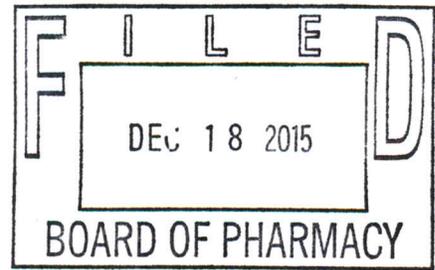


JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law - 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for New Jersey Board of Pharmacy



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

IN THE MATTER OF THE SUSPENSION OR :
REVOCATION OF THE REGISTRATION OF: :
: Administrative Action
MATTHEW L. GARRETSON :
Registration No. 28RW01705000 : **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:

PRELIMINARY FINDINGS OF FACT

1. Matthew L. Garretson ("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 December 9, 2014, respondent spoke with a loss prevention manager from Walgreens and executed a handwritten, voluntary statement. In that statement, respondent admitted that he took controlled dangerous substances from a machine in the pharmacy when he was filling the machine with pills late at night. Respondent also admitted taking drugs from bottles on the shelf of the pharmacy and putting them in his pocket. His statement included a list of drugs that he took, including, among others, clonazepam, alprazolam, zolpidem, diazepam, oxycodone and Vicodin. A copy of Respondent's voluntary sworn statement dated December 9, 2014, is attached hereto as Exhibit B and made a part hereof.

3. As a result of this incident, respondent was terminated from his employment with Walgreens, and arrested by Little Egg Harbor Township Police and charged with Theft of Movable Property in violation of N.J.S.A. 2C:20-3A and Possession of Controlled Dangerous Substance or Analog in violation of N.J.S.A. 2C:35:10A(1). A copy of the criminal complaint is attached hereto as Exhibit C and made a part hereof. Respondent was indicted on these charges on or about February 24, 2015. A copy of the indictment is attached hereto as Exhibit D 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 18TH day of DECEMBER, 2015;

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 his 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 his readiness to reenter practice as a pharmacy technician. At that time, Respondent shall be prepared to propose his plans for future practice in New Jersey and demonstrate evidence of rehabilitation to the Board's satisfaction.

b. Affirmatively establish his fitness, competence and capacity to actively practice as a pharmacy technician.

c. Provide the Board with a full account of his conduct during the intervening period of time from his termination from Walgreens to his application for restoration of his registration.

d. Provide the Board with documentation regarding any criminal action that may result from the above referenced

actions and documentary proof that he has satisfied all the terms and conditions of his 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
	Matthew	L	Garretson	

Date Of Birth: [REDACTED] Date of Death:

Education

Profession: Pharmacy

License Remarks Prerequisites Specialties Bond Discipline Unlicensed Practice

License Type: Pharmacy Technician

License No: 28RW01705000

Expiration Date: 08/31/2016

License Status: Active

Date This Status: 02/24/2012

Issue Date: 02/24/2012

Last Renewal: 08/18/2014

Obtained By: Application

Probation?

Limitation?

Restriction?

Address of Record

[REDACTED]
[REDACTED]

Date This Address:

Exhibit B

VOLUNTARY STATEMENT

I, Matt Garretson, make the following voluntary statement to (DLPM) Scott M., who had identified himself/herself to me as a District Loss Prevention Manager of the Walgreen Company. No promises have been made, nor have I been threatened or mistreated by (DLPM) Scott M. or anyone else into giving this voluntary statement. I am currently a (position code) Pharmacist Tech, at Store # 9489, (address) Little Egg Harbor.

I have worked for the Walgreen Company since: 2006

I would have to say

^ My problem began when we had the cell counting machine. Occasionally a pill would fall out of the machine and I would find it on the ground. I would then put it in my pocket. At the time, I was extremely stressed with school, so I guess I wasn't thinking about how ridiculous this would become. I would fill the cells late at night, and after a while I found myself taking a few of the controlled pills ~~when~~ whenever I'd fill the cells with large amounts. After the cells were removed I told myself I would stop, but I still found myself taking a few here and there from bottles on the shelf and putting them in my pocket, as well as during the filling process.

Clonazepam 5, 1, 2ms

Alprazolam 1, 2mg

Zolpidem 10mg - took 2 yesterday

Diazepam 5, 10mg - most in november

Temazepam 15, 30mg

This is a true and accurate statement of the facts:

Signature [Signature] Date 12/9/14 Time

DLPM [Signature] Date 12/9/14 Time

Witness [Signature] Date 12/9/14 Time

VOLUNTARY STATEMENT (continued)

Hydrocodone 5/325 10/325 ~~20~~ 7.5/325
Hydrocodone/ibuprofen
Vicodin HP 10/300
Lorazepam 350mg
Oxycodone 5/325 10/325
Oxycodone 15, 30, 70
Oxycontin 80
buprenorphine 8mg
Methohexalate ER - Found under scale one night, do not remember strength

This is a true and accurate statement of the facts:

