

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 :  
: :  
**TARA M. TOMASELLO** : ADMINISTRATIVE ACTION  
**Registration No.: 28RW00784900** :  
: **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 Tara M. Tomasello ("Respondent") was arrested on October 17, 2013 and on October 23, 2013 and charged with crimes related to controlled substances. On January 8, 2014, Respondent was found Guilty of violating 2C:35-5a(1) [Manufacture/Distribute Controlled Dangerous Substance] and was sentenced to 79 Days Jail, 2 Years Probation, 6 Months Suspended Driver's License, and Amount Assessed \$1,210.

4. By letters dated January 27, 2014, February 4, 2014, and May 21, 2014, the Board sent requests for certain information and the submission of documents to Respondent's address of record in Marmora, New Jersey via regular and certified mail

with receipt requested. To date, Respondent has failed to respond to the Board's requests.

Respondent's unauthorized possession of drugs, including controlled dangerous substances, provides grounds to take disciplinary action against Respondent's registration to practice pharmacy in the State of New Jersey pursuant to N.J.S.A. 45:1-21 (f) in that Respondent has engaged in acts constituting and been convicted of a crime or offense of moral turpitude and/or relating adversely to the activity regulated by the Board. Respondent's failure to respond to the Board's letters constitute a violation of N.J.A.C. 13:39C-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 upon the foregoing, a Provisional Order of Discipline was filed on October 22, 2014 seeking the suspension of respondent's registration for a minimum of five years and requiring, among other things, that she appear before the Board prior any restoration of her registration. The Provisional Order was mailed to respondent's address of record. The regular mail was not returned and the certified mail was returned: the USPS website indicates that the respondent "moved, left no address."

A review of Board records reflects that respondent allowed her registration to expire in August 2014. Accordingly, although the Order was successfully served at respondent's last known address of record, the Board has determined to withdraw the Provisional Order entered in this matter.

However, Respondent's failure to submit her biennial renewal in New Jersey in August 2014 has resulted in a lapsed status and the automatic suspension of Respondent's registration to practice as a pharmacy technician in the State of New Jersey without a hearing pursuant to N.J.S.A. 45:1-7.1(b).

**ACCORDINGLY, IT IS on this 27<sup>th</sup> day of May, 2015,**

**ORDERED that:**

1. Respondent's license registration to practice as a pharmacy technician is suspended by operation of N.J.S.A. 45:1-7.1(b), without a hearing.

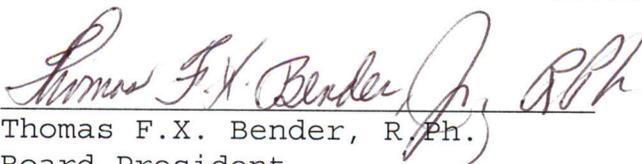
2. The Provisional Order filed in this matter on October 22, 2014 is hereby withdrawn in its entirety.

3. In the event that Respondent seeks reinstatement of her New Jersey registration at any time in the future, Respondent may be required to appear before the New Jersey State Board of Pharmacy to establish that she is fit to practice as a pharmacy technician in New Jersey and provide information concerning her conviction. Additionally, the Board reserves the

right to take disciplinary action and place restrictions and/or limitations upon Respondent's registration to practice as a pharmacy technician in the State of New Jersey based on her conviction and any other information known to the Board at that time.

4. 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.

NEW JERSEY STATE BOARD OF PHARMACY

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