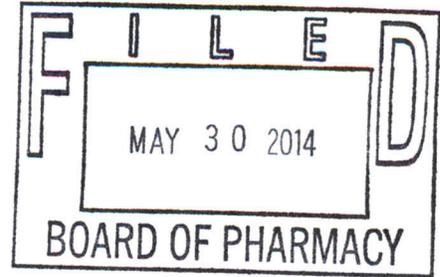


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :
: Administrative Action
William Mattioli, R.P. :
License No. RI02040800 : **CONSENT ORDER**
: :
TO PRACTICE PHARMACY IN THE :
STATE OF NEW JERSEY :
:

This matter was most recently opened to the New Jersey State Board of Pharmacy (Board) upon receipt of Respondent William Mattioli's petition for reinstatement of his New Jersey pharmacy license. Respondent's New Jersey license was surrendered by way of a Consent Order filed with the Board on November 9, 2011 following his conviction for shoplifting and sustaining severe injuries in a one-car motor vehicle crash and his arrest for Driving Under the

Influence of Drugs.

Respondent appeared with counsel and testified before the Board in support of his application for reinstatement of his license to practice pharmacy in New Jersey. He candidly discussed his history with drug abuse and the physical injuries he sustained in the car crash. He has been in recovery for three years and remains committed to attending AA meetings and following all recommendations of the Professional Assistance Program of New Jersey (PAP).

Respondent provided a comprehensive psychological evaluation by Arnold Washton, Ph.D. who concluded:

Mr. Mattioli is highly motivated to remain abstinent from all psychoactive substances and to remain engaged in the process of recovery through ongoing involvement in AA and the Professional Assistance Program. To my knowledge, he has complied fully with all aspects of the PAP program. His prognosis for continued recovery appears to be excellent. He appears ready to return to pharmacy practice with continued monitoring by the PAP.

Respondent also submitted a letter from two of his treating physicians indicating that he is able to resume full time work as a pharmacist.

Dr. Reading from the PAP also appeared before the Board and testified in support of Respondent's application for reinstatement. Respondent continues to be in compliance with all aspects of his

monitoring plan with the PAP. He is on random, weekly urine monitoring with results reported as negative for the presence of all non-prescribed, psychoactive substances for three years. He is in progressive recovery.

Respondent, being desirous of resolving this matter without the necessity of further formal proceedings, and agreeing to waive any right to same, and the Board having determined that this Order is sufficiently protective of the public health, safety and welfare, and all parties agreeing to the terms of this Order and for other good cause shown;

IT IS THEREFORE on this 30th day of May, 2014,

ORDERED AND AGREED that:

1. Respondent's license to practice pharmacy shall be reinstated subject to the conditions below which shall be in place for a minimum of two (2) years from the date of Respondent's reinstatement and until further Order of the Board.

3. Respondent shall not act as a preceptor or pharmacist-in-charge (RPIC) at any pharmacy and shall not own or have an ownership interest in any pharmacy, either directly or indirectly through connection with any person related by blood or marriage.

4. A copy of this Order shall be provided to all

employers where a pharmacy license is required for employment or where the Respondent has access to medication, prescriptions or patient profiles. The Respondent shall ensure that each employer notifies the Board in writing that he or she has received this Order prior to Respondent beginning employment. The Respondent shall inform the Board in writing of any employment changes, including periods of unemployment, and shall also provide a detailed description of his job, role and responsibilities.

5. Respondent shall continue to enroll in and comply fully with the monitoring program established for him by the Professional Assistance Program of New Jersey ("PAP") until further Order of the Board. Such monitoring program shall include but not be limited to:

- a. Absolute abstinence from all psychoactive substances including alcohol unless prescribed by a treating health care professional aware of his substance abuse history for a documented medical condition and with notification from the treating health care professional to the Executive Medical Director of the PAP of the diagnosis and treatment regime within five days of issuing the prescription. Respondent shall advise all of his treating health care practitioners, who prescribe medications, of his addiction history and shall be responsible to ensure that the treating health care professional notifies the PAP of any prescription for a psychoactive substance within five days of issuance of the prescription.

Respondent shall also personally notify the PAP of any prescription for a psychoactive substance within five days of issuance of the prescription.

- b. Respondent shall attend support group meetings of Narcotics Anonymous and/or Alcoholics Anonymous a minimum of three times each week and at the direction of the PAP. Respondent shall provide evidence of attendance at such groups directly to the PAP on a form or in a manner as required by the PAP.
- c. Respondent shall undergo random witnessed urine monitoring under the supervision of the PAP on a random, unannounced basis, at a frequency of no less than twice per week for the first six months following Respondent=s return to practice and once per week for the subsequent twelve months. Subsequent reductions in the frequency of urine screens shall be at the direction of the Executive Medical Director of the PAP consistent with Respondent=s duration in recovery with prior notification to the State Board of Pharmacy. All test results shall be provided in the first instance directly to the PAP and any positive result shall be reported immediately by the PAP to the Executive Director of the Board.
- d. The Board reserves the right to require a modification of the manner of the random witnessed urine testing by the PAP in the event technical developments or individual requirements indicate that a different methodology or approach is required to guarantee the accuracy and reliability of the testing.
- e. Respondent=s failure to submit to or provide a urine sample within twenty-four hours of a request shall be deemed to be the equivalent of a confirmed positive urine test and shall be deemed a violation of this order unless Respondent is unable to appear for a scheduled urine test due