

**STATE OF NORTH CAROLINA
NORTH CAROLINA BOARD OF PHARMACY**

IN THE MATTER OF)	
)	CONSENT ORDER OF
Richard C. Harris)	DISCIPLINE
(License No. 09579))	
)	
_____)	

THIS MATTER came to be considered at a prehearing conference (hereinafter, "Conference") before a member of the North Carolina Board of Pharmacy (hereinafter, the "Board") pursuant to 21 N.C.A.C. 46.2008. The Conference was scheduled for September 14, 2015 and, after appropriate notice, was heard on that day by Board member L. Stanley Haywood at the offices of the Board. Respondent Richard Harris (License No. 09579) (hereinafter, "Respondent") was present at the Conference. The Board's Executive Director, Jay Campbell, represented the Board. Valanda Nelson, Executive Director of the North Carolina Pharmacist Recovery Network (hereinafter, "NCPRN"), was 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 as a basis for the discipline imposed. 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. 23705.

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 September 18, 2014, the Board issued a Consent Order of Discipline (hereinafter, "2014 Order") to Respondent reinstating his license to practice pharmacy with certain conditions. One of those conditions is that Respondent "shall successfully complete his NCPRN treatment and monitoring agreement." Another is that Respondent "shall violate no laws governing the practice of pharmacy or the distribution of drugs." The 2014 Order further states that if Respondent "fails to comply with any term or condition of [the 2014] Order," he "may be subject to additional discipline by the Board."

4. On August 25, 2015, Valanda Nelson, Executive Director of NCPRN, notified the Board's Executive Director that Respondent had engaged in a lengthy period of non-compliance with his NCPRN treatment and monitoring agreement. Respondent submitted dilute urine drug screens in September 2014 and February 2015. Respondent failed to call in for drug screening in January, March, May, and July 2015.

5. Respondent's non-compliance resulted in the NCPRN Compliance Committee issuing a letter or warning in February 2015. Nonetheless, the non-compliance continued.

6. Respondent was scheduled to appear before the NCPRN Compliance Committee on August 24, 2015 at 10 a.m. He did not appear, later explaining he thought the meeting was scheduled for 11 a.m.

7. Subsequent to NCPRN's letter to the Board's Executive Director, Respondent submitted another dilute urine drug screen.

8. Respondent began practicing pharmacy at Holladay Healthcare on January 22, 2015. Respondent did not notify the Board of his change of place of employment until September 10, 2015.

CONCLUSIONS OF LAW

1. Respondent has not complied with his NCPRN treatment and monitoring agreement, and has therefore violated the terms of the 2014 Order.

2. Respondent's failure to notify the Board of his change of place of employment within 30 days of the change violated G.S. § 90-85.17.

3. Respondent admits that the conduct in this matter constitutes sufficient grounds for disciplinary action under G.S. § 90-85.38.

Based on the foregoing, and with the consent of the parties, IT IS THEREFORE ORDERED that the license of Respondent, License No. 09579, is here by SUSPENDED INDEFINITELY. That suspension is STAYED upon the conditions that:

- i. Respondent comply fully with his NCPRN treatment and monitoring agreement.
- ii. Respondent notify the Board's Executive Director within five (5) business days of learning that he has been non-compliant in any respect with this NCPRN treatment and monitoring agreement.
- iii. If Respondent is non-compliant in any respect with his NCPRN treatment and monitoring agreement, the stayed suspension shall become active and shall remain in place unless and until the Board issues a further order in this matter.

This is the 20th day of October, 2015

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 her 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:

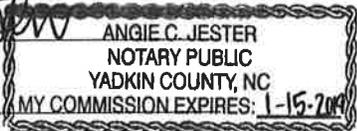
Richard C. Harris Date 9/21/15
Richard C. Harris
(License No. 09579)

STATE OF North Carolina

Forsyth 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: Richard C. Harris

Date: 9/21/15

Angie C. Jester
Notary Public


My commission expires: 1/15/2019

I DO NOT CONSENT:



_____ Date _____

Richard C. Harris
(License No. 09579)

