

BEFORE THE NORTH CAROLINA BOARD OF PHARMACY

In Re:

**JUSTIN EARL MILLER
(License No. 22659)**

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**ORDER REINSTATING LICENSE
WITH CONDITIONS**

THIS MATTER was heard on October 20, 2015, by the North Carolina Board of Pharmacy (“Board”) located at 6015 Farrington Road, Suite 201, Chapel Hill, North Carolina, upon the request of Justin Earl Miller (“Petitioner”) for reinstatement of his license to practice pharmacy. Board members Mixon, Day, McLaughlin, Minton, Graves, and Haywood 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 22659.
2. On November 5, 2014, Petitioner voluntary surrendered his license to practice pharmacy after being discovered diverting hydrocodone- and oxycodone-containing prescription drug products for personal use from his then-place of practice.
3. After surrendering his license, Petitioner contacted North Carolina Pharmacist Recovery Network (“NCPRN”), which recommended that he undergo an in-patient substance abuse evaluation.
4. Petitioner underwent a twenty-eight day course of in-patient evaluation and treatment at Fellowship Hall, which resulted in a diagnosis of opioid dependence.

A contributing factor to Petitioner's opioid use was back pain associated with a ruptured disc. The back problems were diagnosed in 2008 and treated intermittently with opioid analgesics through approximately 2010. Petitioner re-aggravated the injury in 2014 and began self-medicating with hydrocodone and oxycodone products. The back pain is now managed with physical therapy.

5. Soon after discharge from Fellowship Hall, Petitioner signed a five-year treatment and monitoring agreement with NCPRN.
6. NCPRN reports that Petitioner has been fully compliant with his treatment and monitoring obligations and that Petitioner's recovery is such that he is safe to return to the practice of pharmacy with appropriate conditions.
7. Petitioner was not charged criminally as a result of his diversion of controlled substances.

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 thirty (30) hours of continuing education, sixteen (16) 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 2015 and the continuing education obligation Petitioner must meet to renew his pharmacy license for 2016.

3. Petitioner shall successfully complete his NCPRN treatment and monitoring agreement.
4. Petitioner shall advise the Board promptly in writing of any change of address or change in practice status.
5. Petitioner shall not serve as a pharmacist-manager of any pharmacy.
6. Petitioner shall not serve as a preceptor of pharmacy students.
7. Petitioner shall not be employed as a pharmacist more than a number of hours per week deemed clinically appropriate by NCPRN
8. Petitioner shall violate no laws governing the practice of pharmacy or the distribution of drugs.
9. Petitioner shall violate no rules or regulations of the Board.
11. If Petitioner fails to comply with any term or condition of this Order, she may be subject to additional disciplinary action by the Board.

This is the 20th day of October, 2015.

NORTH CAROLINA BOARD OF PHARMACY

By: _____

Jack W. Campbell IV
Executive Director

CERTIFICATE OF SERVICE

I certify that on October 22, 2015, I caused a copy of this Order Reinstating License With Conditions to be served on Petitioner by registered mail, return-receipt requested:

A handwritten signature in black ink, written over a horizontal line. The signature is stylized and appears to read 'Jack W. Campbell IV'.

Jack W. Campbell IV
Executive Director

cc: Miller License File
Valanda Nelson, North Carolina Pharmacist Recovery Network
1011 Pemberton Hill Road
Suite 202
Apex, NC 27502-4266