

**BEFORE THE NORTH CAROLINA BOARD OF PHARMACY**

**In The Matter Of:**

**Robert J. Heiser  
(License No. 12732)**

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**ORDER DENYING REINSTATEMENT  
OF LICENSE**

**THIS MATTER** came on for hearing upon request of Robert J. Heiser (“Petitioner”) seeking reinstatement of North Carolina pharmacist license number 12732. Petitioner’s request was heard on April 20, 2010 by the North Carolina Board of Pharmacy (“Board”) located at 6015 Farrington Rd., Suite 201, Chapel Hill, North Carolina by Board members McLaughlin, Dennis, Nelson, Chater, Haywood, and Chesson. After receiving evidence, hearing testimony, and adjudging the credibility of the witnesses, the Board makes the following:

**FINDINGS OF FACT**

1. Petitioner formerly held North Carolina pharmacist license number 12732.
2. Petitioner’s license went to inactive status on March 12, 2003 due to non-renewal.
3. On August 10, 2009, Board staff received an Application to Reinstate a Pharmacy License (“Application”) submitted by Petitioner.
4. Question 6 of the Application asked “Since you last held a North Carolina license to practice pharmacy, have you been charged or disciplined by any licensing or permitting authority, federal or state? Discipline includes, but is not limited to, any letter of warning, reprimand, license suspension or revocation, permit suspension or revocation, or registration suspension or revocation?” Petitioner answered “No.”
5. Petitioner had, in fact, consented to a settlement of misconduct allegations pending against his New York license to practice pharmacy. As a result of that settlement, his

New York license was censured and reprimanded, and Petitioner was ordered to pay a \$500.00 fine.

6. Petitioner testified that he knew his New York license had been disciplined but that he had not disclosed the discipline because he did not believe the discipline to be a matter of public record.

7. The Board does not credit this explanation. As Petitioner conceded, the New York order states "I understand that this settlement will be a matter of public record." Moreover, the question on the Application did not limit its scope to matters of "public record," but rather to any professional discipline.

#### CONCLUSIONS OF LAW

Petitioner made a false representation and withheld material information in connection with securing a license to practice pharmacy in North Carolina in violation of N.C.G.S. § 90-85.38(a)(1).

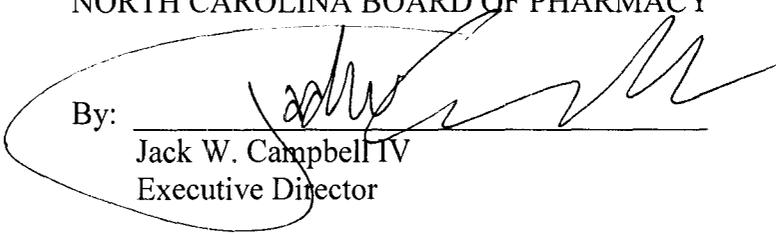
**IT IS THEREFORE ORDERED** that Petitioner's application to reinstate North Carolina pharmacy license number 12732 is **DENIED**.

Petitioner may reapply for licensure no sooner than one (1) year from the date of this Order. Any subsequent application will be considered when received. This Order makes no promise, guarantee, or other assurance that any future application will be treated favorably.

This the 20th day of April, 2010.

NORTH CAROLINA BOARD OF PHARMACY

By: \_\_\_\_\_

  
Jack W. Campbell IV  
Executive Director

**CERTIFICATE OF SERVICE**

I certify that on April 22, 2010, I caused a copy of this Modification of Order Concerning Reinstatement of License to be served on Robert J. Heiser by certified mail, return receipt requested at:

97 Grand Boulevard  
Islip, NY 11751



Jack W. Campbell IV  
Executive Director

cc: Heiser File