

NEW MEXICO BOARD OF PHARMACY

IN THE MATTER OF:

MARC ROMERO
License No. PT-6144
(VOLUNTARILY RESTRICTED)

Case No. 2010-087
(Action No. 2)

Respondent.



ORDER SUMMARILY REVOKING PHARMACIST TECHNICIAN REGISTRATION

THIS MATTER came before the New Mexico Board of Pharmacy ("Board") at its regular meeting on August 29, 2011, and with a quorum present and a majority voting in the affirmative, the Board finds as follows:

1. On April 11, 2011, the Board filed its Order Accepting Voluntary Restriction of Pharmacist Technician Registration, upon its receipt of a *Voluntary Restriction of Pharmacy Technician Registration*, dated March 3, 2011 and signed by Registrant Marc Romero ("Romero").
2. By its April 11, 2011 Order, the Board restricted Romero's license as of March 3, 2011 and placed it on probation for one (1) year. Romero's probation was made subject to seven (7) terms and conditions, including in relevant part:
 - a. Romero shall successfully complete the one-year contract with the Monitored Treatment Program ("MTP") and shall comply fully with the terms and conditions required of him by the MTP. Any violation of Romero's MTP agreement shall be grounds for further disciplinary action against Romero by the Board in accordance with the Impaired Health Care Provider Act, NMSA 1978, §§ 61-7-1 et seq. and/or the Uniform Licensing Act, NMSA 1978, §§ 61-1-1 et seq.
 - b. Romero will participate in self-assessment counseling for substance and relationship issues for the duration deemed acceptable by MTP.
 - c. Any violation of the terms of this Order will result in the summary revocation of Romero's license, and the Board will commence disciplinary proceedings to take further action regarding Romero's license in accordance with the Impaired Health Care Provider Act, NMSA 1978, §§ 61-7-1 et seq. and/or the Uniform Licensing Act, NMSA 1978, §§ 61-1-1 et seq.
3. On August 29, 2011, MTP reported to the Board that Romero was non-compliant with his contracts with MTP. MTP reported that Romero signed his first contract on February 18, 2011, and had not complied with its terms. Romero met with MTP staff on April 8, 2011 to discuss his non-compliance and non-participation, and Romero failed to appear at a follow-up

meeting with MTP on May 27, 2011. Romero met with MTP staff on June 7, 2011, signed a new mandatory contract and was again counseled about his compliance with his MTP contract, including his need to respond to telephone calls, to submit required paperwork and to appear for mandatory drug screens.

4. As of August 29, 2011, Romero was non-compliant with and had breached both his February 18, 2011 and June 7, 2011 mandatory contracts with MTP.

5. Romero's failure to comply with all the terms and conditions of the Board's April 11, 2011 Order Accepting Voluntary Restriction of Pharmacist Technician Registration is, as expressly stated in that Order, a violation of the Order Accepting Voluntary Restriction of Pharmacist Technician Registration. Romero's violation of the terms of that Order permits the Board to summarily revoke Romero's license.

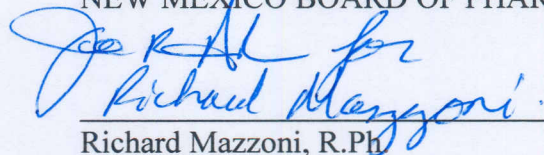
6. As expressly permitted by its April 11, 2011 Order Accepting Voluntary Restriction of Pharmacist Technician Registration, the Board will commence disciplinary proceedings to take further action regarding Romero's license in accordance with the Impaired Health Care Provider Act, NMSA 1978, §§ 61-7-1 et seq. and/or the Uniform Licensing Act, NMSA 1978, §§ 61-1-1 et seq.

7. The Board has continuing jurisdiction over Romero and the subject matter in this proceeding pursuant to the Pharmacy Act and the Impaired Health Care Provider Act. NMSA 1978, § 61-11-6(A)(7) and (8); §§ 61-7-6 and 61-7-9.

IT IS THEREFORE ORDERED that Respondent Marc Romero's pharmacy technician registration is hereby **SUMMARILY REVOKED**.

IT IS FURTHER ORDERED that Respondent Marc Romero may petition the Board for reinstatement only in strict accordance with Section 61-7-9 of the Impaired Health Care Provider Act.

NEW MEXICO BOARD OF PHARMACY


Richard Mazzoni, R.Ph.

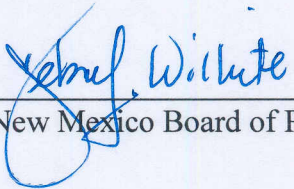
Board Chair

Date Received by and filed with the Board: September 30th, 2011

CERTIFICATE OF SERVICE

A copy of this **Order Summarily Revoking Pharmacist Technician Registration** was sent by certified mail, return receipt requested, receipt no. 7009 2820 0002 8695 0747

to Respondent Marc Romero, 7101 Carriveau Ave NE, Albuquerque NM 87110 on this 30th day of September, 2011.



New Mexico Board of Pharmacy