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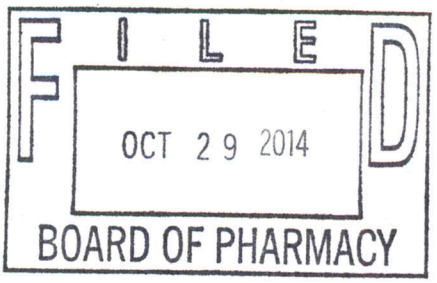

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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
STATE BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION OR REVOCATION OF THE LICENSE TO PRACTICE PHARMACY OF **VLADIMIR KLEYMAN** **License No.: 28RI02503500** AND THE SUSPENSION OR REVOCATION OF THE PHARMACY PERMIT OF **PRESCRIPTIONS R US, LLC** **Pharm. Permit No.: 28RS00702300**	Administrative Action **INTERIM CONSENT ORDER OF SUSPENSION OF PHARMACIST'S LICENSE, PHARMACY PERMIT AND PHARMACY CDS REGISTRATION**

This matter was opened to the New Jersey State Board of Pharmacy ("Board") by an Order to Show Cause issued by the Board's President and filed by the Board on October 20, 2014, upon receipt of information concerning multiple statutory and regulatory violations alleged to have been committed by Respondents Vladimir Kleyman, R.Ph., who holds License No. 28RI02503500, and the pharmacy Prescriptions R Us, which holds New Jersey Controlled Dangerous Substance Registration No. D09651200 and Pharmacy Permit No. 28RS00702300 and of which Mr.

Kleyman is a 49% owner and Registered Pharmacist in Charge. Specifically, it is alleged that both Respondents Kleyman and Prescriptions R Us ("PRU") 1) failed to make required reports to the Prescription Monitoring Program regarding Controlled Dangerous Substances ("CDS") dispensed to customers over more than two and a half years; and 2) committed multiple violations of Pharmacy Board regulations including but not limited to failing to counsel customers regarding CDS dispensed through PRU's second story window, which CDS were hung down to customers outside by a chain; and operating without properly maintaining and tracking medication stock. Additionally, it is alleged in the Complaint filed with the Order to Show Cause that Respondent Kleyman pleaded guilty to paying tens of thousands of dollars in kickbacks to induce a physician to make prescription referrals to Respondents Kleyman and PRU.

It appearing that Respondents wish to voluntarily enter into an interim agreement in lieu of proceedings to temporarily suspend Respondent Kleyman's license and Respondent PRU's permit and CDS registration pursuant to N.J.S.A. 45:1-22, and it further appearing that the Board finds the within disposition adequately protective of the public health, safety and welfare, and other good cause having been shown:

IT IS, therefore, on this 29th day of October, 2014,

ORDERED THAT:

1. Respondent Vladimir Kleyman is hereby granted leave

to and shall surrender his license to practice pharmacy in the State of New Jersey to be deemed a temporary suspension, effective immediately and until further order of the Board and the resolution of the criminal charges against him.

2. Effective immediately, Mr. Kleyman shall cease and desist from engaging in the practice of pharmacy, which includes but is not limited to the following: Mr. Kleyman shall not handle, order, inventory, compound, count, fill, refill or dispense any drug; he shall not handle anything requiring a prescription, including devices and medications; he shall not handle prescriptions; he shall not advise or consult with patients, and he is prohibited from being present within any area of a pharmacy which is not open to the general public, including, but not limited to a prescription filling area of a pharmacy.

3. Mr. Kleyman shall surrender his original wall certificate, his wallet certificate and his most recent renewal card of his license to the Executive Director of the Board immediately upon the entry of this Order by mailing same to: Anthony Rubinaccio, Executive Director, Board of Pharmacy, P.O. Box 45013, Newark, New Jersey 07101.

4. Respondent PRU shall surrender its permit to operate as a pharmacy, with such surrender to be deemed a temporary suspension, effective immediately. PRU shall immediately refrain from and stop all pharmacy operations pending further investigation and order by the Board. Pharmacy operations

include, but are not limited to the following: compounding and mailing, dispensing, distributing or delivering in any manner, legend drugs or devices or controlled substances.

5. Mr. Kleyman and PRU shall comply with the regulations pertaining to closing of pharmacies including but not limited to N.J.A.C. 13:39-4.10 and 4.11. Mr. Kleyman and PRU shall ensure that the pharmacy inventory is secured. Compliance shall include identifying and providing to the Board the following information within 21 days of the filing of this Order:

a. The name and license number of the pharmacist who will be responsible for the oversight of closing PRU.

b. The name of the person or persons responsible for contacting pharmacies about accepting a transfer of prescriptions and patient information to the new pharmacy, and when those contacts will occur.

c. The name of the registered pharmacy which has agreed to accept the prescription and patient information from PRU.

d. The name of the person responsible for contacting wholesalers, manufacturers, pharmacies and/or reverse distributors about the transfer or return of drug inventory, including all controlled dangerous substances.

e. A list of all of the pharmacies, wholesalers, manufacturers, and reverse distributors that will be involved in the transfer of PRU's drug stock, and the person

or persons involved in those contacts.

f. Copies of all DEA forms submitted in connection with the transfer of CDS.

g. A copy of the newspaper notification of closing required by N.J.A.C. 13:39-4.11(a)2, and proof of publication.

6. With the consent of the Director of the Division of Consumer Affairs, and pursuant to his authority under N.J.S.A. 24:21-9 et seq., Respondent PRU's New Jersey CDS registration, No. D07383100, is hereby temporarily suspended pending further order of the Director. This CDS registration suspension is independent of any action taken by the Board, the DEA, or any other licensing authority. If the temporary suspension of PRU's permit to operate as a pharmacy is lifted by the Board, PRU may seek an order from the Director lifting the CDS registration suspension. The Director will consider the factors enumerated in N.J.S.A. 24:21-11 and determine, in his sole discretion, if and under what circumstances, the suspension of PRU's CDS registration should be lifted. Respondent PRU shall immediately return its original New Jersey CDS registration to Steve Lee, Acting Director, New Jersey Division of Consumer Affairs, P.O. Box 45005, 124 Halsey Street, Newark, New Jersey, 07101.

7. Nothing contained herein shall be deemed an admission of liability on the part of Mr. Kleyman or PRU with regard to

the allegations of the pending Administrative Complaint.

8. Mr. Kleyman understands that this Interim Consent Order is independent of, and not in lieu of, criminal proceedings and further agrees that resolution of the pending criminal charges will not resolve any matter which has, or could, be brought before the Board. The parties hereby stipulate that entry of this Order is without prejudice to further investigation and/or action by this Board or other law enforcement entities resulting from Mr. Kleyman's or PRU's conduct other than that described above.

NEW JERSEY STATE BOARD OF PHARMACY

By: Thomas F.X. Bender, Jr., RPh

Thomas F.X. Bender, R.Ph.
President

I have read the within Order, understand its terms and agree to be bound by them. I consent to entry of the Order by the Board of Pharmacy.

Dated: 10/29/14

Vladimir Kleyman
Prescriptions R Us, by Vladimir Kleyman

I am Mr. Kleyman's attorney. I have reviewed this Consent Order with him and I consent to the form and entry of this Consent Order.

Dated: 10-29-14

Matt Mandel, Esq.