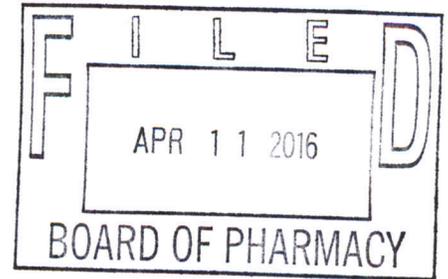


ROBERT LOUGY
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law - 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for New Jersey Board of Pharmacy



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
CHEYENNE MALDONADO :
: **PROVISIONAL ORDER**
Registration No. 28RW01658700 : **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:

PRELIMINARY FINDINGS OF FACT

1. Cheyenne Maldonado ("Respondent") is a registered Pharmacy Technician in the State of New Jersey and has been a registrant at all times relevant hereto. (A copy of a printout of the Board's records, indicating Respondent's registration status, is attached hereto as Exhibit A and made a part hereof.)

2. On April 24, 2015, respondent spoke with a loss prevention manager from Walgreens and executed a handwritten, voluntary statement. In that statement, respondent admitted that she took 250 hydrocodone 10/325 pills from the pharmacy to help her fiancé, who had lost his health insurance. (A copy of Respondent's voluntary sworn statement dated April 24, 2015, is attached hereto as Exhibit B and made a part hereof.)

3. Following this incident, respondent was arrested and charged with theft of movable property in violation of N.J.S.A. 2C:20-3A. (A copy of the arrest report is attached hereto as Exhibit C and made a part hereof.)

PRELIMINARY CONCLUSIONS OF LAW

Respondent's 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).

IT IS THEREFORE ON THIS 11th day of April,
2016;

ORDERED THAT:

1. Respondent's registration to practice as a pharmacy technician in the State of New Jersey is hereby preliminarily

suspended for a minimum of five (5) years from the date of the Final Order of Discipline entered in this matter.

2. Upon the entry of a Final Order of Discipline, 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 the 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 Walgreens to her application for restoration of her registration.

d. Provide the Board with documentation regarding the criminal charges referenced herein and documentary proof that she has satisfied all the terms and conditions of any 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.

7. The order shall be subject to finalization by the Board at 5:00 p.m. on the thirtieth (30th) day following entry

hereof unless respondent requests a modification or dismissal of the above stated Findings or 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 therefore or offered in mitigation of penalty.

8. 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.

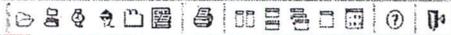
9. In the event that Respondent's submissions establish a need for further proceedings, including but not limited to, an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law 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.

NEW JERSEY STATE BOARD OF PHARMACY

By: Richard A Palombo RPh
Richard Palombo, R.Ph.
Board Vice-President

Exhibit A



| Prefix | First Name | Middle Name | Last Name | Suffix |
|--------|------------|-------------|-----------|--------|
| | Cheyenne | T | Maldonado | |

Date Of Birth: [REDACTED] Date of Death:

Education

Profession: Pharmacy

License Renewals Prerequisites Specialties Bond Discipline Unlicensed Practice

License Type: Pharmacy Technician
License No: 28RW01658700
Expiration Date: 08/31/2016
License Status: Active
Date This Status: 11/14/2011
Issue Date: 11/14/2011
Last Renewal: 08/14/2014
Obtained By: Application

Address of Record

[REDACTED]

Date This Address:

Probation?
Limitation?
Restriction?

Print or queue license document



Exhibit B

Walgreens

AT THE CORNER OF HAPPY & HEALTHY™

VOLUNTARY STATEMENT

I, Therence Maldonado, make the following voluntary statement to (APM) JASON, who had identified himself/herself to me as an Asset Protection Manager of the Walgreens Family of Companies. No promises have been made, nor have I been threatened or mistreated by JASON or anyone else into giving this voluntary statement.

I am currently a (position code) Pharm Tech, at Store # 1315, address _____, I have worked for the Walgreens Family of Companies since: 2010.

My fiance lost his insurance around the middle of January 2015, he has 2 bulging disks in his back and out of pity compromised my integrity and was taking a few pain pills here and there I was leaving the company as of 5/6/15 because I felt horrible about it. The pills were hydrocodone 10/325 at 250 pills at \$15.00

This is a true and accurate statement of the facts:

Signature [Signature] Date 4/24/15 Time _____
APM [Signature] Date 4/24/15 Time _____
Witness [Signature] Date 4/24/15 Time _____

Exhibit 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
Tronton, N.J. 08825
(609) 626-7184

CERTIFICATION

STATE OF NEW JERSEY

COUNT OF Ocean

I hereby certify that the attached documents consisting of Report # 15-21756

- Six (6) pages

- Two (2) pages - Arrest Report

are true and accurate copies of those files within our agency/department.

