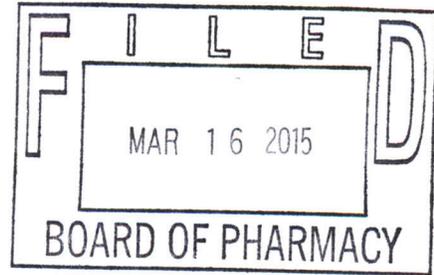


John Hoffman
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street, 5th Floor
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the Board of Pharmacy

BY: Megan Cordoma
Deputy Attorney General
(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 :
REVOCAION OF THE REGISTRATION OF :
:
DANIELLE D. CARTER : ADMINISTRATIVE ACTION
Registration No. 28RW01732800 :
: **PROVISIONAL 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 preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Danielle D. Carter ("Respondent") is a registered pharmacy technician in the State of New Jersey and has been registered at all times relevant hereto. (Exhibit A)

2. Upon receipt of a flagging notice indicating that Respondent was arrested on September 18, 2014 by the Chester Township Police Department for violating N.J.S.A. 2C:35-10A(4) [Possession of Less Than 50 Grams Marijuana/Hash], the Board sent a letter of inquiry requesting certain information and the submission of documents to Respondent's address of record in Roselle, New Jersey via regular and certified mail on or about September 19, 2014. The regular mailing was not returned; the certified mailing was delivered on or about October 6, 2014. (Exhibit B)

3. The Board did not receive a response to its letter of inquiry. To date, Respondent has failed to comply with the Board's requests for information and documentation.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's requests for information and documentation constitutes a failure to cooperate with a Board investigation in contravention of N.J.A.C. 13:45C-1.2(a). Pursuant to N.J.A.C. 13:45C-1.2(b), N.J.A.C. 13:45C-1.3(a)(2), and N.J.A.C. 13:45C-1.3(a)(5) the Board considers Respondent's failure to cooperate to be professional misconduct within the meaning of N.J.S.A. 45:1-21(e), subjecting Respondent

to disciplinary action pursuant to N.J.S.A. 45:1-21(h), N.J.S.A. 45:1-25, and N.J.S.A. 45:1-22.

ACCORDINGLY, IT IS on this 16TH day of MARCH, 2015,

ORDERED that:

1. Upon the filing of a Final Order in this matter Respondent's registration to practice as a pharmacy technician will be suspended until Respondent cooperates with the Board's investigation by providing the Board with the information and documentation requested in the Board's letters of inquiry.

2. Upon the filing of a Final Order in this matter, a civil penalty in the amount of \$250.00 shall be imposed upon Respondent. Payment shall be made by certified check or money order, payable to the State of New Jersey, delivered to Anthony Rubinaccio, Executive Director, State Board of Pharmacy, 124 Halsey Street, P.O. Box 45013, Newark, New Jersey 07101. Payment shall be made no later than 15 days after the entry of any Final Order of Discipline in this matter. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. Upon the filing of a Final Order in this matter, 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 prescription, including devices and medications; Respondent shall not handle prescriptions; and shall not be present within a prescription filling area of a pharmacy.

4. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30th day following entry hereof unless Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a) Submitting a written request for modification or dismissal to Anthony Rubinaccio, Executive Director, State Board of Pharmacy, 124 Halsey Street, P.O. Box 45013, Newark, New Jersey 07101.

b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

5. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a Final Order of Discipline will be entered.

6. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon review of the record, the Board shall not be limited to the findings, conclusions, and sanctions stated herein.

7. Nothing herein precludes the Board from taking action on the underlying conduct that was originally the subject of inquiry in this matter.

NEW JERSEY STATE BOARD OF PHARMACY

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

EXHIBIT A

Quick Lookup Summary Report

Prefix **First Name** **Middle Name** **Last Name** **Suffix**
Ms. Danielle D. Carter

SSN: ██████████ **Date Of Birth:** ██████████ **Date of Death:**

School Name: Edison Job Corps Academy
Degree/Certificate:
Date Graduated: 05/01/2000
Major:

School Name: Freeport High School
Degree/Certificate:
Date Graduated: 01/01/1999
Major:

School Name:
Degree/Certificate:
Date Graduated:
Major:

License Type: Pharmacy Technician

License No: 28RW01732800

Expiration Date: 08/31/2016

Issue Date: 03/20/2012

Last Renewal: 07/29/2014

License Status: Active

Date This Status: 03/20/2012

- Probation?
Limitation?
Restriction?

