



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, 7th Floor, Newark NJ 07102



JOHN J. HOFFMAN
Acting Attorney General

STEVE C. LEE
Acting Director

April 16, 2014

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

-Via Certified & Regular Mail-

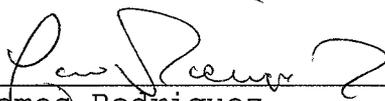
Ronald Rahman, M.D.
720 Valley Brook Xing
Decatur, GA 30033-5843

In The Matter of the New Jersey CDS
Registration issued to
Ronald Rahman, M.D.
NJ CDS Registration No. D06074100
Docket #: 13-084

Dear Mr. Rahman:

Enclosed please find a Final Order on Default in connection to the above captioned matter which was filed on **April 9, 2014**.

Respectfully,


James Rodriguez
Clerk

cc: Steve C. Lee, Acting Director
Maryann Sheehan, Deputy Director, Professional Boards
Matt Wetzal, Acting Head Drug Control Unit
David M. Puteska, Deputy Attorney General
Megan Cordoma, Deputy Attorney General

FILED

APR 9 2014

Division of Consumer Affairs

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

IN THE MATTER OF THE NEW JERSEY	:	
CDS REGISTRATION ISSUED TO	:	Administrative Action
	:	
RONALD RAHMAN, M.D.	:	FINAL ORDER
	:	ON DEFAULT
N.J. CDS REG. No. D06074100	:	
	:	13-084

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 dispensing¹ of Controlled Dangerous Substances (CDS) as set forth in N.J.S.A. 24:21-1 et seq. upon his receipt and review of information and by way of an Order to Show Cause filed with the Division of Consumer Affairs (the "Division") by John Hoffman, Acting Attorney General of New Jersey, by Deputy Attorney General David Puteska on September 30, 2013. The Order was returnable on December 9, 2013, at 1:00 p.m. Pursuant to N.J.S.A. 24:21-12, the Attorney General sought revocation of the registration of Ronald Rahman, M.D. ("Respondent") to dispense CDS.

The Order to Show Cause alleges that, on January 13, 2012, Respondent was charged with multiple counts of illegal distribution of CDS in the United States District Court for the District of New Jersey. The arrest followed an undercover investigation in which Respondent sold CDS prescriptions to an undercover agent from his car on multiple occasions.

The Order to Show Cause further alleges that Respondent provided prescriptions in New Jersey even though his New Jersey medical license and New Jersey CDS registration had expired

¹ "Dispense" means to deliver a controlled dangerous substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery." N.J.S.A. 24:21-2.

in 2005. Respondent wrote the prescriptions to the undercover agent on New York prescription blanks without performing any medical examination or requesting any medical information from the agent. On various occasions, the undercover agent purchased thousands of dosage units of highly addictive narcotics including Oxycontin, Roxicodone, and Percocet. Respondent was paid in cash and, in exchange, delivered to the undercover agent prescriptions in multiple patient names. During the first transaction, Respondent was paid \$1,200 in cash from the undercover agent and Respondent delivered 1,140 dosage units of CDS by writing out ten different prescriptions in eight different patient names. In the second transaction, Respondent was paid \$1,150 for eight prescriptions in seven different names. Finally, in the third transaction prior to his arrest, Respondent was paid \$1,500 in cash for providing twelve different prescriptions reflecting more than 1,400 dosage units of CDS. Finally, the Order to Show Cause alleges that Respondent was arrested in the parking lot of Big Lots Department Store in Lindenwald, New Jersey, and subsequently charged in federal court with multiple counts of illegal distribution of CDS.

On January 13, 2012, Respondent pled guilty to the Distribution of Prescription Drugs in violation of 21 U.S.C. §841(a)(1) and 841(b)(1)(C) and was sentenced to twenty-five months of imprisonment. As part of his guilty plea, Respondent admitted to prescribing Oxycontin to individuals without any legitimate medical need from his car in parking lots of department stores in New Jersey. Respondent acknowledged he was prescribing CDS even though his New Jersey medical license and New Jersey CDS registration were expired.

Respondent did not submit an Answer or other written response to the Order to Show Cause. Nor did he telephone or appear at the Division of Consumer Affairs office seeking an adjournment or otherwise responding to the Order to Show Cause.

