

STATE OF NORTH CAROLINA  
NORTH CAROLINA BOARD OF PHARMACY

IN THE MATTER OF )  
)  
RENEE LATON, ) **CONSENT ORDER**  
)  
License Number 6966 )  
\_\_\_\_\_ )

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 June 14, 2010 and, after appropriate notice, was heard on that day at the office of the North Carolina Board of Pharmacy (hereinafter, "Board") by Board member Robert McLaughlin, Jr. Board Counsel and members of the Board's investigative and legal staff were present at this conference. Respondent Renee Laton (License No. 6966) (hereinafter, the "Respondent" or "Laton") was present and was represented by counsel James M. Lupton.

**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. The Respondent is, and was at all relevant times referred to herein, the holder of License Number 6966 and pharmacist-manager of Pharmacy Permit No. 6551, located at 1502 Live Oak Street, Beaufort, North Carolina (the "Pharmacy"). Laton, the Pharmacy and its employees are and were at all relevant times referred 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. Between about June 2005 and February 2006, Laton, as pharmacist-manager of the Pharmacy failed to provide adequate security and failed to maintain an appropriate inventory control system to detect and prevent the diversion of controlled substances.

4. As a result, during this time period, approximately 4,000 dosage units of controlled substances were diverted, including but not limited to Hydrocodone/APAP (a schedule III controlled substance), Alprazolam (a schedule IV controlled substance), Ambien/Zolpidem (a schedule IV controlled substance) and Diazepam (a schedule IV controlled substance).

5. Between about May 2007 and March 2008, Laton, as pharmacist-manager of the Pharmacy failed to provide adequate security and failed to maintain an appropriate inventory control system to detect and prevent the diversion of controlled substances.

6. As a result, during this time period, approximately 12,000 dosage units of controlled substances were diverted, including but not limited to Hydrocodone/APAP (a schedule III controlled substance), Alprazolam (a schedule IV controlled substance), Ambien/Zolpidem (a schedule IV controlled substance) and Clonazepam (a schedule IV controlled substance).

7. Some of these controlled substances were diverted by Wendy Beasley, whom Laton permitted to perform the duties of a technician without being registered with the North Carolina Board of Pharmacy.

8. Laton failed to report to the Board of Pharmacy a diversion of controlled substances of which Laton became aware by November 2007, including failing to report it to the North Carolina Board of Pharmacy, as required by law.

9. Between about July 2008 and October 2009, Laton made unauthorized distributions of approximately 700 dosage units of Schedule II controlled substances, including but not limited to 218 dosage units of Oxycodone/APAP 5/325 mg, 105 dosage units of Morphine Sulfate IR 20 mg/1 ml, 100 dosage units of Percocet 10/325 mg, 90 dosage units of Metadate CD 20 mg, 90 dosage units of Opana ER 20 mg, 35 dosage units of Dextroamphetamine ER 5 mg, 30 dosage units of Concerta 18 mg, 22 dosage units of Oxycodone IR 10 mg, and 12 dosage units of Methadose 10 mg.

10. Furthermore, during this July 2008 through October 2009 time period, Laton failed to properly document transfers of controlled substances to other pharmacies, including, but not limited to, Medical Park Pharmacy East, located at 1513 Live Oak Street, Beaufort, North Carolina.

11. The Board finds that discipline is warranted due to the nature of the conduct described.

#### CONCLUSIONS OF LAW

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

1. Respondent Renee Laton violated N.C. Gen. Stat. §§ 90-85.15A, 90-85.25(b), 90-85.38(a)(6), (7), (9) and (b), 90-85.40(a), (b) and (f), 90-104, 90-105, 90-106, 90-108, 106-122, 106-134; and 106-134.1; 21 N.C.A.C. 46 .1804, 46 .1805, 46 .2501, 46 .2502(a), (d) and (e); and 21 U.S.C. §§ 331, 352, 353, 822, 827, 829 and 842; and 21 C.F.R. 1305.03, 1305.06, and 1307.11;

2. Respondent admits that the conduct in this matter constitutes sufficient grounds for disciplinary action on her license under N.C. Gen. Stat. § 90-85.38.

### DISCIPLINARY ACTION

Based upon the foregoing, and with the consent of the parties, IT IS THEREFORE ORDERED that the license of Respondent Renee Laton is hereby SUSPENDED for a period of five (5) days, which SUSPENSION is HEREBY STAYED upon the following conditions:

1. Within six (6) months of the date this Order is accepted by the Board, Respondent shall take, and achieve a passing score, on the Multistate Pharmacy Jurisprudence Examination (MPJE);
2. Respondent shall not serve as the pharmacist-manager for any pharmacy for a period of one (1) year from the date this Order is accepted by the Board;
3. Respondent shall cooperate with the Board, its attorneys, investigators and other representatives in any investigation, including regarding compliance with the provisions of this Consent Order;
4. Respondent shall violate no laws governing the practice of pharmacy or the distribution of devices or medical equipment;
5. Respondent shall violate no rules and regulations of the Board;
6. Respondent shall promptly advise the Board of any changes in address, employer or practice standards, as well as any other factors affecting compliance with this Consent Order; and
7. Respondent shall maintain full compliance with this Consent Order.

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

This the 20<sup>th</sup> day of July, 2010.

NORTH CAROLINA BOARD OF PHARMACY

By:   
Jay W. Campbell, IV  
Executive Director

Renee Laton, the holder of license number 6966, has full knowledge that she has the right to a hearing, at which she would have the right to be represented at her 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, 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 his rights and this Consent Order, and represents that she 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:

RENEE LATON (License No. 6966)



Date 7/9/2010

STATE OF North Carolina

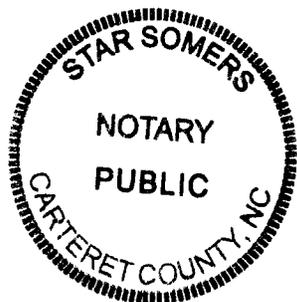
Carteret COUNTY

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that the following person personally appeared before me this day and acknowledged the due execution of the foregoing document: **Renee Laton.**

Date: 7.9.10

Star Somers  
Notary Public  
Star Somers

My commission expires: 11.6.2014



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REJECTED BY:

RENEE LATON (License 6966 )

\_\_\_\_\_ Date \_\_\_\_\_