

**BEFORE THE NORTH CAROLINA BOARD OF PHARMACY**

**In the Matter of:**

**Mohsen Khordehforosh  
(License No. 14518)**

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**CONSENT ORDER OF  
DISCIPLINE**

THIS MATTER came on to be considered at a prehearing conference (hereinafter, "Conference") before a member of the North Carolina Board of Pharmacy (hereinafter, "Board") pursuant to 21 N.C.A.C. 46.2008. This Conference was scheduled for June 16, 2008 and, after appropriate notice, was heard on that day by Board member Joey McLaughlin at the offices the Board. Respondent Mohsen Khordehforosh (License No. 14518) (hereinafter, "Respondent" or "Khordehforosh") was present and was represented by Counsel Howard Cohen. Counsel John Duberstein represented the Board. Members of the Board's investigative staff and other Board counsel were 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. 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. 14518. Respondent was at all relevant times referred to herein, a pharmacist at Rite-Aid Pharmacy, Permit. No. 9689, located at 14120 Statesville Rd., Huntersville, North Carolina (the "Pharmacy"). 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 or about September 17, 2007, Respondent dispensed Fluconazole 50mg/5mL with the errant directions of "take 4 tsp today and then 2.5 tsp daily for 14 days" instead of the prescribed directions of "1 tsp by mouth 1 time per day for 1 day and then ½ tsp by mouth 1 time per day for 14 days." As a result, the patient received five times the prescribed amount of medication each day it was dispensed.

4. Respondent further failed to properly counsel the patient, urging her to call her doctor rather than verifying with the doctor's office before dispensing the medication.

#### CONCLUSIONS OF LAW

1. All parties are properly before the Board, and the Board has jurisdiction over Respondent and the subject matter of this proceeding.

2. Respondent's conduct, as set out in the findings of fact above, constitutes grounds for discipline pursuant to N.C. Gen. Stat. §§ 90-85.38(a)(6), (7) and (9) and 90-85.40(f) and 21 N.C.A.C. 46.1801, 46.1805 and 46.2504.

## CONCLUSIONS REGARDING DISCIPLINE

Based upon the foregoing Findings of Fact and Conclusions of Law, and with the consent of Respondent, the Board enters the following:

### CONSENT ORDER OF DISCIPLINE

1. Respondent Mohsen Khordehforosh's license to practice pharmacy (License No. 14518) is hereby suspended for a period of ten (10) days. These ten days shall be served consecutively on normal working days. Because Respondent is currently on medical leave, the suspension is to be served beginning within 30 days after Respondent returns to active practice and employment, with Respondent to notify the Executive Director in writing and return his wallet card and license upon commencement of service of the suspension;

2. Respondent shall violate no laws governing the practice of pharmacy or the distribution of drugs;

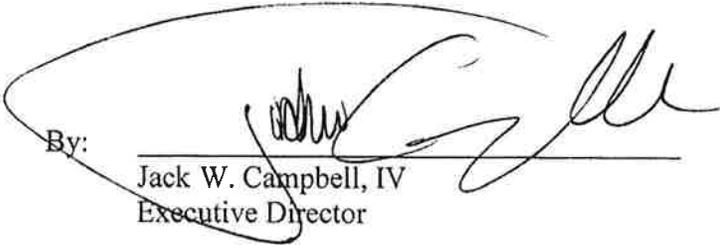
3. Respondent shall violate no rules and regulations of the Board;

4. If Respondent fails to comply with any terms or conditions of this Consent Order, Respondent may be subject to additional disciplinary action by the Board.

This the 16<sup>th</sup> day of September 2008.

NORTH CAROLINA BOARD OF PHARMACY

By:

  
\_\_\_\_\_  
Jack W. Campbell, IV  
Executive Director

Mohsen Khordehforosh, the holder of license number 14518, 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 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 he has the right to have counsel of his choice review and advise him with respect to his 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.

ACCEPTED AND CONSENTED TO BY:

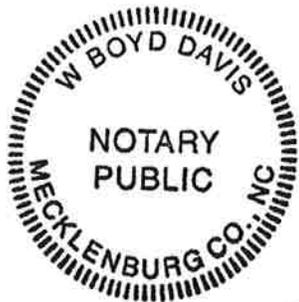
*mpk* Date 7-15-08  
MOHSEN KHORDEHFOROSH (License No. 14518)

NORTH CAROLINA  
Mecklenburg 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: License Document

Date: 7-15-08

*W. Boyd Davis*  
Notary Public  
W. Boyd Davis



My commission expires: March 22, 2011