

**BEFORE THE NORTH CAROLINA BOARD OF PHARMACY**

**In Re:**

**David Wayne Adams  
(License No. 7932)**

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**ORDER REINSTATING LICENSE**

**THIS MATTER** was heard on April 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 David Wayne Adams (“Petitioner”) for reinstatement of his 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 7932.
2. On May 18, 2006, the Board of Pharmacy received a complaint that Petitioner was diverting Cymbalta, clonazepam, trazodone, and Wellbutrin from Ingles Pharmacy in Spruce Pine, NC. Petitioner’s co-workers also expressed concerns about his appearance and activity while at the pharmacy.
3. Board Investigator Holly Price Hunt responded to the complaint, investigated this matter, and prepared a report of her findings. The Board has reviewed that report.

4. When Investigator Hunt interviewed Petitioner, he admitted diverting 12 capsules of Cymbalta. He denied diverting any quantity of clonazepam. Petitioner also described himself as severely depressed as a result of a recent family tragedy.
5. On June 9, 2006, Petitioner voluntarily surrendered his license to practice pharmacy for cause and for developing a disability that rendered him unable to practice pharmacy with reasonable skill, competence and safety to the public.
6. After surrendering his license, Petitioner agreed to a urine drug screen. The sample tested positive for hydrocodone, hydromorphone, diazepam, oxazepam, and temazepam.
7. After surrendering his license, Petitioner entered into a contract with North Carolina Pharmacist Recovery Network ("NC PRN").
8. Petitioner entered a long-term in-patient treatment facility for professionals with substance abuse problems. Petitioner successfully completed that treatment program.
9. Petitioner continues to participate in group meetings and counseling sessions.
10. Petitioner has not tested positive for any controlled substance since completing his in-patient treatment program.
11. Paul Peterson, Executive Director of NC PRN, testified that Petitioner has been in full compliance with his NC PRN contract.
12. Petitioner was not charged criminally as a result of his activities at the Ingles Pharmacy.

**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 his PRN contract, which shall be renewed to extend for five (5) years from the date of this Order.
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 from the Board's Executive Director.
4. Petitioner shall not serve as pharmacist manager of any pharmacy.
5. Petitioner shall not serve as a preceptor of pharmacy students.
6. Petitioner may not be employed as a pharmacist more than 32 hours per week, on average. This hours limitation may be extended to 40 hours per week, on average, at the discretion of the Executive Director of NC PRN.
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, 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 his 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>th</sup> day of April, 2007.

NORTH CAROLINA BOARD OF PHARMACY

By:   
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Jack W. Campbell IV  
Executive Director

**CERTIFICATE OF SERVICE**

I certify that on April 18, 2007, I caused a copy of this Order Reinstating License to be served on Petitioner by registered mail, return-receipt requested.

  
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Jack W. Campbell IV  
Executive Director

cc: Adams License File  
Paul Peterson, Executive Director, North Carolina Pharmacist Recovery Network