

STATE OF NORTH CAROLINA
NORTH CAROLINA BOARD OF PHARMACY

In the Matter of:

IRENE GRIFFIN
(License No. 8740)

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CONSENT ORDER

THIS MATTER came on to be considered at a prehearing conference (hereinafter, "Conference") before a member of the North Carolina Board of Pharmacy (hereinafter, "Board") pursuant to 21 N.C.A.C. 46 .2008. This Conference was scheduled for November 16, 2015 and, after appropriate notice, was heard on that day by Board Vice President Carol Yates Day at the offices of the Board. Respondent Irene Griffin (License No. 8740) (hereinafter, "Respondent" or "Griffin") was present. Board Counsel Clinton R. Pinyan represented the Board. Members of the Board's investigative staff were also present at the Conference.

Respondent has agreed to waive a formal hearing in the above-referenced matter. Both parties stipulate and agree to the findings of fact and conclusions of law recited herein and to the order of discipline imposed. By her consent, Respondent also stipulates that she waives her right to appeal this Consent Order or challenge in any way the sufficiency of the findings of this Order. Based upon the consent of the parties, the Board hereby enters the following:

FINDINGS OF FACT

1. The Board is a body duly organized under the laws of North Carolina and is the proper body for this proceeding under the authority granted it in Chapter 90 of the General Statutes of North Carolina, and the rules and regulations promulgated thereunder.

2. Respondent is, and was at all relevant times referred to herein, a pharmacist licensed to practice pharmacy in the State of North Carolina with License No. 8740. At all relevant times, Respondent was employed as a pharmacist with North Carolina CVS Pharmacy, LLC, located at 505 Smokey Park Highway, Asheville, North Carolina. Respondent is and was, at all relevant times referenced to herein, subject to the rules and regulations of the Board and the laws of the State of North Carolina.

3. On March 24, 2015, Respondent created unauthorized purported call-in prescriptions for prednisone for herself and for Linzess for a family member. She then passed these unauthorized prescriptions to another pharmacist, who dispensed the prednisone to Respondent. The Linzess was not dispensed before Respondent's activity was discovered.

CONCLUSIONS OF LAW

Based on the above findings, the Board concludes as a matter of law:

1. Respondent violated N.C. Gen. Stat. §§ 90-85.38(a)(4), (6), (7) and (9), 90-85.40(b) and (f), 106-122, 106-134 and 106-134.1; and 21 N.C.A.C. 46 .1801, 46 .1805 and 46 .2301; and 21 U.S.C. §§ 331 and 353.

2. Respondent admits that the conduct in this matter constitutes sufficient grounds for disciplinary action on her license under N.C. Gen. Stat. § 90-85.38.

Based upon the foregoing, and with the consent of the parties, IT IS THEREFORE ORDERED that the license of Respondent Griffin, License No. 8740, is hereby SUSPENDED for fourteen (14) days. Of that suspension, seven (7) days shall be served as an active suspension to be served consecutively, commencing within 60 days of the date that the Executive Director executes this Order after Board approval, with Respondent to notify the Executive Director in

writing and return her wallet card and license in advance of service of the suspension. The active suspension shall commence on a Monday at 12:01 a.m. and run for seven full, consecutive 24-hour days. During the term of her suspension, Respondent may not be present in any pharmacy, except as a customer.

The remaining seven (7) days of the suspension shall be stayed for two (2) years from the date that this Order is accepted by the Board, upon the following conditions:

1. Respondent shall advise the Board promptly in writing of any change of address or change in practice status;
2. Respondent shall violate no laws governing the practice of pharmacy or the distribution of drugs; and
3. Respondent shall violate no rules or regulations of the Board.

In addition, for a period of two (2) years from the date that this Order is accepted by the Board:

1. Respondent shall not serve as pharmacist-manager of any pharmacy; and
2. Respondent shall not serve as a preceptor of pharmacy students.

If Respondent fails to comply with any terms or conditions of this Order, Respondent may be subject to additional disciplinary action by the Board.

This the 9th day of January, 2016.

NORTH CAROLINA BOARD OF PHARMACY

By:



Jack W. Campbell, IV
Executive Director

Irene Griffin, the holder of license number 8740, has full knowledge that she has the right to a formal hearing, at which she would have the right to be represented at her expense by counsel, in this matter. The undersigned freely, knowingly and voluntarily waives such right by entering into this Consent Order.

The undersigned understands and agrees that by entering into this Consent Order, she certifies that she has read the foregoing Consent Order and that she voluntarily consents to the terms and conditions set forth therein and relinquishes any right to judicial review of Board actions which may be taken concerning this matter.

The undersigned further understands that should she violate the terms and conditions of this Consent Order, the Board may take additional disciplinary action.

The undersigned understands and agrees that this Consent Order will not become effective unless and until approved by the Board.

The undersigned understands that she has the right to have counsel of her choice review and advise her with respect to his rights and this Consent Order, and represents that she enters this Consent Order after consultation with her counsel or after knowingly and voluntarily choosing not to consult with counsel.

CONSENTED TO BY:

Irene O. Griffin Date 11-24-15
Irene Griffin
(License No. 8740)

NORTH CAROLINA

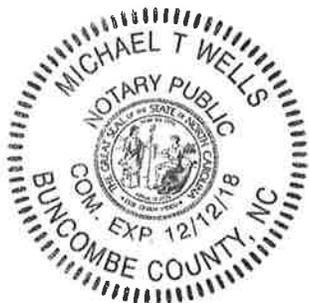
Buncombe COUNTY

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that the following person(s) personally appeared before me this day, and each acknowledged the due execution of the foregoing document: Irene Griffin

Date: 11/24/2015

Michael T Wells
Notary Public
Michael T Wells

My commission expires: 12/12/2018



OBJECTED TO BY: _____ Date _____
Irene Griffin
(License No. 8740)