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

IN THE MATTER OF THE SUSPENSION:	<b>Administrative Action</b>
OR REVOCATION THE PERMIT OF :	:
:	:
<b>MORNING STAR PHARMACY</b> :	<b>INTERIM CONSENT ORDER OF</b>
Permit No. 28RS00713300 :	<b>SUSPENSION OF REGISTRATION</b>
:	:
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 Morning Side Pharmacy ("Respondent") located at 541 East Landis Avenue, Vineland, New Jersey 08360 was engaged in the improper diversion, dispensing or distribution of prescription medications including Tramadol and Fioricet. Chatmon is the sole owner and permit holder of Morning Star (Respondent) located at 1025 North High Street, Suite B, Millville, New Jersey 08332 which holds NJ Controlled Dangerous Substance registration D09890200.

It appearing that Respondent wishes to voluntarily enter into

an interim agreement in lieu of proceedings to temporarily suspend its permit pursuant to N.J.S.A. 45:1-22, and it further appearing that the Board finds the within disposition adequately protective of the public health, safety and welfare, and other good cause having been shown:

IT IS THEREFORE, ON THIS 23<sup>rd</sup> DAY OF April 2015,  
ORDERED AND AGREED THAT:

1. Respondent shall surrender its permit to operate a pharmacy to be deemed a suspension effective May 1, 2015. Effective May 1, 2015 Respondent shall refrain from and stop all pharmacy operations pending further investigation and Order by the Board. Pharmacy operations include, but are not limited to: compounding and mailing, dispensing, distributing or delivering in any manner, legend drugs or devices or controlled substances.

2. Respondent shall comply with the regulations pertaining to closing of pharmacies including but not limited to N.J.A.C. 13:39-4.10 and 4.11. Respondent shall ensure that the pharmacy inventory is secured. Compliance shall include identifying and providing to the Board the following information:

- The name and license number of the pharmacist who will be responsible for the oversight of closing the pharmacy.
- The name of the person or persons responsible for contacting pharmacies about accepting a transfer of prescriptions and patient information to the new pharmacy,

and when those contacts will occur.

- The name of the registered pharmacy which has agreed to accept the prescription and patient information from Respondent Pharmacy.
- The name of the person responsible for contacting wholesalers, manufacturers, pharmacies and/or reverse distributors about the transfer or return of drug inventory, including all controlled dangerous substances.
- A list of the all of the pharmacies, wholesalers, manufacturers, and reverse distributors that will be involved in the transfer of the drug stock of the pharmacy, and the person or persons involved in those contacts.
- Copies of all DEA forms submitted in connection with the transfer of CDS.
- A copy of the newspaper notification of closing required by N.J.A.C. 13:39-4.11(a)2, and proof of publication.

3. Nothing contained herein shall be deemed an admission of liability on the part of the Respondent with regard to the improper dispensing of controlled substances as described above.

4. The entry of the within Order is without prejudice to the further investigation and/or prosecution of any violations by Respondent of any statutes or regulations governing the practice of and operation of a pharmacy in the State or any violations of law, by the Board, the Attorney General or any other regulatory or law

enforcement agency, including but not limited to any pending matters under investigation.

5. Nothing herein shall preclude the Board from initiating further disciplinary action based upon the conduct relating to the improper dispensing of prescription legend drugs at Morning Star Pharmacy.

6. Respondent may apply to the Board to request a hearing for modification of the terms of this Interim Order. If Respondent requests a hearing to modify this Interim Order, the Board shall convene a hearing within forty-five (45) days of Respondent's request to determine whether the restraints in the Interim Order should continue under the requirements set forth in N.J.S.A. 45:1-22. The Board may hear any application pursuant to this paragraph at its next regularly scheduled Board meeting and/or, in its sole discretion, at a specially convened committee meeting of the Board.

NEW JERSEY STATE BOARD OF PHARMACY

By:

*Thomas F.X. Bender, Jr., R.Ph.*

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

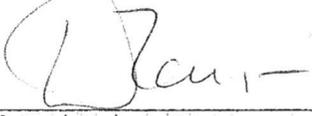
I have read the within Order, understand its terms and agree to be bound by them. I consent to entry of the Order by the Board of Pharmacy.

Morning Star Pharmacy

  
BY: ALTON CHATMON,  
Owner and Permit Holder

Dated: 4-23-15

I consent to the form and entry of this Order.

  
David Laigaie, Esq.  
Eckert Seamans Cherin & Mellott, LLC