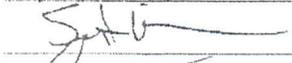
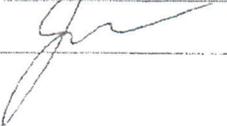
Signature  Date 12/9/11 Time
DLPM  Date 12/9/14 Time
Witness  Date 12/9/14 Time

Exhibit C

COMPLAINT - SUMMONS

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. MATTHEW L GARRETSON	
1516	S	2014	000597		
COURT CODE PREFIX YEAR SEQUENCE NO.				ADDRESS:	
LITTLE EGG HARBOR MUNICIPAL CO 665 RADIO ROAD LITTLE EGG HARB NJ 08087 (609) 296-7241 COUNTY OF: OCEAN				[REDACTED]	
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 14-15514		DEFENDANT INFORMATION	
COMPLAINANT NAME: DET T MCANNEY RT 9 & GIFFORD ROAD ATTN WARRANTS TUCKERTON NJ 08087				SEX: M EYE COLOR: BLUE DOB: [REDACTED] DRIVER'S LIC. # [REDACTED] DL STATE: NJ SOCIAL SECURITY # [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED]	

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 12-09-2014 in LITTLE EGG HARBOR TWP OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT THE OFFENSE OF THEFT BY UNLAWFULLY TAKING OR EXERCISING CONTROL OVER CERTAIN MOVEABLE PROPERTY, TO WIT, VARIOUS NARCOTIC PRESCRIPTIONS BELONGING TO WALGREENS WITH THE INTENT TO DEPRIVE THE OWNER THEREOF, SPECIFICALLY BY TAKING VARIOUS AMOUNTS OF PRESCRIPTION NARCOTICS WHILE PREPARING INDIVIDUAL PRESCRIPTIONS FOR CUSTOMERS OF WALGREENS, WHILE WORKING AS AN EMPLOYEE IN THE WALGREENS PHARMACY.

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY OR PURPOSELY OBTAIN OR POSSESS A CONTROLLED DANGEROUS SUBSTANCE OR A CONTROLLED DANGEROUS SUBSTANCE ANALOG THAT WAS NOT OBTAINED DIRECTLY FROM A PRACTITIONER OR UNDER VALID PRESCRIPTION ISSUED BY A PRACTITIONER, SPECIFICALLY BY TAKING VARIOUS AMOUNTS OF PRESCRIPTION NARCOTICS FOR PERSONAL USE WHILE PREPARING INDIVIDUAL PRESCRIPTIONS FOR CUSTOMERS OF WALGREENS, WHILE WORKING AS AN EMPLOYEE IN THE WALGREENS PHARMACY.

in violation of:

Original Charge	1) 2C:20-3A	2) 2C:35-10A(1)	3)
Amended Charge			

CERTIFICATION:
I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

Signed: Det T McAnney DET T MCANNEY Date: 12-09-2014

The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

SUMMONS:
YOU ARE HEREBY SUMMONED to appear before this court to answer this complaint. If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.

DATE TO APPEAR: 01-15-2015 TIME: 9:00am

Signature of Person Issuing Summons: DET T MCANNEY Date: 12-09-2014

<input type="checkbox"/> Domestic Violence - Confidential	<input type="checkbox"/> Related Traffic Tickets or Other Complaints	<input type="checkbox"/> Serious Personal Injury/ Death Involved
Special conditions of release: <input type="checkbox"/> No phone, mail or other personal contact w/victim <input type="checkbox"/> No possession firearms/weapons <input type="checkbox"/> Other (specify):		POLICE COPY Page 5 of 7 NJ/CDR1.0/1/2005

COMPLAINT - SUMMONS

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. MATTHEW L GARRETSON ADDRESS: [REDACTED] [REDACTED]	
1516	S	2014	000597		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
LITTLE EGG HARBOR MUNICIPAL CO 665 RADIO ROAD LITTLE EGG HARB NJ 08087 (609) 296-7241 COUNTY OF: OCEAN				DEFENDANT INFORMATION SEX: M EYE COLOR: BLUE DOB: [REDACTED] DRIVER'S LIC. # [REDACTED] DL STATE: NJ SOCIAL SECURITY # [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED]	
# of CHARGES	CO-DEFTS	POLICE CASE #:			
2		14-15514			
COMPLAINANT DET T MCANNEY NAME: RT 9 & GIFFORD ROAD ATTN WARRANTS TOCKERTON NJ 08087					

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 12-09-2014 in LITTLE EGG HARBOR TWP OCEAN County, NJ did:

WITHIN THE JURISDICTION OF THIS COURT, COMMIT THE OFFENSE OF THEFT BY UNLAWFULLY TAKING OR EXERCISING CONTROL OVER CERTAIN MOVEABLE PROPERTY, TO WIT, VARIOUS NARCOTIC PRESCRIPTIONS BELONGING TO WALGREENS WITH THE INTENT TO DEPRIVE THE OWNER THEREOF, SPECIFICALLY BY TAKING VARIOUS AMOUNTS OF PRESCRIPTION NARCOTICS WHILE PREPARING INDIVIDUAL PRESCRIPTIONS FOR CUSTOMERS OF WALGREENS, WHILE WORKING AS AN EMPLOYEE IN THE WALGREENS PHARMACY.

