

CPE, he was counseled to avoid all mood-altering and potentially addictive substances, including alcohol, prescription medications and over-the-counter medications.

4. On August 28, 2006, Mr. Hicks signed a Monitoring Agreement with NCPRN. The term of the Monitoring Agreement was for a period of five (5) years.

5. Under the terms of the Monitoring Agreement, Mr. Hicks agreed to the following:

- (a) To participate in ongoing treatment with a licensed therapist for the length of the Monitoring Agreement;
- (b) To completely abstain from mood altering chemicals unless approved by NCPRN;
- (c) To maintain regular contact with an assigned mentor;
- (d) To attend regular meetings of Alcoholics Anonymous, Narcotics Anonymous, or a comparable 12-step program for the length of the Monitoring Agreement; and
- (e) To submit NCPRN reports and 12-step meeting logs on a monthly basis.

6. Under the Monitoring Agreement, Mr. Hicks was initially directed to contact Cheryl Gentile, East Coast Counseling, Inc., to arrange his therapy sessions. Mr. Hicks saw Ms. Gentile once, on October 30, 2006.

7. On November 3, 2006, at Mr. Hicks' request, Ms. Gentile referred Mr. Hicks to Elizabeth Edwards, Edwards Assessments & Counseling, Inc., for therapy. Mr. Hicks had seen Ms. Edwards on two occasions before the referral. However, Mr. Hicks never made an appointment with Ms. Edwards following Ms. Gentile's referral and never established a regular therapy schedule with Ms. Edwards.

8. Mr. Hicks has not participated in any treatment with any other licensed therapist since November 2006.

9. Under the Monitoring Agreement, Mr. Hicks' assigned mentor was Alden Davis. Mr. Hicks has failed to maintain regular contact with Mr. Davis, nor has Mr. Hicks maintained regular contact with any other assigned mentor.

10. Mr. Hicks stopped submitting NCPRN monthly reports in December of 2006. He stopped submitting monthly 12-step meeting logs in January of 2007.

11. Mr. Hicks stopped attending Alcoholics Anonymous meetings in February of 2007.

12. On February 20, 2007, the Board summarily suspended Mr. Hicks' license but stayed the suspension on the condition that, within seven days, Mr. Hicks contact NCPRN and comply with its directives regarding Mr. Hicks' treatment. That Order was served on Mr. Hicks on February 22, 2007. Because Mr. Hicks did not contact NCPRN within seven days, on March 2, 2007, Mr. Hicks' license was surrendered as required by the Order.

13. Mr. Hicks has been taking Alprazolam and Hydrocodone on a regular basis since March of 2007. Mr. Hicks did not receive NCPRN approval for either of these prescriptions.

14. Mr. Hicks has indulged in the use of drugs to an extent that renders him unfit to practice pharmacy. Mr. Hicks further has developed a disability (substance abuse and addiction) which he has inadequately treated and which renders him unfit to practice pharmacy with reasonable skill, competence and safety to the public.

CONCLUSIONS OF LAW

1. The evidence demonstrates that Mr. Hicks violated one or more of the following statutes and rules:

- a. North Carolina General Statutes § 90-85.38(a)(3) and (5); and
- b. North Carolina General Statutes § 90-85.40(f).

2. Considering all of the facts and circumstances of this matter, the Board finds and concludes that the discipline set forth in this Final Order is appropriate.

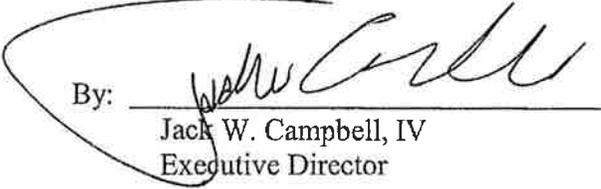
WHEREFORE, it is hereby ORDERED, ADJUDGED and DECREED that Mr. Hicks' request that his summary suspension be terminated and his license be reinstated is hereby DENIED, and

It is further hereby ORDERED, ADJUDGED AND DECREED that Board staff's request for discipline is hereby GRANTED, and Mr. Hicks' license is hereby REVOKED.

This, the 9ⁿ day of October, 2008.

NORTH CAROLINA BOARD OF PHARMACY

By: _____


Jack W. Campbell, IV
Executive Director

CERTIFICATE OF SERVICE

I certify that on October 7, 2008, I caused a copy of this Final Order to be served on William J. Hicks by registered mail, return-receipt requested.

By: _____


Jack W. Campbell, IV
Executive Director