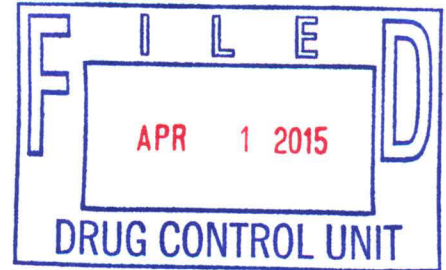


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By: David M. Puteska
Deputy Attorney General



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY PRESCRIPTION BLANK UNIT

IN THE MATTER OF THE NEW JERSEY :	Administrative Action
PRESCRIPTION BLANK VENDOR :	
AUTHORIZATION ISSUED TO :	
NELSON PRESS :	CONSENT ORDER
:	TERMINATING PRESCRIPTION
:	BLANK VENDOR AUTHORIZATION

Pursuant to N.J.S.A. 45:14-59 et. seq. and the regulations promulgated thereunder, N.J.A.C. 13:45A-27.1 et. seq., Steve C. Lee, the Acting Director of the Division of Consumer Affairs (the “Director”) is empowered to approve all vendors of uniform New Jersey prescription blanks (“NJPB”) in the State of New Jersey. Pursuant to N.J.A.C. 13:45A-27.12, the Director is further authorized to terminate, suspend or place conditions on any authorized NJPB vendor.

Nelson Press operating at 111 East River Road, Rumson, New Jersey, 07760 (“Nelson”) was at all times related hereto an authorized vendor of NJPBs in New Jersey.

In October 2014, Nelson, through its owner, Scott Thompsen, received an order for 1,200 NJPBs in the name of physician R.A.¹ The order was placed by Dr. Kenneth Lewandowski who

¹ As R.A. was the victim in this matter his name is redacted to protect his privacy.

represented to Nelson that he had hired R.A to work in his practice.² Dr. Lewindowski provided Nelson with copies of R.A.'s New Jersey Medical License and his Drug Enforcement Administration CDS Registration.

Shortly after his initial order, Dr. Lewindowski called back to order an additional 400 NJPBs in the name of R.A. and 400 NJPBs in the name of a co-conspirator Ronald Scott, P.A. Dr. Lewindowski represented that Mr. Scott was being supervised by R.A. Dr. Lewindowski also provided a copy of a voided NJPB issued to Mr. Scott.

During the printing process, Nelson sent copies of the NJPB proofs for R.A. and Mr. Scott to Dr. Lewindowski for approval. When the NJPB order was ready, Nelson allowed Dr. Lewindowski to pick-up the order at Nelson's facility in Rumson. Throughout the transaction Nelson knew Dr. Lewindowski only by the name "Ken."

At no point did R.A. authorize the ordering of NJPB from Nelson or otherwise have any knowledge that such an order was to be placed in his name. R.A. was alerted to the situation when he checked his New Jersey Prescription Monitoring Program ("PMP") and discovered that multiple prescriptions for CDS, including highly addictive Schedule II narcotics such as Oxycontin, had been issued in his name for patients that were not his.

During the course of the Division's investigation, Mr. Thompson acknowledged that Nelson failed to verify and confirm R.A.'s NJPB order directly with him and acknowledged that Nelson also failed to deliver the order to the address of record for R.A. or Ronald Scott as required by law. Mr. Thompson further admitted that he made no efforts to verify the identity of the person he allowed to pick up the NJPB order.

² At all times relevant hereto Dr. Lewindowski's medical license was voluntarily surrendered pursuant to a public order filed with the New Jersey Board of Medical Examiners (the "Board") in April 2014. A copy of this order was available on the Internet shortly after it was filed.

The Director finds that the acts and omissions of Nelson, as detailed above, constitute multiple violations of the following regulations applicable to the ordering of NJPB:

- A. Failing to obtain a written request for NJPBs in violation of N.J.A.C. 13:45A-27.9(a)(1);
- B. Failing to obtain the original written signature of the licensed prescriber (R.A. and Ronald Scott) in violation of N.J.A.C. 13:45A-27.9(a)(1);
- C. Failing to verify that Dr. Lewindowski's license is active and in good standing, and the address of record in the Division's database or in notices sent to vendors in violation of N.J.A.C. 13:45A-27.9(a)(2);
- D. Failing to ensure the identify and authority of the prescriber to utilize NJBPs prior to printing or delivering any order for NJBPs in violation of N.J.A.C. 13:45A-27.9(c);
- E. Failing to obtain documentation verifying the identify and licensure of the prescriber in violation of N.J.A.C. 13:45A-27.9(e)(1); and
- F. Failing to verify the licensed prescriber's signature in violation of N.J.A.C. 13:45A-27.9(e)(2).

Nelson has indicated its desire to resolve this matter pursuant to the terms of this Consent Order. Pursuant to the above information; the Director's authority under N.J.S.A. 45:14-59 et. seq. and the regulations promulgated thereunder, N.J.A.C. 13:45A-27.1 et. seq., and for good cause shown:

IT IS ON THIS 1st day of April, 2015 **ORDERED** that

1. The authority of Nelson to be a NJPB vendor is terminated effective immediately and for a period of six (6) months from the date of the entry of this Order;
2. Six months following the date of entry of this Order, Nelson may reapply to the Division for authorization as a NJPB vendor. The application shall consist of the standard form for new vendor applications as then utilized by the Division.

3. If Nelson is approved as an authorized NJPB Vendor such approval shall include that the authorization is for a probationary term of not less than four years and six months from the date of approval.


4. During the period of termination probation, Nelson shall arrange for an audit of all phases of its NJPB ordering and printing processes at six (6) month intervals. The audit shall be conducted by an independent auditing firm approved in advance by the Division, which shall immediately forward copies of the results of the audit to the Division. All costs associated with these audits shall be the sole responsibility of Nelson.

5. Upon receipt of a filed copy of this Consent Order, Nelson shall cease and desist from printing or distributing NJPBs or in any way representing to the public or potential clients that you are an approved printer/vendor of NJPBs. In accordance with N.J.A.C. 13:45A-27.7(c) you must notify in writing each prescriber and healthcare facility for whom you have printed NJPBs within the previous six months, of your suspension from the program.

6. Within seven (7) days of your receipt of a filed copy of this Consent Order, you shall arrange with representatives of the Division to surrender to them, or to a third party pre-approved by the Division, all of the materials described in N.J.A.C. 13:45A-27.7(d), to include: computer disks, mechanicals, negatives, and other equipment related to your production or distribution of NJPBs. The materials to be surrendered are to also include any base stock that remains in your inventory, and any NJPBs that have been formatted or printed for your clients. The materials shall be held in escrow until such time as Nelson is reauthorized as an approved NJPB Printer/Vendor. If such reauthorization does not occur within one (1) year of the date of this Consent Order, all materials shall be destroyed and proof of such destruction provided to the Division.

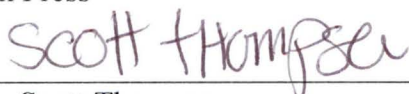
7. Nelson has been specifically informed that it may consult an attorney to represent it in this matter. Nelson acknowledges that it has been advised of the ability to consult with counsel and that it has chosen to voluntarily enter into this Consent Order.

NEW JERSEY DIVISION OF CONSUMER AFFAIRS

By: 
Steve C. Lee,
Acting Director

I have read and understood
this Consent Order and consent
to be bound by its terms.

Nelson Press

By: 
Scott Thompsen,
Owner/President

Dated: 3/31/15