

STATE OF NORTH CAROLINA
NORTH CAROLINA BOARD OF PHARMACY

IN THE MATTER OF)
) **CONSENT ORDER**
PREETI S. HASALIA)
License No. 12871)

This matter came on for consideration at a prehearing conference (hereinafter "conference") pursuant to 21 N.C.A.C. 46.2008. This conference was scheduled for January 14, 2008, and after appropriate notice, was heard on that day at the office of the North Carolina Board of Pharmacy by Board member L. Stan Haywood. Respondent Hasalia was present at the conference. Board counsel Clinton R. Pinyan and members of the Board's legal and investigation staff were present at the conference, as were related respondents and their counsel. Based upon the record in this proceeding and the statements and materials presented at the conference, the Board makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. Respondent Preeti S. Hasalia is licensed by the Board to practice pharmacy and is the holder of license number 12871. At all relevant times, Respondent Hasalia was employed by CVS/Pharmacy (Permit Number 6599), 127 South Main Street, Davidson, North Carolina, and served as its pharmacist-manager.
2. On October 30, 2006, Respondent Hasalia was presented with a prescription for Depo-Sub Q Provera 104.
3. Respondent Hasalia was unaware of the existence of the prescribed medication and did not consult the pharmacy's drug database, from which she would have learned that the product did exist and was available to be dispensed.
4. Instead, Respondent Hasalia dispensed Depo-Provera 150 mg/ml to the patient.

5. Respondent Hasalia incorrectly informed the patient that the prescribed medication was not available and informed the patient that she was instead dispensing Depo-Provera 150 mg/ml.

6. Respondent Hasalia did not contact the prescribing physician to determine if Depo-Provera 150 mg/ml should be dispensed, nor did she contact the prescribing physician to inform the physician that she was dispensing Depo-Provera 150 mg/ml. Instead, Respondent Hasalia asked the patient to inform the prescribing physician that Respondent Hasalia had dispensed a different medication than the one prescribed.

7. Also, on October 30, 2006, Respondent Hasalia, as pharmacist-manager, allowed more technicians to work than the maximum allowed technician-pharmacist ratio. At the time of the erroneous dispensing, four technicians were working, supervised by only one pharmacist (Respondent Hasalia). For a period of three-and-one-half hours on that date, five technicians were working under the supervision of only one pharmacist (Respondent Hasalia).

8. Respondent Hasalia has acknowledged the actions set forth above.

9. Respondent Hasalia's actions set forth above constitute negligence in the practice of pharmacy and ineffective patient counseling.

10. The Board has considered as an aggravating factor in reaching its decision in this matter that, in 2002, Respondent Hasalia received a letter of warning from the Board related to a dispensing error.

11. The Board has considered as a mitigating factor that the prescribing physician was aware that Depo-Provera 150 mg/ml had been dispensed instead of the prescribed medication and the prescribing physician still chose to administer Depo-Provera 150 mg/ml to the patient and did so without any reported patient harm.

CONCLUSIONS OF LAW

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

1. Respondent Hasalia violated N.C. Gen. Stat. §§ 90-85.15A(c), 90-85.38(a)(6), (7) and (9) and 90-85.40(f), and 21 N.C.A.C. 46 .1805 and 46. 2504.
2. Respondent Hasalia 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 on the foregoing, and with the consent of the parties, IT IS THEREFORE ORDERED that Respondent Hasalia is hereby reprimanded.

This the 19th day of February, 2008.

NORTH CAROLINA BOARD OF PHARMACY

By: _____

Jack W. Campbell, IV
Executive Director

Preeti S. Hasalia, the holder of license # 12871, has full knowledge that she has the right to a hearing, where she would have the right to be represented 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 her rights and this Consent Order, and represents that she enters this Consent Order after the opportunity for consultation with her counsel.

CONSENTED TO BY: _____
Preeti S. Hasalia
License No. 12871
Date _____

Sworn to and subscribed before me
this the ____ day of _____, 2008.

JENNIFER LYNN ESTES
NOTARY PUBLIC
IREDELL COUNTY, NC
My Commission Expires 08/28/13

Notary Public Signature

Notary Public Printed Name

My Commission Expires: _____