

BEFORE THE NORTH CAROLINA BOARD OF PHARMACY

In Re:

CHRISTOPHER BREESE

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ORDER REGARDING LICENSURE

THIS MATTER was heard on July 17, 2007, by the North Carolina Board of Pharmacy ("Board") located at 6015 Farrington Road, Suite 201, Chapel Hill, North Carolina, upon the request of Christopher Breese ("Petitioner") for the Board to act favorably upon his application license to practice pharmacy in the state of North Carolina. Board members Nelson, Chesson, Chater, Dennis, Haywood, and McLaughlin conducted this hearing. After hearing the testimony of witnesses, adjudging the credibility of the witnesses, and receiving evidence, the Board makes the following:

FINDINGS OF FACT

1. Petitioner is a graduate of the University of North Carolina School of Pharmacy.
2. On May 14, 2006, Petitioner submitted an Application for Examination and Registered Pharmacist Certificate to the Board.
3. Petitioner answered "yes" on the application to the question "Have you ever been summoned, arrested, taken into custody, indicted, convicted, or tried for, or charged with, or pleaded guilty to the violation of any law or ordinance or the commission of any felony or misdemeanor?"
4. Petitioner disclosed that he was charged with driving while impaired on May 19, 2002. He eventually pleaded guilty to that offense. Petitioner disclosed that he

was charged with a second DWI offense on November 5, 2005. Petitioner eventually pleaded guilty to that offense as well.

5. Petitioner represented to the Board that he had been evaluated by a Licensed Clinical Addiction Specialist ("LCAS") and that the LCAS had concluded that Petitioner "ha[d] no dependency diagnosis and that no further treatment is recommended." Petitioner repeated this statement to Board members Dennis and Haywood in June 2006.
6. Members Dennis and Haywood directed Mr. Breese to provide a written statement from the LCAS concerning his evaluation and any treatment recommendations.
7. The LCAS provided a letter several days letter that stated in pertinent part:
"[Petitioner meets the DSM-IV . . . criteria for alcohol abuse. . . . A 'drink wise' approach will be used to assist him in his efforts toward responsible use of alcohol in the future. [Petitioner] will set limits on both amounts and frequency of his drinking. He will also keep a journal of each episode with a focus on compliance with personal challenges in meeting his goals. Chris is required to have regular phone or face-to-face contact with this counselor. He will also attend three (3) open Alcoholics Anonymous (AA) meetings over the next three (3) months and write a summary report of his thoughts and feelings about the experience. There may be additional requirements asked of [Petitioner] during our six (6) month follow up period, subject to outcomes."

8. Upon receiving this letter, the Board directed Petitioner to appear at its July 18, 2006 meeting to explain apparent discrepancies between Petitioner's representations and the statements from the LCAS.
9. Petitioner appeared before the Board on July 18, 2006. The Board reviewed Petitioner's pending application for licensure, received additional materials, and questioned Petitioner. At the conclusion of that meeting, the Board requested that Petitioner contact the North Carolina Pharmacist Recovery Network, enter into an appropriate treatment plan, and advise the Board of his having done so.
10. In June 2007, Petitioner contacted the Board's executive director through counsel and requested an additional hearing concerning his application for licensure.
11. Petitioner appeared before the Board with counsel on July 17, 2006.
12. Petitioner provided evidence that he has been in a period of successful compliance with a substance abuse treatment program.

CONCLUSIONS OF LAW

Petitioner has demonstrated that he has been in a period of successful recovery. The Board, in its discretion, concludes that Petitioner can safely be licensed to practice pharmacy.

IT IS THEREFORE ORDERED that Petitioner be licensed to practice pharmacy, subject to the following conditions:

1. Petitioner shall successfully complete his PRN contract, which shall be renewed to extend for five (5) years from the date of this Order..

2. Petitioner shall not serve as pharmacist manager of any pharmacy.
Petitioner may petition the Board to have this restriction lifted no earlier than twelve (12) months from the date of this Order.
3. Petitioner shall not serve as a preceptor of pharmacy students. Petitioner may petition the Board to have this restriction lifted no earlier than twelve (12) months from the date of this Order.
4. Petitioner shall authorize NC PRN, and any treating physician or other health-care provider to release Petitioner's medical records to the Board.
5. If Petitioner fails to comply with any terms or conditions of this Order, Petitioner may be subject to additional disciplinary action by the Board.
6. Petitioner shall violate no laws governing the practice of pharmacy or the distribution of drugs.
7. Petitioner shall violate no rules or regulations of the Board.

This is the 17^h day of July, 2007.

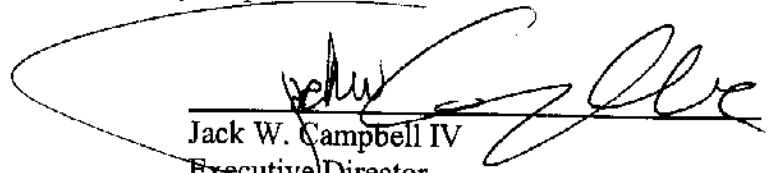
NORTH CAROLINA BOARD OF PHARMACY

By: 

Jack W. Campbell IV
Executive Director

CERTIFICATE OF SERVICE

I certify that on July 17, 2007, I caused a copy of this Order Regarding Licensure to be served on Petitioner by registered mail, return-receipt requested.



Jack W. Campbell IV
Executive Director

cc: Breese License File
Michael Allen, Esq., Counsel for Petitioner
Paul Peterson, Executive Director, North Carolina Pharmacist Recovery Network