

**BEFORE THE NORTH CAROLINA BOARD OF PHARMACY**

**In Re:**

**Nancy Dillard Horn  
(License No. 7175)**

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**ORDER REINSTATING LICENSE**

**THIS MATTER** was heard on October 17, 2006, by the North Carolina Board of Pharmacy ("Board") located at 6015 Farrington Road, Suite 201, Chapel Hill, North Carolina, upon the request of Nancy Dillard Horn ("Petitioner") for reinstatement of her license to practice pharmacy in the state of North Carolina. Board members Chater, Nelson, Dennis, Haywood, Chesson 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. At all relevant times, Petitioner was licensed to practice pharmacy by the Board and was the holder of license number 7157.
2. On January 31, 2005, Renee Covington, Wal-Mart Pharmacy District Manager, contacted the Board investigative office and advised that the Wal-Mart Pharmacy in Oxford, NC was missing several hydrocodone products. Hydrocodone is a Schedule III controlled substance.
3. Ms. Covington suspected that Petitioner, an employee at the Oxford Wal-Mart Pharmacy, was diverting the hydrocodone.

4. Board Investigator Josh Kohler responded to the complaint, investigated this matter, and prepared a report of his findings. Petitioner stipulates that Investigator Kohler's report is accurate.
5. When Investigator Kohler interviewed Petitioner, she admitted to diverting controlled substances for personal use. Petitioner stated that she diverted controlled substances three to four times a week beginning in September 2004.
6. Petitioner voluntarily surrendered her license to practice pharmacy for cause.
7. The Oxford Police Department arrested Petitioner and charged her with felony larceny by employee.
8. After surrendering her license, Petitioner entered into a contract with North Carolina Pharmacist Recovery Network ("NC PRN").
9. Petitioner entered a long-term in-patient treatment facility for professionals with substance abuse problems. Petitioner successfully completed that treatment program.
10. Petitioner continues to participate in group meetings and counseling sessions.
11. Petitioner has not tested positive for any controlled substance since completing her in-patient treatment program.
12. Paul Peterson, Executive Director of NC PRN, testified that Petitioner has been in full compliance with her NC PRN contract.
13. Petitioner relocated to Tennessee. She entered into a five-year contract with Tennessee's Pharmacists Recovery Network ("TPRN"). Kimberly Roberts, a member of the TPRN committee, testified that Petitioner has complied with aspects of her contract.

14. Petitioner's criminal charges have been expunged. No further charges arising from Petitioner's diversion have been, or could be, brought against her.

**CONCLUSIONS OF LAW**

Petitioner has demonstrated that he has been in a period of successful recovery and compliance with her PRN contract. The Board, in its discretion, concludes that Petitioner can safely resume the practice of pharmacy.

**IT IS THEREFORE ORDERED** that Petitioner's license to practice pharmacy shall be reinstated, subject to the following conditions:

1. Petitioner shall successfully complete her Tennessee PRN contract.
2. Petitioner shall advise the Board promptly in writing of any change of address or change in practice status.
3. Petitioner shall obtain prior approval of all employment as a pharmacist in North Carolina from the Board's Executive Director.
4. Petitioner shall not serve as pharmacist manager of any pharmacy in North Carolina.
5. Petitioner shall not serve as a preceptor of pharmacy students in North Carolina.
6. Petitioner may not be employed as a pharmacist in North Carolina more than 40 hours per week, on average.
7. Petitioner shall be subject to unannounced drug screens to be performed at her expense by the Board or its agents, and shall supply urine, blood, hair, nail, or any other bodily fluid or tissue sample required for the screening. Results of the screening shall not disclose the presence of any controlled

substance, prescription drug, or alcohol, that was not previously prescribed for Petitioner by a practitioner acting in the normal course of medical treatment of Petitioner.

8. Petitioner shall authorize NC PRN, TPRN, and any treating physician or other health-care provider to release Petitioner's medical records to the Board.
9. Prior to the commencement of employment as a pharmacist, Petitioner shall submit documentation of her current continuing education hours to the Board's Executive Director.
10. If Petitioner fails to comply with any terms or conditions of this Order, Petitioner may be subject to additional disciplinary action by the Board.
11. Petitioner shall violate no laws governing the practice of pharmacy or the distribution of drugs.
12. Petitioner shall violate no rules or regulations of the Board.

This is the 17<sup>h</sup> day of October, 2006.

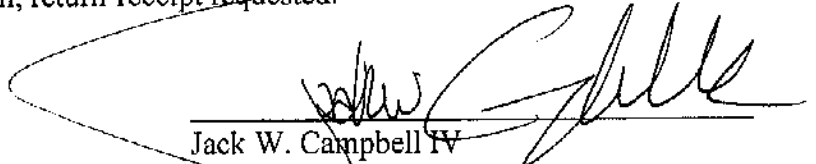
NORTH CAROLINA BOARD OF PHARMACY

By: 

Jack W. Campbell IV  
Executive Director

**CERTIFICATE OF SERVICE**

I certify that on October 18, 2006, I caused a copy of this Order Reinstating License to be served on Petitioner by registered mail, return-receipt requested.



Jack W. Campbell IV  
Executive Director