



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

IN THE MATTER OF THE LICENSE OF : Administrative Action
: :
: :
: :
Suzanne Soliman :
License #28RI03480900 : **FINAL ORDER**
: **OF DISCIPLINE**
: :
: :
TO PRACTICE AS A PHARMACIST IN THE :
STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Pharmacy ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Suzanne Soliman ("Respondent") is a pharmacist in the State of New Jersey and has been a licensee at all times relevant hereto.

2. Respondent completed and submitted an online biennial renewal application for the renewal period ending April 30, 2015. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by April 30, 2015," referring to the biennial

renewal period of May 1, 2013 to April 30, 2015. Respondent answered "Yes" and certified that answer by submitting the online application.

3. Respondent is approved to administer immunizations.

4. In response to a Board inquiry, Respondent provided documentation of completion of (15) credit hours.

5. Respondent completed (28) credit hours, after the biennial renewal period of May 1, 2013 to April 30, 2015.

6. Respondent did not provide documentation of: (1) credit hours of the required didactic (live) instruction; and (1) credit hours of the required continuing education in immunization.

CONCLUSIONS OF LAW

Pursuant to N.J.A.C. 13:39-3A.1 et seq., pharmacists are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their licenses. Required and included within the 30 credits are: a minimum of 10 credits obtained through didactic (live) instruction; a minimum of three credits in pharmacy law; a minimum of two credits in immunization (if the licensee is approved to administer immunizations) pursuant to N.J.A.C. 13:39-4.21(b)(3); and a minimum of 10 credits in each disease or condition covered by the licensee's collaborative

practice agreements (if any) pursuant to N.J.A.C. 13:39-13.3(c). Pursuant to N.J.A.C. 13:39-3A.4, pharmacists are required to maintain documentation of completion of continuing education for a period of five years after completion, and shall submit such documentation to the Board upon request.

The Board finds that Respondent has failed to demonstrate to the satisfaction of the Board that Respondent completed the continuing education credits required for renewal during the biennial period of May 1, 2013 to April 30, 2015 in violation of N.J.A.C. 13:39-3A.1 et seq., N.J.A.C. 13:39-4.21(b)(3) (immunization credits), and N.J.A.C. 13:39-3A.4 (maintain a record of continuing education), which in turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's use of dishonesty and misrepresentation during the license renewal process in falsifying the continuing education information constitutes a violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

DISCUSSION

Based on the foregoing findings and conclusion, a Provisional Order of Discipline ("POD"), entered on December 21, 2016, sought to suspend Respondent's license to practice Pharmacy in the State of New Jersey until such time as Respondent submitted proof, to the satisfaction of the Board, of

completion of all required continuing education credits for the biennial renewal period from May 1, 2013 to April 30, 2015. The POD also sought a \$1,500.00 penalty for the missing credits, and a reprimand and \$1,000.00 penalty for falsifying the continuing education information on the license renewal application.

The POD 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 Respondent's request for consideration and reasons therefore.

In response to the POD, Respondent submitted proof she has now completed the remaining required credits and stated that she was not licensed in immunization until after the biennial renewal period of May 1, 2013 to April 30, 2015. Respondent also submitted a check made payable to State of New Jersey in the amount of \$2500.00 which is the total amount for the fine that was provisionally levied in the POD.

The Board considered the information submitted, and determined to finalize the POD with modifications. Respondent has enjoyed the privilege of holding a license to practice

pharmacy in New Jersey and should not be able to escape discipline for failure to comply with prior continuing education. Accordingly, the Board determined that the \$1500.00 penalty is warranted as Respondent did not complete the credit prior to renewal. The Board further determined that the reprimand and \$1,000.00 penalty for falsification of the renewal application should be imposed. However, the Board determined that a suspension is no longer necessary since Respondent has submitted documentation showing completion of the remaining credit of continuing education.

ACCORDINGLY, IT IS on this 8th day of May, 2017,
ORDERED that:

1. Continuing education hours taken by Respondent in 2016 and applied to cure the deficiency from the previous biennial period shall not be used to satisfy the requirements of the current biennial period.

2. Respondent is reprimanded for falsifying the continuing education information on the license renewal application.

3. Respondent is assessed a civil penalty in the amount of \$1,500 for failing to timely complete (15) credits of required continuing education, representing \$100 per missing credit. Respondent is also assessed a civil penalty in the

amount of \$1000 for misrepresentation on his/her renewal. Payment for the total amount of \$2,500 shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to Anthony Rubinaccio, Executive Director, State Board of Pharmacy, 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. Payment shall be made no later than fifteen (15) days after the date this **Final Order of Discipline** is filed. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law¹.

NEW JERSEY STATE BOARD OF PHARMACY

By: Thomas F.X. Bender, Jr., R.Ph.
Thomas F.X. Bender, R.Ph.
Board President

¹ The Board acknowledges that Respondent has already submitted a check made payable to "State of New Jersey" in the amount of \$2500.00