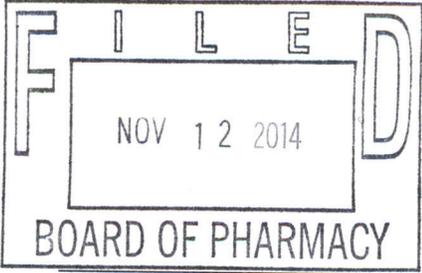


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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION OR	:	
REVOCAION OF THE REGISTRATION OF:	:	
	:	Administrative Action
BRIANNE C. CANTO	:	
Registration No. 28RW01539300	:	FINAL ORDER
	:	OF DISCIPLINE
TO PRACTICE AS A PHARMACY TECHNICIAN:	:	
IN THE STATE OF NEW JERSEY	:	
	:	

This matter was opened to the New Jersey State Board of Pharmacy (the "Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Brianne C. Canto ("Respondent") is a registered Pharmacy Technician in the State of New Jersey and has been a registrant at all times relevant hereto.
2. On or about March 12, 2013, Respondent provided a handwritten, voluntary, signed, sworn statement to Edward Hargrove, CVS Unit Loss Prevention Manager, admitting that from approximately February 2013, she stole from her employer CVS Pharmacy over one-hundred and seventy (170) tablets of Hydrocodone in different strengths, six (6) tablets of Nucynta 50mg, and three (3) tablets of Vyvanse 20mg, with a total value of \$143.03. Respondent claims

that she was using the tablets to self-medicate after almost dying from a infection about two-years prior.

3. As a result of this incident, respondent was terminated from her CVS employment and she was arrested and charged with shoplifting by the West Windsor Township Police.

CONCLUSIONS OF LAW

Respondent is presently engaged in drug or alcohol use that is likely to impair her ability to practice as a pharmacy technician with reasonable skill and safety, and her theft of prescription medication is an act constituting a crime or offense adversely related to the profession of pharmacy. The facts set forth herein provide grounds to take disciplinary action against Respondent's registration as a pharmacy technician in New Jersey pursuant to N.J.S.A. 45:1-21(f) and (1).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking suspension of Respondent's registration to practice as a pharmacy technician in the State of New Jersey was entered on May 6, 2014, and a copy was forwarded to Respondent at the last known address on file with the Board by means of both regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a

written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Both the regular and certified mail were returned to the office marked "Not deliverable as addressed. Unable to forward." Pursuant to N.J.A.C. 13:39-6.10, service of the Provisional Order of Discipline at respondent's address of record on file with the Board is deemed adequate notice for disciplinary proceedings; respondent has the obligation to provide a change of address to the Board within thirty (30) days of any change. Therefore, the Board deems service to have been effected. No response has been received to date. Respondent may not evade process by failing to update her address of record or respond to the Board. Accordingly, it is determined that further proceedings are not necessary and that the Provisional Order should be made final.

IT IS THEREFORE ON THIS 12th day of November, 2014

ORDERED THAT:

1. Respondent's registration to practice as a pharmacy technician in the State of New Jersey is hereby suspended for a minimum of five (5) years.

2. Respondent shall immediately cease and desist from engaging in practice as a pharmacy technician, which includes, but is not limited to the following: Respondent shall not retrieve prescription files or patient files; shall not prepare medication labels; shall not engage in data entry for any pharmacy, shall not count, weigh, measure, pour or compound prescription medication or stock legend drugs and controlled substances; shall not fill an automated medication system; shall not accept authorization for a prescription refill or renewal; shall not handle anything requiring a prescription, including devices and medications; shall not handle prescriptions; and shall not be present within a prescription filling area of a pharmacy.

3. Within five (5) days following the filing of this Final Order of Discipline, Respondent shall surrender her original registration and the most recent renewal card to the Executive Director of the Board by mailing same to Anthony Rubinaccio, Executive Director, Board of Pharmacy, 124 Halsey Street, P.O. Box 45013, Newark, New Jersey 07101.

4. Any practice in this State in violation of the above conditions shall constitute grounds for discipline for violation of a Board Order and professional misconduct.

5. Prior to any application for restoration of registration, Respondent shall:

- a. At the discretion of the Board, appear before the Board or a committee thereof to discuss her readiness to reenter practice as a pharmacy technician. At that time, Respondent shall be prepared to propose her plans for future practice in New Jersey and demonstrate evidence of rehabilitation to the Board's satisfaction.
- b. Affirmatively establish her fitness, competence and capacity to actively practice as a pharmacy technician.
- c. Provide the Board with a full account of her conduct during the intervening period of time from her termination from CVS to her application for restoration of her registration.
- d. Provide the Board with documentation regarding any criminal action that may result from the above referenced actions and documentary proof that she has satisfied all the terms and conditions of her criminal sentence, including but not limited to any period of probation.
- e. Provide documentation of successful completion of all application requirements including a Criminal History Background Check and payment of all reinstatement fees.

6. If Respondent's registration to practice as a pharmacy technician is reinstated, the Board, in its discretion, may impose any conditions or restrictions on registration it deems necessary to protect the public health, safety and welfare.

NEW JERSEY STATE BOARD OF PHARMACY

By: Thomas F.X. Bender, Jr., R.Ph.
Thomas F.X. Bender, R.Ph.
Board President