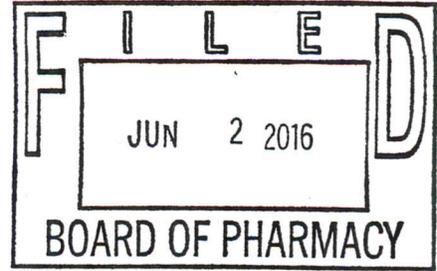


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION OR :
REVOCAION OF THE LICENSE OF :
 :
Radia Hill-Owens :
License No. 28RW02150800 :
 :
TO PRACTICE AS A PHARMACY :
TECHNICIAN IN THE STATE :
OF NEW JERSEY :

ADMINISTRATIVE ACTION
FINAL ORDER OF
DISCIPLINE

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 findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Radia Hill-Owens ("Respondent") is a registered pharmacy technician in the State of New Jersey and has been a licensee at all times relevant hereto.

2. The Board received a flagging notice indicating that Respondent was arrested on April 13, 2015 by the Newark Police Department for violating N.J.S.A. 2C:12-10 [Stalking].

3. Upon receipt of the flagging notice, the Board sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record at 533 Valley Street, Orange, New Jersey, via regular and certified mail on or about May 29, 2015. A response was due within fifteen (15) days.

4. At the time the Provisional Order of Discipline was filed in this matter, Respondent had not provided a response to the Board's request for information.

DISCUSSION

By Provisional Order of Discipline ("POD") entered on November 30, 2015, the Attorney General sought the suspension of Radia Hill-Owen's ("Respondent") registration to practice as a pharmacy technician in the State of New Jersey until such time as she cooperated with the Board investigation by answering an inquiry into her arrest on April 13, 2015 by the Newark Police Department for Stalking. The POD also sought a \$250 penalty.

The order provided that it would be subject to finalization by the Board on the 30th day following its entry unless Respondent requested a modification or dismissal of the Findings of Fact or Conclusions of Law by submitting a written

request 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 her request for consideration. Copies of the Provisional Order were mailed to Respondent via certified and regular mail, return receipt requested, to her address of record.

Thereafter, Respondent provided the following to the Board: Newark Police Department Investigation Report, Certified Disposition indicating the criminal charges were dismissed, and a personal narrative explaining the events in question.

The Board reviewed Respondent's response and determined that she has now complied sufficiently with the initial request for information. Therefore, a period of suspension is no longer necessary. However, an Order should not be required to elicit a response from a licensee to a Board request for information because, if a licensee can, with impunity, delay responding to Board inquiries without any penalties, the Board will be hampered from performing its functions. Respondent's written response was received late and only after the Board initiated disciplinary action against her license. For this reason, it is warranted that the civil penalty of \$250.00 be imposed.

The Board further determined that inasmuch as no discrepancies have been raised with respect to the findings and conclusions of the Provisional Order, no further proceedings are necessary and the Provisional Order should be made final with the aforementioned modification.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2,-1.3, in violation of N.J.S.A. 45:1-21 (e), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21 (h).

ACCORDINGLY, IT IS on this 2nd day of JUNE, 2016,
ORDERED that:

1. Respondent shall pay a civil penalty in the amount of \$250.00 within 15 days of the date this Order is filed. Payment shall be made by bank check, money order, wire transfer or credit card made payable to the New Jersey Board of Pharmacy and mailed to the New Jersey State Board of Pharmacy, ATTN: Anthony Rubinaccio, Executive Director, 124 Halsey Street, P.O. Box 45013, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. In the event that respondent fails to make timely

payment, interest shall begin to accrue at the annual court rule rate, a Certification of Debt shall be issued, and the Board may institute such other proceedings as are authorized by law

NEW JERSEY STATE BOARD OF PHARMACY

By: Thomas F.X. Bender, Jr. RPH
Thomas F.X. Bender, R.P.H.
Board President