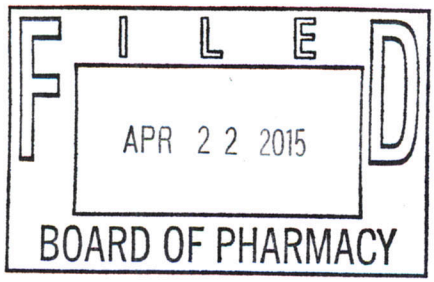

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION OR REVOCATION OF THE REGISTRATION OF:	:	Administrative Action
NOHA AMAR **Registration No. 28RW00393700**	:	**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 (hereinafter "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. Noha Amar ("Respondent") is a registered pharmacy technician in the State of New Jersey and has been registered at all times relevant hereto.

2. Upon receipt of a flagging notice indicating that Respondent was arrested on May 25, 2014 by the North Haledon Police Department for violating N.J.S.A. 2C:12-1A [Simple Assault], the Board sent a letter of inquiry requesting certain information and the submission of documents to Respondent's address of record in North Haledon, New Jersey via regular and certified mail with receipt requested on or about June 27, 2014.

The regular mailing was not returned; the certified mailing was returned to the Board as "unclaimed".

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's letter constitutes a violation of N.J.S.A. 45:1-21(h) in that Respondent has failed to cooperate with the Board's investigation in contravention of N.J.A.C. 13:45C-1.1 et seq. Respondent's failure to provide the Board with a valid address constitutes a violation of N.J.A.C. 13:39-6.10.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking the suspension of respondent's registration to practice as a pharmacy technician in the State of New Jersey and a fine of $250 was entered on October 21, 2014. A copy was forwarded to respondent's last known address of record by means of both regular and certified mail. The regular mailing was not returned; the certified mailing was returned to the Board as "unclaimed". 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.

Following the service of the Provisional Order, respondent submitted a Promis Gavel print-out form, notifying the Board the charges against her were dismissed. Although respondent did not provide a written narrative or other personal explanation, the limited information provided was sufficient for the Board to understand the conduct underlying the criminal charges and the resolution of those charges. In light of that information, the Board determined that suspension of respondent's registration is no longer warranted, but $250.00 civil penalty should be imposed since respondent did not reply to initial inquiries in a timely manner. The Board should not have to expend resources to file a Provisional Order for respondent to cooperate with a request for information or an investigation.

ACCORDINGLY, IT IS on this 22nd day of April, 2015,

ORDERED that:

1. Respondent shall remit payment of a monetary penalty pursuant to N.J.S.A. 45:1-25 in the amount of $250.00. Payment shall be made by bank check or money order payable to the State of New Jersey or arrangements shall be made for payment by wire

transfer or credit card. Any other form of payment will be returned to respondent. Payment shall be made and/or delivered to Executive Director Anthony Rubinaccio, Board of Pharmacy, P.O. Box 45013, Newark, New Jersey 07101 no later than fifteen (15) days **after** the entry date of this Final Order of Discipline. 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.

NEW JERSEY STATE BOARD OF PHARMACY

By: Thomas F.X Bender Jr. RPh

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