A hearing was held before the Director on December 9, 2013. Deputy Attorney General David Puteska appeared on behalf of the Attorney General. After representing that neither Respondent nor counsel for Respondent had called the Attorney General or responded to the Order to Show Cause, the Attorney General asked to proceed with the hearing to revoke Respondent's registration, asserting that adequate efforts at service had been made. He supported his application with P-1 Certification of James Rodriguez, Clerk, Division of Consumer Affairs, dated December 6, 2013, entered the certification into evidence. Mr. Rodriguez certifies that on or about October 7, 2013, he caused to be served, via United States Express Mail, a copy of the Order to Show Cause and attached exhibits in this matter on Brian S. O'Malley, Esq., an attorney who represented Respondent in prior matters. He also caused to be served on or about November 7, 2013, via United States Express Mail, a copy of the Order to Show Cause and attached exhibits in this matter on Respondent, at 720 Valleybrook Crossing, Decatur, Georgia, 30033, an address provided as a return address on an envelope that Respondent sent to DAG Puteska in August 2013. The mail sent to Georgia was not claimed. True and complete copies of the Express Mail receipts, and proof of delivery are attached to Mr. Rodriguez' certification.

The Director determined that the State had met its burden of proof and demonstrated that adequate efforts at service were made at an address recently provided by Respondent and on his last known legal counsel. The Director found efforts at service sufficient to place Respondent on notice pursuant to N.J.A.C. 1:1-7.1, found the Respondent to be in default and moved forward with the hearing in Respondent's absence. Given that Respondent provided the Georgia address in August 2013, the Director indicated that this default proceeding was without prejudice to Respondent's ability to reopen this matter at a later time upon a showing that the Order to Show

Cause was not actually received by him because the Georgia address was not his address during November 2013.

SUMMARY OF EVIDENCE PRESENTED

In opening statements and in the Order to Show Cause submitted to the Director, the Attorney General argued that Respondent's guilty plea and criminal conviction of an indictable offense related to his indiscriminate prescribing of CDS, and constitutes grounds for revocation of his New Jersey CDS registration pursuant to N.J.S.A. 24:21-12(a)(2) and (3). The Attorney General supported his application for revocation of Respondent's registration with the following documents introduced into evidence:

- P-2 Criminal Complaint IMO USA v. Ronald Rahman, dated November 13, 2009.
- P-3 Indictment IMO USA v. Ronald Rahman, filed March 3, 2010.
- P-4 Judgment in a Criminal Case IMO USA v. Ronald Rahman, dated January 13, 2012.

The criminal complaint against Respondent, P-2 in evidence, details the United States Government's cases against Respondent regarding alleged indiscriminate prescribing of CDS.

The indictment was filed on March 3, 2010, P-3 in evidence. It reflected multiple counts charging Respondent with various violations of 21 U.S.C. §841, regarding indiscriminate prescribing of Schedule 2 CDS without a legitimate medical purpose.

The Judgment of Conviction, P-4 in evidence, indicates that Respondent pled guilty to one count of distribution of prescription drugs in violation of 21 U.S.C. §841(A) and (B). The Judgment further indicates that Respondent was sentenced to twenty-five (25) months of imprisonment followed by three years of supervised release. A criminal penalty of \$2,350.00 was imposed.

FINDINGS

The evidence presented by the Attorney General in support of the Order to Show Cause for the revocation of Respondent's license is compelling, and collectively establishes a basis to revoke Respondent's New Jersey CDS registration pursuant to N.J.A.C. 13:45(H)-7.4 and N.J.S.A. 24:21-12(a)(2) and (3); including Respondent's admitted prescribing of CDS for purposes other than legitimate medical needs and outside the scope of his practice as a physician.

**ACCORDINGLY, it is on this 9th day of April ~~March~~ 2014
ORDERED, as announced orally on the record and effective December 9, 2013:**

1. New Jersey CDS Registration D06074100, held by Respondent Ronald Rahman, M.D., is hereby revoked.
2. This Order is entered without prejudice to Respondent seeking to reopen this matter at a later time upon a showing that the Order to Show Cause was not actually received by him.
3. Should Respondent, at any future date, wish to prescribe CDS in New Jersey, in addition to obtaining the return of his medical license, he must independently file an application for a CDS Registration with the Director. Such registration will only be issued after Respondent proves, to the Director's satisfaction, that he has been rehabilitated, is able to comport himself with integrity and reliability with respect to controlled dangerous substances, is able to maintain effective controls against diversion, and that such issuance is in the public interest as set forth in N.J.S.A. 24:21-11.

DIVISION OF CONSUMER AFFAIRS

BY: _____


Eric Kanefsky, Director
New Jersey Division of Consumer Affairs