

BEFORE THE NORTH CAROLINA BOARD OF PHARMACY

In Re:

**JERRY W. HAYNES
(License No. 12160)**

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**ORDER REINSTATING LICENSE
WITH CONDITIONS**

THIS MATTER was heard on February 18, 2014, by the North Carolina Board of Pharmacy (“Board”) located at 6015 Farrington Road, Suite 201, Chapel Hill, North Carolina, upon the request of Jerry W. Haynes (“Petitioner”) for reinstatement of his license to practice pharmacy. Board members Minton, McLaughlin, Chesson, Day, and Mixon heard this matter. After hearing the testimony of witnesses, adjudging the credibility of the witnesses, and receiving evidence, the Board makes the following:

FINDINGS OF FACT

1. Petitioner formerly held North Carolina license to practice pharmacy number 12160.
2. On December 16, 2013, Petitioner voluntary surrendered his license to practice pharmacy.
3. In December 2013, an apparent theft of Fioricet, a controlled substance, occurred at Petitioner’s place of practice. During the investigation, pharmacy personnel were required to submit to urine drug screens.
4. Petitioner’s drug screen was positive for amphetamine metabolites.
5. Petitioner admitted to having taken a small amount of Vyvanse, a Schedule II controlled substance, that was not prescribed for him.

6. Petitioner did not divert Vyvanse from his place of practice. He obtained it from a family member's properly prescribed and dispensed supply. Petitioner explained his use of Vyvanse as driven by curiosity or experimentation.
7. No evidence connected Petitioner to the possible theft of Fioricet at his place of practice.
8. Shortly after surrendering his license, Petitioner entered into a treatment and monitoring program with the North Carolina Pharmacist Recovery Network ("NCPRN").
9. Petitioner completed an inpatient substance abuse assessment at the Pavillon Treatment Center.
10. Treating professionals at the Pavillon Treatment Center determined that Petitioner does not have a substance abuse or dependence diagnosis. Petitioner's discharge summary nonetheless recommended that he be monitored professionally by NCPRN for a period of at least one year to ensure that Petitioner's experimentation with Vyvanse did not develop into substance abuse or dependence. With that monitoring, Pavillon Treatment Center professionals deemed Petitioner safe to resume the practice of pharmacy.
11. NCPRN concurs with the Pavillon Treatment Center assessment.

CONCLUSIONS OF LAW

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

IT IS THEREFORE ORDERED that Petitioner's license to practice pharmacy is **REINSTATED, SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Petitioner shall complete an Application to Reinstate a Lapsed or Inactive License and pay the appropriate fee.
2. As part of the Application to Reinstate a Lapsed or Inactive License, Petitioner shall provide proof that he has obtained fifteen (15) hours of continuing education, eight (8) of which must be live or contact hours. These hours represent the continuing education obligation Petitioner would have been required to meet to renew his pharmacy license for 2014.
3. Petitioner shall successfully complete his one-year NCPRN treatment and monitoring agreement.
4. Petitioner shall violate no laws governing the practice of pharmacy or the distribution of drugs.
5. 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 is the 18th day of February, 2014.

NORTH CAROLINA BOARD OF PHARMACY

By:  _____
Jack W. Campbell IV
Executive Director

CERTIFICATE OF SERVICE

I certify that on February 20th, 2014, I caused a copy of this Order Reinstating License With Conditions to be served on Petitioner by registered mail, return-receipt requested:

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Jack W. Campbell IV
Executive Director

cc: Haynes License File
Cindy Clark, North Carolina Pharmacist Recovery Network
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