Respondent acknowledges that he has been advised of the ability to consult with counsel and that he chooses to voluntarily enter into this Consent Order.

NEW JERSEY DIVISION OF CONSUMER AFFAIRS

By: \_\_\_\_\_

  
Eric T. Kanefsky, Director

I have read and understood  
this Consent Order and consent  
to be bound by its terms.



Richard Lucente, D.O.

Dated: 1/25/14