

BEFORE THE NORTH CAROLINA BOARD OF PHARMACY

IN THE MATTER OF:

ROBERT R. BROYLES, III)	
License Number 11951)	
)	ORDER REINSTATING LICENSE
)	WITH CONDITIONS
)	

THIS MATTER came before the North Carolina Board of Pharmacy (“Board”) concerning the petition of Robert R. Broyles, III (“Petitioner”) to reinstate his license to practice pharmacy number 11951. This matter was heard on September 20, 2011 by the Board located at 6015 Farrington Rd., Suite 201, Chapel Hill, North Carolina. Board members Dennis, Minton, Chater, Chesson, and Marks heard Petitioner’s request. Having heard the evidence presented and assessed the credibility of the testifying witnesses, the Board makes the following:

FINDINGS OF FACT

1. Petitioner is well known to the Board of Pharmacy. On September 15, 2009, Petitioner appeared before the Board pursuant to both a request by him for reinstatement of his license and a Notice of Hearing dated August 27, 2009.
2. On September 15, 2009, the Board of Pharmacy entered an order (the “2009 Order”) denying Petitioner’s request for reinstatement and ordering his license to be indefinitely suspended. The 2009 Order, which is incorporated by reference into and deemed a part of this order, details Petitioner’s lengthy history of substance abuse, Board disciplinary actions, and criminal convictions.
3. The 2009 Order stated that Petitioner could “not petition for reinstatement or to have the suspension lifted until July 1, 2011, at the earliest.” The 2009 Order further specified

that upon any such request, Petitioner's license "will be granted or reinstated only upon order of the Board and only after a finding that the grant of reinstatement is appropriate under the Pharmacy Practice Act and its rules and regulations."

4. Petitioner duly requested, after July 1, 2011, reinstatement of his license to practice pharmacy.

5. Petitioner testified as to his continuing treatment and monitoring obligations under his North Carolina Pharmacist Recovery Network ("NCPRN") contract. NCPRN testified that Petitioner has been compliant with those obligations and advocated Petitioner's return to the practice of pharmacy with appropriate conditions.

CONCLUSION OF LAW

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

IT IS, THEREFORE, ORDERED that the indefinite suspension of Petitioner's license is **LIFTED** and Petitioner's license is **REINSTATED, SUBJECT TO THE FOLLOWING CONDITIONS:**

1. As a pre-condition to licensure, Petitioner shall obtain 160 hours of practical experience under the supervision of a North Carolina licensed pharmacist. Petitioner shall ensure that the supervising pharmacist documents these hours on the appropriate Board form and that the form is submitted to both the Board and NCPRN.

2. As a pre-condition to licensure, Petitioner shall obtain sixty (60) hours of continuing education, thirty-two (32) of which shall be live or contact hours. This represents the amount of continuing education that Petitioner would have needed to renew his license for 2009,

2010, 2011, and 2012. Petitioner shall provide the Board with the appropriate documents showing completion of this pre-condition to licensure.

3. As a pre-condition to licensure, Petitioner shall renew his NCPRN contract to extend as long as he holds a North Carolina license to practice pharmacy. Petitioner shall provide documentation to the Board from NCPRN showing completion of this pre-condition to licensure.

4. Upon completion of pre-conditions 1, 2, and 3 above, Petitioner shall as a final pre-condition for licensure submit the appropriate reinstatement application form and fee to the Board.

5. Petitioner shall maintain full compliance with his NCPRN contract.

6. Petitioner shall advise the Board promptly in writing of any change of address or change of practice status.

7. Petitioner shall obtain prior approval of all employment as a pharmacist from the Board's Executive Director and NCPRN.

8. Petitioner shall not serve as a pharmacist manager or owner of any pharmacy.

9. Petitioner shall not serve as a preceptor of pharmacy students.

10. Petitioner may not be employed as a pharmacist more than 30 hours per week, on the average. This limitation may be altered or waived if approved by both the Board's Executive Director and NCPRN.

11. Petitioner shall be subject to unannounced drug screens to be performed at his 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 substances, prescription drug, or alcohol, which was not previously

prescribed for Petitioner by a practitioner acting in the normal course of medical treatment of Petitioner, and not prohibited by his NCPRN contract.

12. Petitioner shall authorize NCPRN and any treating physician or other health care provider to release Petitioner's medical records to the Board.

13. Petitioner shall violate no laws governing the practice of pharmacy or the distribution of drugs.

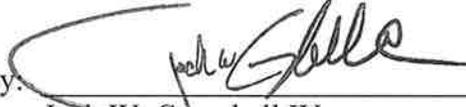
14. Petitioner shall violate rules or regulations of the Board.

If Petitioner fails to comply with any term or condition of this Order, Petitioner's license shall be revoked.

This the 20th day of September, 2011.

NORTH CAROLINA BOARD OF PHARMACY

By:



Jack W. Campbell IV
Executive Director

CERTIFICATE OF SERVICE

I certify that on September 23, 2011, I caused a copy of this Order Reinstating License With Conditions to be served on Robert R. Broyles, III by certified mail, return receipt requested at the following address:

[REDACTED]



Jack W. Campbell IV
Executive Director

cc: Broyles file
Mary Christine Parks, Executive Director, NCPRN