

NORTH CAROLINA BOARD OF PHARMACY

In re:

RICHARD C. HARRIS)
(License Number 09579)) CONSENT ORDER
) OF DISCIPLINE
)

THIS MATTER came on to be considered by the North Carolina Board of Pharmacy (“Board”) on September 18, 2014, concerning Richard Harris (“Respondent”), holder of North Carolina license to practice pharmacy number 09579.

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

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. 09579.
3. On June 5, 2013 Board staff received a report alleging that Respondent had created and filled controlled substance prescriptions for himself and that Respondent had diverted a small quantity of a controlled substance for a family member.

4. Respondent admitted to creating false prescriptions for himself and diverting a controlled substance for a family member.

5. Respondent was charged one count of embezzling a controlled substance and one count of creating a fraudulent prescription.

6. Respondent, through counsel, agreed to cease practicing pharmacy and undergo a substance abuse evaluation and any recommended treatment. Respondent has not practiced pharmacy for approximately 14 months.

7. Respondent contacted the North Carolina Pharmacist Recovery Network (“NCPRN”) and, upon NCPRN’s recommendation, underwent a four-day substance abuse evaluation at the Pavillon Treatment Center. As a result of the assessment, Pavillon Treatment Center recommended a 12-week inpatient course of treatment for alcohol abuse. Respondent successfully completed the 12-week program.

8. After completing inpatient treatment, in April 2014 Respondent entered into a five-year treatment and monitoring agreement with NCPRN. Respondent participates in group counseling, individual counseling, and meetings. NCPRN reports two minor instances of non-compliance with monitoring obligations, which have not repeated and which are not clinically indicative of substance abuse relapse behavior.

9. In May 2014, Petitioner’s criminal charges were reduced to one misdemeanor count of obtaining a prescription drug by deceit. Respondent received a “prayer for judgment” on the charge. No finding of guilt has been entered. The charge could be reopened if Respondent commits another criminal offense.

10. NCPRN advocates for Respondent’s return to the practice of pharmacy, with appropriate conditions on his license.

CONCLUSIONS OF LAW

The Board, in its discretion, concludes that Respondent can safely resume the practice of pharmacy with the conditions stated below.

IT IS THEREFORE ORDERED that Respondent's license to practice pharmacy:

1. Is suspended for a period of fourteen (14) months, which suspension is deemed served.
2. If Respondent's misdemeanor charge of obtaining a prescription drug by deceit is reopened or reinstated, Respondent shall notify the Board's Executive Director within twenty-four (24) hours.
3. Petitioner shall successfully complete his NCPRN treatment and monitoring agreement.
4. Petitioner shall not serve as a pharmacist-manager.
5. Petitioner shall not serve as a preceptor of pharmacy students.
6. Petitioner shall violate no laws governing the practice of pharmacy or the distribution of drugs.
7. Petitioner shall violate no rules or regulations of the Board.
6. If Petitioner fails to comply with any term or condition of this Order, Petitioner may be subject to additional disciplinary action by the Board.

This the _____ day of September, 2014.

NORTH CAROLINA BOARD OF PHARMACY

By:



Jack W. Campbell, IV
Executive Director

Richard C. Harris, the holder of license number 09579, 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 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:

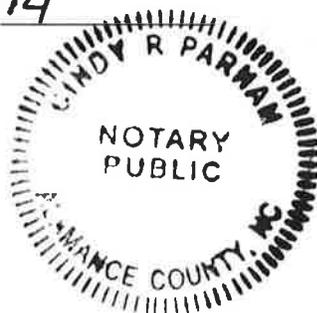
Richard C. Harris Date 9/15/14
Richard C. Harris
(License No. 09579)

STATE OF North Carolina

Orange 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: Christy Amos Parker

Date: 9/15/14



Cindy R. Parman
Notary Public
Cindy R. Parman

My commission expires: 10/14/2017