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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 : Administrative Action
APPLICATION OF :
 :
 Omar Mohammad, R.Ph. : **CONSENT ORDER OF**
 License No.28RI0235500 : **REINSTATEMENT OF LICENSE**
 :
 :
 FOR REINSTATEMENT OF LICENSURE:
 TO PRACTICE PHARMACY IN THE :
 STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Pharmacy (the "Board") upon receipt of respondent Omar Mohammad's ("respondent") application for reinstatement of his license to practice pharmacy in the State of New Jersey. Respondent previously entered into a Consent Order of suspension of license with the Board on November 11, 2011, following his indictment on October 26, 2009 on one count of Conspiracy to Commit Claims Fraud, and two counts of Medicaid Fraud, in violation of N.J.S.A. 2C:21-4.3 and N.J.S.A 30:4D-17(c).

Pursuant to the 2011 Consent Order, Respondent's license was voluntarily surrendered to be deemed a suspension for a minimum of one year, or until completion of his criminal sentence, whichever is later. The period of active suspension began effective the date of entry of the criminal plea, November 14, 2011. Additionally, as a result of his conviction, on or about January 20, 2012, Respondent's name was added to the New Jersey Debarment List which disqualifies Respondent from participation in Medicare, Medicaid and all other Federal and State funded health care programs for a period of five years. On August 31, 2012, his name was added to the Federal OIG List of Excluded Individuals/Entities (LEIE) for an exclusion period of five years.

On July 29, 2013, Respondent appeared with counsel and testified before the Board in support of his application for reinstatement of his license to practice pharmacy in the State of New Jersey. Respondent explained that during the time leading up to his arrest, he was a full-time employee at Drug Fair, but once or twice a week would go to his mother's pharmacy, Orange Drugs. He claims that he had no knowledge of the scheme to defraud Medicaid in which he was implicated. According to Respondent, a doctor was sending prescriptions to the pharmacy which were being billed for but never dispensed. This conspiracy involved the store manager, but Respondent

claimed he had no knowledge of any wrongdoing at the time. When questioned why he plead guilty to the charges, Respondent explained that the legal process was protracted and expensive, and he could not afford to proceed.

Finally, Respondent discussed his future plans should his license be reinstated. He stated that he would like to return to the practice of pharmacy in a non-community setting. He expressed an interest in working for private insurance companies as a pharmacy value manager (PVM), and states that he understands there may be limitations to his employment opportunities while he is still on the Federal Debarment list.

The Board finding that Respondent has complied with the conditions set forth in the Consent Order of November 11, 2011; and the Board having determined that this Order is sufficiently protective of the health, safety and welfare of the public, and all parties agreeing to the terms of this Order;

ACCORDINGLY, IT IS on this 6th day of August, 2014,

ORDERED AND AGREED THAT:

1. Respondent's license to practice pharmacy in the State of New Jersey shall be reinstated subject to the conditions set forth this Order.

2. Prior to his license being reinstated, Respondent shall pay all reinstatement fees, complete the criminal history

background check, and provide to the Executive Director of the Board the following which shall be to the satisfaction of the Board:

- a. Documentation of successful completion of the Multistate Jurisprudence Exam (MPJE) with a score of 75 or better.
- b. Proof of successful completion, at his own expense, of either the ProBe or PrimE ethics course, or another similar course pre-approved by the Board. Successful completion means that all sessions were attended, all assignments were properly and appropriately completed, and a passing grade was achieved, which was unconditional and without reservation.
- c. Documentation of completion of continuing education credits required by N.J.S.A. 13:39-3A.1 to 13:39-3A.7.

Once these requirements are completed, and assuming no additional criminal history is disclosed, Respondent's license shall be reinstated.

3. Upon reinstatement of his license, Respondent shall provide a copy of this Order to all prospective employers where a pharmacy license is required for employment or where Respondent has access to medication, prescriptions or patient profiles.

4. Respondent shall ensure that each employer notifies the Board in writing that he or she has received this Order and is aware of his Federal and State exclusion/debarment status prior to Respondent beginning employment. Respondent shall inform the Board in writing of any employment changes, including periods of

unemployment, and shall also provide a detailed description of each job, his role and responsibilities. He may petition the Board to remove this requirement upon submission of written documentation that he is no longer on the Federal OIG exclusion list and the New Jersey State debarment list.

5. Until further order of the Board, 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.

6. If requested by the Board, Respondent shall appear and testify before the Board, or a Committee thereof, prior to any amendments to this Order. The Board may impose any restrictions or limitations it deems appropriate in its sole discretion in connection with any relaxation or termination of any restrictions or limitations herein.

