

BEFORE THE NORTH CAROLINA BOARD OF PHARMACY

In The Matter Of:

Elizabeth P. Zuber)
(License No. 12719)) **ORDER RESTRICTING LICENSE**

THIS MATTER was heard on March 16, 2004, by the North Carolina Board of Pharmacy, located at 6015 Farrington Rd., Suite 201, Chapel Hill, North Carolina, upon the request of Elizabeth P. Zuber (Petitioner) for consideration of her license to practice pharmacy in the state of North Carolina. Consideration of the Petitioner's request was heard based upon records in this proceeding, and the testimony and other materials of record presented at the hearing, the Board makes the following:

FINDINGS OF FACT

1. Petitioner was licensed on September 26, 1994, to practice pharmacy by the North Carolina Board of Pharmacy and is the holder of license number 12719.
2. On December 17, 2002, Petitioner voluntarily ceased practicing pharmacy in North Carolina.
3. Ms. Zuber was charged criminally with (3) counts of embezzling controlled substances and entered into a Deferred Prosecution Program for the period September 25, 2003 to September 28, 2004. Upon successful completion of the Deferred Prosecution Program the case would be dismissed by the District Attorney.

4. On December 19, 2002 Ms. Zuber met with then Executive Director of the North Carolina Pharmacist Recovery Network (NCPRN) David Marley and entered into a five-year PRN contract.
5. On January 2, 2003, Investigator Sandra Burns of the North Carolina Board of Pharmacy began her investigation of Ms. Zuber at various pharmacies where she had been employed. Inspector Burns provided audit reports introduced into evidence and testified to the results of the audit.
6. On April 10, 2003, North Carolina Board of Pharmacy Investigator Sandra Burns met with Ms. Zuber and her attorney Warren Sparrow as well as SBI Agent Dan Stone. Ms. Zuber made statements indicating when her abuse of controlled substances began and her current drug addiction.
7. Ms. Zuber completed the Pinegrove Next Step Program in Mississippi, beginning December 19, 2002 and ending March 26, 2003. Ms. Zuber also attended an intensive 3-4 weeks outpatient program at Forsyth Hospital for in late March 2003 to mid April 2003. Ms. Zuber did have a pharmacist license through December 31, 2004. She currently attends three NA/AA meetings per week.

CONCLUSION OF LAW

Petitioner has demonstrated that she has been in a period of successful recovery and compliance with her N.C. Pharmacists Recovery Network contract. The North Carolina Board of Pharmacy, in its discretion, concludes the Petitioner can resume the practice of pharmacy, subject to the conditions set forth below.

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

1. The respondent shall in no way be involved in dispensing prescription drugs of any kind. Before using the restricted license the respondent must receive prior approval of the practice site with the Executive Director of the North Carolina Board of Pharmacy.
2. The restriction means no access to prescription drugs or the dispensing of such where employed.
3. The Board strongly recommends the respondent not return before the Board until after all court issues are resolved and the respondent is further along with the PRN contract.
4. The Board strongly recommends that when the respondent is ready to appear before the board for reconsideration she should bring advocates to testify on her behalf and advice from PRN.

This is the 5th day of May, 2005.

NORTH CAROLINA BOARD OF PHARMACY

By: *David R. Work*
David R. Work
Executive Director