

BEFORE THE NORTH CAROLINA BOARD OF PHARMACY

In Re:

Amanda Gatlin)
(License No. 11866)) **ORDER REINSTATING LICENSE**
) **WITH CONDITIONS**
)

THIS MATTER was heard on January 19, 2010, by the North Carolina Board of Pharmacy (“Board”) located at 6015 Farrington Road, Suite 201, Chapel Hill, North Carolina, upon the request of Amanda Gatlin (“Petitioner”) for reinstatement of her license to practice pharmacy. Board members McLaughlin, Dennis, Nelson, Chesson, Haywood, and Chater 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 formerly held North Carolina license to practice pharmacy number 11866.
2. In February 2006, Board staff received a report that Petitioner was diverting and consuming tramadol from her then-employer. An audit conducted by Board staff showed approximately 2,000 unaccounted-for dosage units of tramadol at Petitioner’s place of employment. Though Petitioner claimed at the time that she had diverted approximately 50 dosage units, she testified to the Board that she was, in fact, responsible for diverting all of the unaccounted-for tramadol.
3. On February 17, 2006, Petitioner voluntarily surrendered her license to practice pharmacy.

4. Petitioner testified that, subsequent to the license surrender, she began abusing alcohol.
5. Shortly after her license surrender, Petitioner contacted the North Carolina Pharmacist Recovery Network (“NCPRN”) for possible evaluation and treatment. Petitioner decided, however, not to accept evaluation and treatment under NCPRN’s auspices.
6. In late 2006, Petitioner requested a hearing to reinstate her license. Petitioner appeared at a pre-hearing conference before Board member Chater. Member Chater offered a consent decree laying out a pathway for Petitioner’s return to practice. Central to that proposed consent decree was Petitioner’s reporting to NCPRN for evaluation and treatment and compliance with NCPRN direction. Petitioner declined to accept the proposed consent decree.
7. In late 2008, Petitioner contacted NCPRN concerning possible evaluation and treatment. Shortly thereafter, Petitioner voluntarily reported for a 100-day inpatient treatment program at the Palmetto Addiction Recovery Center in Rayville, Louisiana.
8. Petitioner testified that the two-plus-year delay between the surrender of her license and her entering treatment is attributable to denial of her substance abuse issues. After a lengthy period of reflection and struggle, Petitioner came to the conclusion that her substance abuse problems were real and required treatment.
9. Petitioner successfully completed the Palmetto inpatient treatment program in February 2009.

10. On February 27, 2009, Petitioner signed a treatment and monitoring contract with NCPRN.
11. As part of her NCPRN contract, Petitioner is frequently tested for evidence of substance abuse relapse; sees an addiction specialist weekly; engages in group therapy; and attends various substance abuse support meetings.
12. Mary Christine Parks, NCPRN's Executive Director, testified that NCPRN advocates Petitioner's return to practice with appropriate conditions.
13. Petitioner testified to two NCPRN non-compliance issues in 2009 – a missed urine drug screen and a dilute urine drug screen, in July and October 2009, respectively. Ms. Parks testified that both non-compliance incidents were minor, that Petitioner accepted the consequences of these non-compliance episodes, that the episodes did not demonstrate substance abuse relapse behavior, and that Petitioner has otherwise been compliant with all treatment and monitoring obligations.
14. During Petitioner's time without a license to practice pharmacy, she has successfully held down employment in non-pharmacy fields. Her current supervisor, himself in recovery, testified to Petitioner's strong work ethic and recovery.
15. Petitioner has obtained 64 hours of continuing education (33 of which are live programs) from 2006 to present.
16. Petitioner presented written and oral testimony to her good character.

CONCLUSIONS OF LAW

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

IT IS THEREFORE ORDERED that Petitioner's license to practice pharmacy is **REINSTATED, SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Petitioner shall successfully complete her NCPRN contract, which shall be renewed to extend 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. This condition may be lifted if advocated by NCPRN and approved by the Board's Executive Director.
6. Petitioner may not be employed as a pharmacist more than 30 hours per week. This limitation may be extended at the discretion of the Executive Director of NCPRN.
7. Within six (6) months of Petitioner's receipt of this Order, she shall take and pass the Multistate Pharmacy Jurisprudence Exam ("MPJE"), which is administered by the National Association of Boards of Pharmacy.

8. Prior to commencing employment as a pharmacist, Petitioner shall provide documentation to the Board's Executive Director of her completion of 180 hours of internship experience under the supervision of a licensed North Carolina pharmacist.
9. Prior to commencing employment as a pharmacist, Petitioner shall submit documentation of her current continuing hours to the Board's Executive Director. Such documentation was provided at the January 19, 2010 meeting.
10. 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.
11. Petitioner shall authorize NCPRN, and any treating physician or other health-care provider to release Petitioner's medical records to the Board.
12. Petitioner shall violate no laws governing the practice of pharmacy or the distribution of drugs.
13. Petitioner shall violate no rules or regulations of the Board.
14. If Petitioner fails to comply with any term or condition of this Order, she shall be subject to additional disciplinary action by the Board.

This is the 10th day of January, 2010.

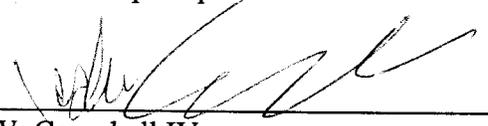
NORTH CAROLINA BOARD OF PHARMACY

By: _____

Jack W. Campbell IV
Executive Director

CERTIFICATE OF SERVICE

I certify that on January 25, 2010, I caused a copy of this Order Reinstating License With Conditions to be served on Petitioner by registered mail, return-receipt requested.



Jack W. Campbell IV
Executive Director

cc: Gatlin License File

Mary Christine Parks, Executive Director, North Carolina Pharmacist Recovery Network
1011 Pemberton Hill Road
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Apex, NC 27502-4266