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

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IN THE MATTER OF THE NEW JERSEY :	Administrative Action
PRESCRIPTION BLANK VENDOR :	
AUTHORIZATION ISSUED TO :	
DATA BUSSINES SYSTEMS, INC. :	<b>CONSENT ORDER</b>
	<b>SUSPENDING PRESCRIPTION</b>
	<b>BLANK VENDOR AUTHORIZATION</b>

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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 ("NJPBs") 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.

Data Business Systems, Inc. operating at 230 Route 206 South, Building 3, Unit 1, Flanders, New Jersey ("DBS") was at all times related hereto an authorized vendor of NJPBs in New Jersey.

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On or about December 1, 2014, DBS, through its authorized sales representative Mid-Atlantic Business Products, LLC (“Mid-Atlantic”), received an order from J.D. the wife of physician K.D. which purported to order for K.D. one thousand (1,000) NJPBs. At no point did K.D. himself submit an order for NJPBs directly to Mid-Atlantic or DBS.

The information received from J.D. through Mid-Atlantic did not contain the original signature of K.D. on the form prescribed by the Drug Control Unit of the Division of Consumer Affairs. Rather, a prescription blank purportedly signed by K.D. was submitted and accepted by DBS as verification of an original signature.

The prescription blank purportedly submitted by K.D. did not have his current address. Rather, the address on the blank was crossed out and a new address was inserted. DBS did not verify the new address with the Drug Control Unit. Had DBS verified the address it would have been shown to be inaccurate.

As a result of the above misconduct, thousands of NJPBs were delivered to someone other than K.D. and may have been utilized without authorization of a physician to obtain CDS.

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

- A. Failing to obtain an accurate written request for NJPBs signed by the authorized practitioner 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 in violation of N.J.A.C. 13:45A-27.9(a)(1);
- C. Failing to verify K.D.’s 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 identity and authority of the prescriber to utilize NJPBs prior to printing or delivering any order for NJPBs in violation of N.J.A.C. 13:45A-27.9(c);
- E. Failing to obtain documentation verifying the identity 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).

DBS 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** 24<sup>th</sup> day of September, 2015 **ORDERED** that


1. The authority of DBS to be a NJPBs vendor is suspended immediately and for a period of three (3) months from the date of the entry of this Order;
2. Upon expiration of the three month term of active suspension, DBS shall be placed on a probationary term of not less than four years and nine months.
3. During the period of probation, DBS shall arrange for an audit of all phases of its NJPBs 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 DBS.
4. Upon receipt of a filed copy of this Consent Order, DBS shall cease and desist from printing or distributing NJPBs or in any way representing to the public or potential clients that it is an approved printer/vendor of NJPBs. In accordance with N.J.A.C. 13:45A-27.7(c)

DBS must notify in writing each prescriber and healthcare facility for whom it has printed NJPBs within the previous six months, of its suspension from the program.

5. Within seven (7) days of receipt of a filed copy of this Consent Order, DBS 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 production or distribution of NJPBs. The materials to be surrendered are to also include any base stock that remains in DBS's inventory, and any NJPBs that have been formatted or printed for its clients. The materials shall be held in escrow for three (3) months during the period of active suspension and then returned to DBS.

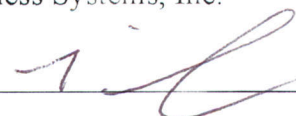
6. DBS has been specifically informed that it may consult an attorney to represent it in this matter. DBS acknowledges that it has been advised of the ability to consult with counsel and that it has chosen to voluntarily enter into this Consent Order.

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.

Data Business Systems, Inc.

By: 

Dated: 08/28/15

Jeff Kirschner  
Owner/President