

STATE OF NORTH CAROLINA  
NORTH CAROLINA BOARD OF PHARMACY

In the Matter of:

Scott Hanson  
(License No. 9686)

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**CONSENT ORDER OF  
DISCIPLINE**

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 March 24, 2008 and, after appropriate notice, was heard on that day by Board member Rebecca W. Chater at the offices of the Board. The Respondent Scott Hanson (License No. 9686) (hereinafter, "Respondent" or "Hanson") was present and was represented by Counsel George Hearn. Counsel Joseph Ponzi represented the Board. Members of the Board's investigative staff and other Board counsel 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 his consent, Respondent also stipulates that he waives his 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 North Carolina Board of Pharmacy 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. 9686. Respondent was at all relevant times referred to herein, a pharmacist at CVS Pharmacy, Permit. No. 6617, located at 1127 North Bridge Street, Elkin, North Carolina (the "Pharmacy"). Respondent is and was, at all relevant times referenced to herein, subject to the rules and regulations of the North Carolina Board of Pharmacy and the laws of the State of North Carolina.

3. On or about May 3, 2007, Respondent dispensed one Fentanyl 75 mcg Patch to a patient who had been prescribed a Fentanyl 25 mcg Patch by delivering the prescription to the patient's husband.

4. Although an offer to counsel, as required by Board Rule 21 N.C.A.C. 46.2504, was made by the Pharmacy staff being supervised by Respondent, the offer was declined by patient's husband, who picked up the prescription; nevertheless, in this case counseling might have led to the discovery of the dispensing error and should be considered in similar situations in the future.

5. Respondent acknowledged that he made the dispensing error.

#### CONCLUSIONS OF LAW

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

1. Respondent Hanson violated N.C. Gen. Stat. §§ 90-85.38(a)(6), (7) and (9), 90-85.40(f), 90-106, 90-108, 106-122, 106-134 and 106-134.1; 21 N.C.A.C. 46.1802(b), and 46.1805; and 21 U.S.C. §§ 331, 352 and 353.

2. Respondent Hanson admits that the conduct in this matter constitutes sufficient grounds for disciplinary action on his 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:

1. Respondent Scott Hanson, practicing under License No. 9686, is hereby REPRIMANDED for the aforementioned violations of law;

2. Respondent shall complete a Medication Error Prevention Course from an ACPE-accredited institution, such as that offered by Campbell University School of Pharmacy, within one year of the date that this Order is accepted by the Board;

3. Respondent shall violate no laws governing the practice of pharmacy or the distribution of drugs;

4. Respondent shall violate no rules and regulations of the Board;

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

This the 17<sup>th</sup> day of June, 2008.

NORTH CAROLINA BOARD OF PHARMACY

By:

  
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Jack W. Campbell, IV  
Executive Director

Scott Hanson, the holder of license number 9686, has full knowledge that he has the right to a formal hearing, at which he would have the right to be represented at his 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, he certifies that he has read the foregoing Consent Order and that he 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 he 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 he has the right to have counsel of his choice review and advise him with respect to his rights and this Consent Order, and represents that he enters this Consent Order after consultation with his counsel or after knowingly and voluntarily choosing not to consult with counsel.

CONSENTED TO BY:

Scott Hanson Date 4-14-08  
Scott Hanson  
(License No. 9686)

NORTH CAROLINA

Surry 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: Scott Hanson

Date: 4-14-2008

Angela Southard  
Notary Public

My commission expires: Nov 12 2011



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OBJECTED TO BY:

Date

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Scott Hanson  
(License No. 9686)