Jennifer A Clifton 5/11/15
Signature Date

Jennifer A Clifton
(Print Name)

Police Attendant
(Position/Title)

TOMS RIVER POLICE
POLICE RECORDS
P.O. BOX 876
TOMS RIVER NJ. 08754



Toms River Police Department

Officer Report for Case 15-21756

Nature: Theft

Address: 1158 Washington St; Walgreens@
Wash./Whitier
Toms River NJ 08753

Location: 51

Offense Codes: THEF

Received By: Carroll, J.

How Received: T

Agency: TRPD

Responding Officers: Mundy, B., 173

Responsible Officer: Mundy, B.

Disposition: CAA 04/24/15

When Reported: 11:54:50 04/24/15

Occurred Between: 11:54:44 04/24/15 and 11:54:44 04/24/15

Assigned To: ONeill, R.

Detail:

Date Assigned: 04/27/15

Status: SC

Status Date: 04/27/15

Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB: **/**/**

Dr Lic:

Address:

Race:

Sex:

Phone:

City: ,

Offense Codes

Reported:

Observed: THEF Theft of Prop

Additional Offense: THEF Theft of Prop

Circumstances

LT09 Drugstore, Dr Office, Hospital

Responding Officers:

Unit :

Mundy, B.

5

173

5

Responsible Officer: Mundy, B.

Agency: TRPD

Received By: Carroll, J.

Last Radio Log: 15:41:58 04/24/15 COMP

How Received: T Telephone

Clearance: 6A Report with Paper Attachment

When Reported: 11:54:50 04/24/15

Disposition: CAA Date: 04/24/15

Judicial Status:

Occurred between: 11:54:44 04/24/15

Misc Entry: 1309

and: 11:54:44 04/24/15

Modus Operandi:

Description :

Method :

Involvements

| Date | Type | Description | |
|-------------|-------------|--------------------------------|------------------|
| 04/24/15 | Name | Walgreens, | Victim |
| 04/24/15 | Name | Walgreens, | Victim |
| 04/24/15 | Name | Maldonado, Cheyenne T | Arrested |
| 04/24/15 | Name | BREESE, JASON E | Reporting Person |
| 04/24/15 | Offense | Offense#: 33485 - - 1 count | Charged With |
| 04/24/15 | Cad Call | 11:54:50 04/24/15 Theft | Initiating Call |
| 04/24/15 | Property | CDS/CDS PARAPHE Hydrocodone 15 | Stolen |

NarrativeToms River Police Department
Investigation Narrative

Incident: Theft of CDS
Location: Walgreens, 1158 Washington Street
Walgreens, 2353 Route 9
Accused: Cheyenne T. Maldonado
Victim: Walgreens

On 04/24/15 at approximately 1154 hours, I responded to Walgreens, 1158 Washington Street, in regard to a theft of narcotics, by a Walgreens employee. Upon arrival I spoke with Walgreens Loss Prevention employee Jason Breese. Mr. Breese explained the following: Between approximately 02/03/15 and 04/22/15, approximately 275 10/325 mg Acetaminophen/Hydrocodone pills (Schedule II CDS) were missing from the Walgreens locations at 1158 Washington Street and 2353 Route 9. An investigation determined that Pharmacy employee Cheyenne Maldonado was working during the shifts in which pills had gone missing. Additionally, Ms. Maldonado works at both locations. An investigation was conducted at which time Ms. Maldonado admitted to Mr. Breese that she had stolen approximately two hundred fifty (250) 10/325 mg Acetaminophen/ Hydrocodone generic pills over the course of the past three months. Mr. Breese took a written statement (attached) from Ms. Maldonado admitting to the theft. Mr. Breese explained that the internal cost to the company was approximately \$15.00 for the 250 pills. Restitution in the amount of \$15.00 was made to Walgreens, by Ms. Maldonado.