Obtained By: Web Application

Address of Record

██████████
██████████

Date This Address: 03/20/2012

EXHIBIT B

Open Session 12/10/14 SE(2)(c)



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
Criminal History Review Unit



JOHN J. HOFFMAN
Acting Attorney General

STEVE C. LEE
Acting Director

Mailing Address:
P.O. Box 186
Trenton, NJ 08625
(609) 826-7184

FLAGGING

Pharmacy Tech

#28 RW0173280

ACTIVE

September 19, 2014

To: Pharmacy Technicians Committee

REF: Danielle D. Carter

DOB: 10/19/80

SS#: 116-64-1825

Applicant #: 1619658

As a result of the Flagging System, the following information has been revealed:

1. The above individual was arrested on 09/18/14 by Chester Township Police Department for 2C:35-10A Possession Of Less Than 50 Grams Marijuana/Hash, Agency Case #: 14-011190.

Please contact this office at 609-826-7126 if you have any questions, concerning the above or dispute any of this information.

Sincerely,
Louis J. Krofka, Chief
Criminal History Review Unit (ju)

134 E. 7th Ave

APT 20

Roselle NJ

07203

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

7008 0500 0000 7967 4221

Postage \$		Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage		

Sent To
 Danielle D. Carter
 134 E. 7th Avenue, Apt. R8
 Roselle, NJ 07203

PS Form 3811, February 2004

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

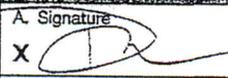
1. Article Addressed to:

Danielle D. Carter
 134 E. 7th Avenue, Apt. R8
 Roselle, NJ 07203

2. Article Number
 (Transfer from service label)

7008 0500 0000 7967 4221

COMPLETE THIS SECTION ON DELIVERY

A. Signature
  Agent
 Address

B. Received by (Printed Name) C. Date of Delivery
 Danielle Carter 10.6.14

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

Danielle D. Carter
134 E. 7th Avenue, Apt. R8
Roselle, NJ 07203

New Jersey Office of the Attorney General

Division of Consumer Affairs
Board of Pharmacy
124 Halsey Street, 6th Floor, Newark, NJ 07102

September 19, 2014



JOHN J. HOFFMAN
Acting Attorney General

STEVE C. LEE
Acting Director

Mailing Address:
P.O. Box 45013
Newark, NJ 07101
(973) 504-6450

Via Regular and Certified Mail

Re: Criminal History Flagging

The Board of Pharmacy has been notified by the New Jersey State Police that you were arrested on September 18, 2014 by the Chester Township Police Department for possession of less than 50 grams of marijuana.

Before this matter is reviewed by the Board of Pharmacy to determine if the offense warrants disciplinary action under N.J.S.A. 45:1-21(f), please forward the following information within fifteen (15) business days to the Division Consumer Affairs, Health Care Reporting Unit at P.O. Box 46019, Newark, NJ 07101 using the self-addressed envelope enclosed:

A legible copy of the police report with all supporting statements, which can be obtained by visiting the police station where you were arrested.

A legible copy of the court complaint and disposition. This should include the charges, your plea, the court's judgement and the court's assessment of costs, fines, jail time and / or probation (if any). If you have completed probation, this information can be obtained by calling and visiting the Clerk of the Court where the case was heard.

However, if the case is still pending, provide the status of the case and keep this office apprized of any major developments including dismissal, transfer to the Superior Court (county level), grand jury indictment, trial dates, plea agreements, etc. Keep this office apprized of any major changes in the case status.

The name and address of your current employer, your job title and dates of employment.

A narrative statement from you regarding your version of the underlying conduct which gave rise to the underlying crime/offense for which you were arrested.

Failure to respond and provide these items within fifteen (15) business days from receipt of this letter will constitute a violation of the afore stated provisions and may result in the filing of a provisional order of discipline for suspension and imposition of monetary penalties.

Sincerely,

Anthony Rubinaccio
Executive Director