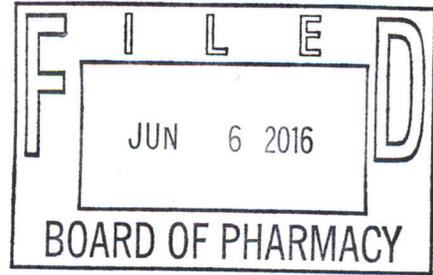


ROBERT LOUGY
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street, 5TH Floor
P.O. Box 45029
Newark, New Jersey 07101
Attorney for New Jersey State Board of Pharmacy



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

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

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.

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). Respondent was indicted on these charges on or about February 24, 2015.

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).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking the suspension of Respondent's registration to practice as a pharmacy technician in the State of New Jersey was entered on December 18, 2015. A copy was forwarded to Respondent's last known address of record by means of both regular and certified mail. The regular mailing was not returned; and the certified mail was successfully delivered. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal 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 Respondent's request for consideration and reasons therefor.

To date, Respondent has not submitted a response to the Provisional Order. Because the Order was forwarded to Respondent's address of record, the Board deems service to have been effective. Respondent cannot evade service by failing to provide the Board with a valid address or failing to respond. 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.

IT IS THEREFORE ON THIS 6th day of JUNE, 2016;

ORDERED THAT:

1. Respondent's registration to practice as a pharmacy technician in the State of New Jersey is hereby suspended for a minimum of five (5) years.

2. 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. Respondent shall immediately, within 5 days of service of this Order, surrender his original registration 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.

NEW JERSEY STATE BOARD OF PHARMACY

By:

Handwritten signature of Richard A. Palombo in cursive script.

Richard Palombo, R.Ph.
Board Vice President