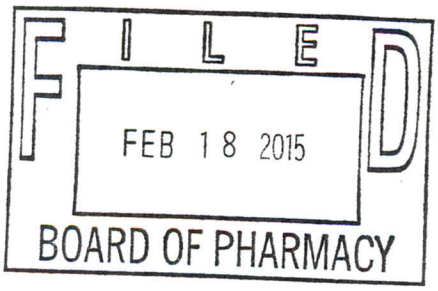
JOHN HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law, 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101

By: Megan Cordoma
Deputy Attorney General
Tel. No. (973) 648-4730



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

Raul R. Ruiz, R.Ph
License No. 28RI01539300

TO PRACTICE PHARMACY IN THE STATE OF NEW JERSEY
AND THE PERMIT OF

Gilmore Pharmacy
Permit No. RS003201000

TO CONDUCT A PHARMACY IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Pharmacy ("Board") upon receipt of information alleging that Raul R. Ruiz, R.Ph. ("respondent") improperly dispensed controlled substances without a New Jersey CDS registration for a period of ten years. Respondent is the sole owner, registered pharmacist-in-charge ("RPIC") and permit holder for Gilmore Pharmacy located on 6000 Park Avenue, West New York, N.J. Following a Board inspection pursuant to N.J.S.A. 45:1-18 on June 24, 2013, the Board learned Mr. Ruiz's New Jersey CDS registration expired on October 31,

2003. Respondent appeared and testified before the Board on November 5, 2014. He confirmed that prior to the Board inspection, Gilmore Pharmacy last renewed its New Jersey CDS registration in October 2003, but continued to dispense controlled substances. Mr. Ruiz acknowledged he was required to have a New Jersey CDS registration to sell controlled substances, but was unable to explain why he did not renew his New Jersey CDS registration from 2003 to 2013. He claimed to have a valid DEA registration at all times. Mr. Ruiz subsequently renewed his New Jersey CDS license in 2013 and 2014.

The Board finds that continuing to dispense controlled substances without a valid New Jersey Controlled Substance Registration constitutes violations of N.J.S.A. 24:21-10(a) and N.J.A.C. 45H-1.3 and therefor constitutes violations of N.J.S.A. 45:14-69(d) and (e), N.J.A.C. 13:39-3.11 and 4.18.

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;

IT IS THEREFORE ON THIS 18th DAY OF February 2015, ORDERED AND AGREED THAT:

1. Respondents Raul R. Ruiz, R.Ph. and Gilmore Pharmacy are hereby reprimanded for continuing to dispense controlled substances without a valid New Jersey Controlled Substance Registration for a period of 10 years in violation of N.J.S.A. 24:21-10(a), N.J.A.C. 45H-1.3, N.J.S.A. 45:14-69(d) and (e), and N.J.A.C. 13:39-3.11 and 4.18.

2. Respondents Raul R. Ruiz, R.Ph. and Gilmore Pharmacy shall pay civil penalties to the Board of Pharmacy, pursuant to N.J.S.A. 45:1-22, totaling twenty thousand dollars ($20,000.00). Raul R. Ruiz, R.Ph. and Gilmore Pharmacy shall be jointly and severally responsible for payment of the

civil penalty. An initial payment of $4000 shall be made within 15 days of the date this Order is filed. Respondent shall pay the remaining balance in consecutive monthly installments of no less than $677.00 per month due by the 15th of each month commencing April 15, 2015. Payment shall be made by bank check, money order, wire transfer or credit card made payable to the New Jersey Board of Pharmacy and mailed to the New Jersey State Board of Pharmacy, ATTN: Anthony Rubinaccio, Executive Director, 124 Halsey Street, P.O. Box 45013, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. In the event that respondent fails to make timely payment, interest shall begin to accrue at the annual court rule rate, a Certification of Debt shall be issued, and the Board may institute such other proceedings as are authorized by law.

3. Within one year of filing of this Consent Order, Respondent shall submit proof of successful completion, at his own expense, of either the ProBe or PrimE ethics course or any other ethics course of similar length and rigor which is 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 reservations.

4. Respondent hereby consents to the entry of an Order of Automatic Suspension of certification without notice, upon the Board's receipt of any information which the Board, in its sole discretion, deems reliable demonstrating that Respondent has failed to comply with any of the conditions herein. The evidence upon which the Order of Automatic Suspension is based shall be provided to the Respondent within 24 hours of the entry of the Order. Respondent shall have the right to apply for removal of the automatic suspension upon written application to the Executive Director of the Board or his designee. A meeting of a Committee of the Board shall be convened within fourteen (14) days of the receipt of Respondent's application to remove the automatic suspension. Respondent

shall be granted an opportunity to present evidence limited to a showing that the information the Board relied upon was false. The Committee of the Board shall decide whether or not to grant Respondent's application for the removal of the automatic suspension. Such decision shall take effect immediately. The full Board shall review the Committee's decision at its next regularly scheduled meeting.

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.

Raul Ruiz

Dated: 2/13/15

Raul R. Ruiz, R.Ph
Individually and authorized by and on behalf of Gilmore Pharmacy

Consent as to Form and Content

Dated: 2/13/15

Jason Ryglicki, Esq.
Attorney for Respondents
Raul Ruiz, R.Ph. and Gilmore Pharmacy