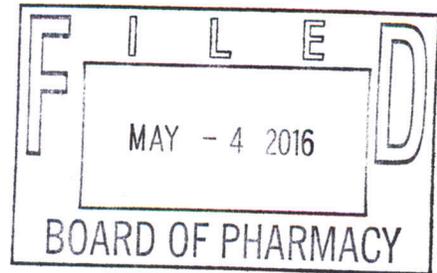


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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF PHARMACY

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IN THE MATTER OF THE  
REGISTRATION OF

**Jason D'Amico**  
**License No.: 28RW00713400**

**INTERIM CONSENT ORDER  
OF VOLUNTARY SURRENDER OF LICENSE**

TO PRACTICE AS A PHARMACY  
TECHNICIAN IN THE  
STATE OF NEW JERSEY

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This matter was opened to the New Jersey State Board of Pharmacy ("the Board") upon the receipt of information that Jason D'Amico ("Respondent") allegedly removed Fentanyl 250 mcg/5mL from more than forty vials between September 2015 and March 2016 while working as a pharmacy technician at a hospital pharmacy in New Jersey. He allegedly replaced the Fentanyl with either water or saline and placed the vials in an automated dispensing machine at the hospital for delivery to patients.

The allegations, if proven, would demonstrate that Respondent has engaged in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense in violation of N.J.S.A. 45:1-21(b); engaged in gross and repeated malpractice in violation of

N.J.S.A. 45:1-21(c) and (d); engaged in professional misconduct in violation of N.J.S.A. 45:1-21(e); and engaged in acts constituting crimes of moral turpitude and crimes which relate adversely to the practice of pharmacy in violation of N.J.S.A. 45:1-21 (f).

It appearing that respondent wishes to voluntarily enter into an interim agreement without making admissions and without prejudice to respondent's ability to defend the allegations against him; and the Board finding the within disposition adequately protective of the public health, safety and welfare, and other good cause having been shown;

**ACCORDINGLY, IT IS** on this 4<sup>m</sup> day of May, 2016,

**ORDERED THAT:**

1. Respondent is hereby granted leave and shall immediately surrender his registration to practice as a pharmacy technician in the State of New Jersey pending resolution of any criminal charges and until further Order of the Board.
2. Respondent shall surrender his original wall registration, wallet registration, and the most recent renewal card of his registration to the Executive Director of the Board immediately upon the entry of this Order by mailing same to Anthony Rubinaccio, Executive Director, Board of Pharmacy, P.O., Box 45013, Newark, New Jersey 07101.
3. Respondent shall refrain from practicing as a pharmacy technician and shall not represent himself as a registered pharmacy technician in the State of New Jersey until such time as his registration is reinstated. Any practice in this State prior to such reinstatement shall constitute grounds for a charge of unlicensed practice. For the purposes of this Order, practice as a pharmacy technician 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

prescription legend drugs or 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; respondent shall not handle prescriptions; and shall not be present within a prescription filling area of a pharmacy.

4. Nothing herein shall preclude the Board from initiating disciplinary action based upon the conduct relating to Respondent as alleged above. 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 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. This is an interim order that does not preclude the Board from taking disciplinary action on the alleged conduct detailed herein.

5. Nothing contained herein shall be deemed an admission of liability on the part of the Respondent.

6. Upon any reinstatement of Respondent's registration to practice as a pharmacy technician, the Board, in its discretion, may impose any conditions or restrictions on licensure it deems necessary to protect the public health, safety and welfare.

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 and understand its terms. I consent to the entry of this Order by the New Jersey Board of Pharmacy.

Jason J. D'Amico  
Jason D'Amico, Pharmacy Technician