

**STATE OF NORTH CAROLINA
NORTH CAROLINA BOARD OF PHARMACY**

IN THE MATTER OF

**Robin A. Wiener
(License No. 9670)**

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**CONSENT ORDER OF
DISCIPLINE**

THIS MATTER came on to be considered at a prehearing conference (hereinafter, "Conference") before a member of the North Carolina Board of Pharmacy (hereinafter, the "Board") pursuant to 21 N.C.A.C. 46 .2008. The Conference was scheduled for November 14, 2016, and, after appropriate notice, was heard on that day by Board member L. Stan Haywood at the offices of the Board. Respondent Robin A. Wiener (License No. 9670) (hereinafter, "Respondent") was present at the Conference and represented by Iain M. Stauffer as counsel. Counsel Andrew L. Rodenbough represented the Board. Members of the Board's investigative staff were also present at the Conference.

Respondent has agreed to waive a formal hearing in the above-referenced matter. Both parties stipulate and agree to the findings of fact and conclusions of law recited herein and to the order of discipline imposed. By her consent, Respondent also stipulates that she waives her right to appeal this Consent Order or challenge in any way the sufficiency of the findings of this Order. Based upon the consent of the parties, the Board hereby enters the following:

FINDINGS OF FACT

1. The Board is a body duly organized under the laws of North Carolina and is the proper body for this proceeding under the authority granted it in Chapter 90 of the General Statutes of North Carolina, and the rules and regulations promulgated thereunder.

2. Respondent is, and was at all relevant times referred to herein, a pharmacist licensed to practice pharmacy in the State of North Carolina with License No. 9670. At all relevant times, Respondent was employed as a pharmacist at CVS Pharmacy, Permit. No. 10432, located in Greensboro, North Carolina (the "Pharmacy"). Respondent is and was, at all relevant times referenced to herein, subject to the rules and regulations of the Board and the laws of the State of North Carolina.

3. On or about January 14, 2015, Respondent erroneously and unlawfully dispensed fentanyl 75 mcg patches (a schedule II controlled substance) instead of the prescribed fentanyl 12 mcg patches to a 92-year-old patient.

4. The patches were not used because the patient's nursing assistant noticed the incorrect dosage, and the patches were returned to the Pharmacy unused.

CONCLUSIONS OF LAW

Based on the above findings, the Board concludes as a matter of law:

1. All parties are properly before the Board, and the Board has jurisdiction over Respondent and the subject matter of this proceeding.

2. Respondent's conduct, as set out in the findings of fact and conclusions of law above, constitutes grounds for discipline pursuant to North Carolina General Statutes §§ 90-85.38(a)(7) and (9), 90-85.40(f), and 106-134.1.

3. Respondent admits that the conduct in this matter constitutes sufficient grounds for disciplinary action on her license under N.C. Gen. Stat. § 90-85.38(a).


CONCLUSIONS REGARDING DISCIPLINE

Based upon the foregoing Findings of Fact and Conclusions of Law, and with the consent of the Respondent, IT IS THEREFORE ORDERED that the license of Pharmacist Robin A. Wiener, License No. 9670, is hereby REPRIMANDED.

This the 21st day of February, 2016.

NORTH CAROLINA BOARD OF PHARMACY

By:



Jack W. Campbell, IV
Executive Director

Robin A. Wiener, the holder of license number 9670, has full knowledge that she has the right to a formal hearing, at which she would have the right to be represented at her expense by counsel, in this matter. The undersigned freely, knowingly and voluntarily waives such right by entering into this Consent Order.

The undersigned understands and agrees that by entering into this Consent Order, she certifies that she has read the foregoing Consent Order and that she voluntarily consents to the terms and conditions set forth therein and relinquishes any right to judicial review of Board actions which may be taken concerning this matter.

The undersigned further understands that should she violate the terms and conditions of this Consent Order, the Board may take additional disciplinary action.

The undersigned understands and agrees that this Consent Order will not become effective unless and until approved by the Board.

The undersigned understands that she has the right to have counsel of her choice review and advise her with respect to her rights and this Consent Order, and represents that she enters this Consent Order after consultation with her counsel or after knowingly and voluntarily choosing not to consult with counsel.

CONSENTED TO BY:

Robin Wiener Date 1/17/17
Robin A. Wiener
(License No. 9670)

NORTH CAROLINA

Guilford COUNTY

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that the following person personally appeared before me this day, and acknowledged the due execution of the foregoing document: Robin A. Wiener.

Date: 1.17.17

SANDEE S. HUTCHINSON
Notary Public
Guilford County, NC

Sandee S. Hutch
Notary Public
Sandee S. Hutchinson
My commission expires: 9.7.2020

OBJECTED TO BY:

Robin A. Wiener

Date _____

(License No. 9670)