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY OR PURPOSELY OBTAIN OR POSSESS A CONTROLLED DANGEROUS SUBSTANCE OR A CONTROLLED DANGEROUS SUBSTANCE ANALOG THAT WAS NOT OBTAINED DIRECTLY FROM A PRACTITIONER OR UNDER VALID PRESCRIPTION ISSUED BY A PRACTITIONER, SPECIFICALLY BY TAKING VARIOUS AMOUNTS OF PRESCRIPTION NARCOTICS FOR PERSONAL USE WHILE PREPARING INDIVIDUAL PRESCRIPTIONS FOR CUSTOMERS OF WALGREENS, WHILE WORKING AS AN EMPLOYEE IN THE WALGREENS PHARMACY.

in violation of:

Original Charge	1) 2C:20-3A	2) 2C:35-10A(1)	3)
-----------------	-------------	-----------------	----

Check	Certification by Police Regarding Complaint-Summons
✓	I certify that I served the complaint-summons by delivering a copy to the defendant personally.
✓	I certify that I personally served the complaint-summons by leaving a copy at the defendant's usual place of abode with a competent member of the household of the age 14 or over _____ Name of family member over 14 years of age
	I certify that I mailed a copy of the complaint-summons by ordinary mail to the defendant at his or her last known address. _____ Defendant's last known address
	I certify that I served the complaint-summons by delivering a copy to a person authorized to receive service of process on the defendant's behalf. _____ Name and title of authorized person
	Other manner of service: I certify that I served the complaint-summons in the following manner: _____
	I certify that I was unable to serve the complaint-summons.

Signed: Det. T. S. #1682 LEH?D Date of Action: 12/9/14
Name, Title and Department of Officer

RETURN OF SERVICE INFORMATION

Exhibit D

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - OCEAN COUNTY

THE STATE OF NEW JERSEY :

VS. :

MATTHEW L. GARRETSON :

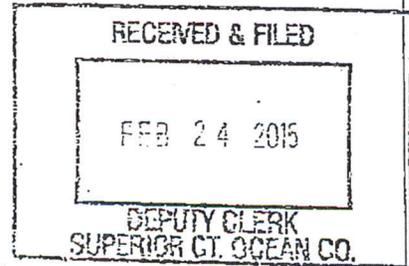
Defendant :

INDICTMENT

NO. 15-02-412

COUNT ONE

THEFT-THIRD DEGREE



The Grand Jurors of the State of New Jersey, in and for the County of Ocean, upon their oaths present that MATTHEW L. GARRETSON, on or about and between the dates of October 15, 2013 and December 8, 2014, in the Township of Little Egg Harbor, County of Ocean, and within the jurisdiction of this Court, knowingly did unlawfully take or exercise unlawful control over the moveable property of Walgreens, that is, controlled dangerous substances, Ambien, Hydrocodone, Burprenorphine, oxycodone, Alprazolam, and Vicodin, having a value in excess of \$500.00, with the purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3a, and against the peace of this State, the Government and dignity of the same.

COUNT TWO

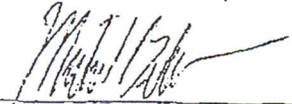
POSSESSION OF A CONTROLLED DANGEROUS SUBSTANCE-THIRD DEGREE

The Grand Jurors of the State of New Jersey, in and for the County of Ocean, upon their oaths present that MATTHEW L. GARRETSON, on or about and between the dates of

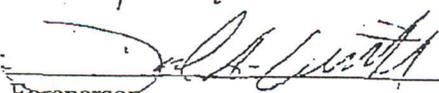
October 15, 2013 and December 8, 2014, in the Township of Little Egg Harbor, County of Ocean, and within the jurisdiction of this Court, did knowingly or purposely possess controlled dangerous substances, Ambien, Hydrocodone, Burprenorphine, oxycodone, Alprazolam, and Vicodin , and said substances was not obtained directly, or pursuant to a valid prescription or order form from a practitioner, while acting in the course of his professional practice, contrary to the provisions of N.J.S.A. 2C:35-10a(1), and against the peace of this State, the Government and dignity of the same.

JOSEPH D. CORONATO
OCEAN COUNTY PROSECUTOR

DATED: 2/24/15

BY: 

MICHAEL BELOSTOCK
ASSISTANT PROSECUTOR

ENDORSED: 
Foreperson

Superior Court of New Jersey
Law Division, Ocean County

THE STATE

vs.

MATTHEW L. GARRETSON

Case 14-00-4842

INDICTMENT NO.

15-02-412

INDICTMENT FOR:
THEFT

POSSESSION OF A CONTROLLED DANGEROUS SUBSTANCE

Joseph D. Coronato
Ocean County Prosecutor

A TRUE BILL


Foreperson

Bail SUMMONS

Condition Of Bail _____