I spoke with Ms. Maldonado who was on scene at the time. I verbally advised her of her Miranda Rights, and she indicated she understood. I questioned Ms. Maldonado in regard to the theft, and she admitted stealing two hundred fifty (250) 10/325 mg Acetaminophen/Hydrocodone generic pills over the course of the past few months, beginning in approximately late January 2015. She explained the thefts occurred at both of her Walgreens work locations, including 1158 Washington Street and 2359 Route 9, both in Toms River. Ms. Maldonado expressed remorse for the thefts. She explained she had stolen the pills for her boyfriend, as he is suffering from bulging disks in his back and has no health insurance.

I placed Ms. Maldonado under arrest and she was transported to District One for processing. I charged Ms. Maldonado with 2C:20-A3 Theft of CDS (third degree) on a complaint summons. Ms. Maldonado was served with her copy of the summons while still lodged in the TRMJ. A drugs.com printout is attached. Nothing further.

Ptl. B. Mundy #377

Supplement

CAD Call info/comments

=====

theft of narc rx ... employee female still there

Property

Property Number: 47538
Item: CDS/CDS PARAPHE
Brand: Hydrocodone
Year: 0
Meas: .
Total Value: \$15.00
Owner: Walgreens 34251
Agency: TRPD Toms River Police Department
Accum Amt Recov: \$0.00
UCR: DNH Drug/Narc, Other Narc
Local Status:
Crime Lab Number:
Date Released: **/**/**
Released By:
Released To:
Reason:
Comments: Two hundred fifty (250) Acetaminophen and Hydrocodone 10/325 mg generic pills.

Owner Applied Nmbr:
Model:
Quantity: 250
Serial Nmbr:
Color:
Tag Number:
Officer: Mundy, B.
UCR Status: SNR
Storage Location:
Status Date: 04/24/15
Date Recov/Rcvd: **/**/**
Amt Recovered: \$0.00
Custody: **.*.** **/**/**

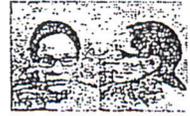
5/11/2015 2:00:20 PM

jloffens.agency = TRPD

jloffens.num = 33485

Name Number: 76860

Cheyenne T Maldonado, W-WHITE, NON-HISPANIC Female, DOB: [REDACTED]



Counts: 1
 Statute: Theft of Property
 Offense Code: Theft of Prop
 Offense Type: NJ State Statue
 Crime Class:
 Jurisdiction: New Jersey State Statue
 Location:
 Area:
 Date: 04/24/2015 15:44:44
 TN Suffix:
 NCIC:
 Reference:
 Related Incident: 15-21756
 Entry Code:
 Court Code:
 Alcohol/Drug:

Additional Info

1507 S 2015 000944 2C:20-3A

Bookings

| Number | Book Date | Booking Type | Disposition | Scheduled Release |
|-----------|----------------------|----------------|-------------|-------------------|
| | | | | Actual Release |
| 150424011 | 4/24/2015 1:50:00 PM | Inmate Booking | | |
| | 4/24/2015 3:42:15 PM | | | |

Prints

Prints By:
Prints Date:
Reference:

Status

Prosecutor Agency:
Disposition:
Court Docket #:
Disposition Date:
No Entries

Billing

No Entries

Local ID

No Entries

5/11/2015 2:00:20 PM

jloffens.agency = TRPD

jloffens.num = 33485

Arrests

| Number | Date | Description | Class Code | Reference |
|--------|----------------------|-------------------------|------------|-----------|
| 20490 | 4/24/2015 1:50:00 PM | Custody without Warrant | | 15-21756 |

Bonds

No Entries

Sentences

No Entries

Involvements

Name Involvements:

Victim : 1105

Last: Walgreens

First:

Mid:

DOB: **/**/**

Dr Lic:

Address: 2353 Route 9

Race: Sex:

Phone: (732)370-1903

City: Toms River, NJ 08753

Victim : 34251

Last: Walgreens

First:

Mid:

DOB: **/**/**

Dr Lic:

Address: 1158 Washington St

Race: Sex:

Phone: (732)288-7955

City: Toms River, NJ 08755

Arrested : 76860

Last: Maldonado

First: Cheyenne

Mid: T

DOB: [REDACTED]

Dr Lic: [REDACTED]

Address: [REDACTED]

Race: W Sex: F

Phone: [REDACTED]

City: [REDACTED]

Reporting 232954

Person :

Last: BREESE

First: JASON

Mid: E

DOB: [REDACTED]

Dr Lic: [REDACTED]

Address: [REDACTED]

Race: Sex: M

Phone: [REDACTED]

City: [REDACTED]