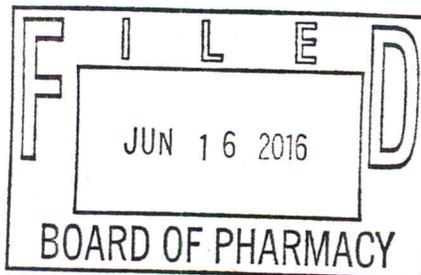


ROBERT LOUGY  
ACTING ATTORNEY GENERAL OF NEW JERSEY  
Division of Law  
124 Halsey Street, 5<sup>th</sup> Floor  
P.O. Box 45029  
Newark, New Jersey 07101  
Attorney for the New Jersey State Board of Pharmacy



BY: Megan Cordoma  
Deputy Attorney General  
(973) 648-4730

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

\_\_\_\_\_  
IN THE MATTER OF THE  
LICENSE OF

**CARRIE A. MCGUIRE, R.Ph.**

**LICENSE No.: 28RI03093200**

TO PRACTICE AS A PHARMACIST  
IN THE STATE OF NEW JERSEY

Administrative Action

- PROVISIONAL ORDER OF  
DISCIPLINE
- FINAL ORDER OF  
DISCIPLINE (Finalized by  
default on \_\_\_\_\_)

This matter was opened to the New Jersey State Board of Pharmacy (hereinafter "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:

**FINDINGS OF FACT**

1. Carrie A. McGuire ("Respondent") is a licensed pharmacist in the State of New Jersey and has been licensed at

all times relevant hereto. (Certification of Executive Director attached and made a part hereof as Exhibit 1 at Exhibit A.)

2. The Board of Pharmacy received a criminal flagging notice indicating that Respondent was arrested on January 15, 2016 by the Lacey Township Police Department with: contempt of court order, in violation of N.J.S.A. 2C:29-9B, and harassment, in violation of N.J.S.A. 2C:33-4A. (Exhibit 1 at Exhibit B).

3. On January 22, 2016, the Board sent a letter of inquiry requesting certain information and the submission of documents to Respondent's address of record via regular and certified mail with return receipt requested. The regular mailing was not returned. The certified mail was returned, cited as "Return to Sender, unclaimed, unable to forward." (Exhibit 1 at Exhibit C and D).

4. To date, Respondent has failed to respond to the request for information and provide documents regarding the Board's investigation into her arrest. (Exhibit 1).

#### CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's letter constitutes a violation of N.J.S.A. 45:1-21(h) in that Respondent has failed to cooperate with the Board's investigation in contravention of N.J.A.C. 13:45C-1.3.

IT IS, therefore, on this 16<sup>th</sup> day of JUNE, 2016,

ORDERED that:

**UPON THE FILING OF A FINAL ORDER IN THIS MATTER**

1. Respondent's license to practice as a pharmacist shall be and hereby is suspended until such time as Respondent cooperates with the Board's investigation by providing answers to the Board's request for information to the Board's satisfaction.

2. Respondent shall refrain from practicing as a pharmacist and shall not represent herself as a licensed pharmacist until such time as her license 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 pharmacist includes, but is not limited to the following: Respondent shall not handle, order, inventory, compound, count, fill, refill or dispense any drug; Respondent shall not handle anything requiring a prescription, including devices and medications; Respondent shall not handle prescriptions; Respondent shall not advise or consult with patients, and Respondent is prohibited from being present within any area of a pharmacy which is not open to the general public,

including, but not limited to a prescription filling area of a pharmacy.

3. Respondent shall pay a civil penalty in the amount of \$250.00 within 15 days of the filing of a Final Order in this matter. Payment shall be made by bank check, money order, wire transfer or credit card made payable to the State of New Jersey 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 Certificate of Debt shall be issued, and the Board may institute such other proceedings as are authorized by law.

4. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> day following entry hereof unless Respondent requests a modification or dismissal of the above stated Findings of 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 therefor or offered in mitigation of penalty.

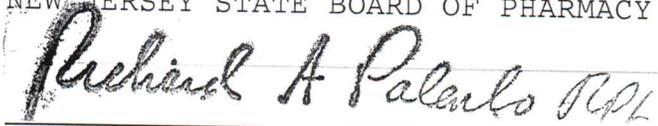
5. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a Final Order of Discipline will be entered.

6. 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.

7. In the event that the Board receives no written submission from Respondent within 30 days following the filing of this Provisional Order of Discipline, without further Board review the Provisional Order of Discipline shall automatically become the Final Order of Discipline. All referenced preliminary Findings of Fact and Conclusions of Law and all provisional sanctions or penalties imposed by this Order shall automatically be in effect and become the Final Decision and Order of the Board. The box for Final Order of Discipline shall be checked, the Final Order of Discipline shall be filed, and copies shall be mailed to Respondent at the address of record with the Board. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

NEW JERSEY STATE BOARD OF PHARMACY

By:



Richard Palombo, R.Ph.  
Board Vice President