

STATE OF NORTH CAROLINA
NORTH CAROLINA BOARD OF PHARMACY

IN THE MATTER OF)

PATRICK OGRIN,)

License Number 13112)

CONSENT ORDER

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 Alexander Elkan and members of the Board’s investigative and legal staff were present at this conference. Respondent Patrick Ogrin (License No. 13112) (hereinafter, the “Respondent” or “Ogrin”) was present and was represented by counsel Anna B. Choi.

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 13112 and a pharmacist at Pharmacy Permit No. 9786, located at 2401 North College Road, Wilmington, North Carolina (the “Pharmacy”). Ogrin, 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. On or about January 10, 2009, Ogrin as the dispensing pharmacist, dispensed Amlodipine 5 mg to a patient who had been prescribed Amiloride 5 mg.

4. As a result of the dispensing error, the patient ingested 15 mg of Amlodipine for eleven (11) days.

5. The patient contends that subsequent to this dispensing error he suffered a "fluid overload" and underwent four (4) hospitalizations and (9) surgeries. Respondent Ogrin denies any alleged causal relationship and by entering into this Consent Order makes no admission regarding alleged causation.

6. The error was discovered on January 25, 2009 and the Pharmacy and Ogrin contacted both the patient and the patient's physician.

7. 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 Patrick Ogrin violated North Carolina General Statutes §§ 90-85.38(a)(7) and (9) and (b) and 90-85.40(f); and 21 N.C.A.C. 46 .1805.

2. Respondent admits that the conduct in this matter constitutes sufficient grounds for disciplinary action 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 PATRICK OGRIN is hereby SUSPENDED for a period of five (5) days, which SUSPENSION is HEREBY STAYED upon the following conditions:

1. 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;
2. Respondent shall violate no laws governing the practice of pharmacy or the distribution of devices or medical equipment;
3. Respondent shall violate no rules and regulations of the Board;
4. 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.

The admissions, findings, and conclusions contained herein are intended solely for the purpose of resolving this administrative case.

This the 20th day of July, 2010.

NORTH CAROLINA BOARD OF PHARMACY

By: _____


Jay W. Campbell, IV
Executive Director

Patrick Ogrin, the holder of license number 13112, has full knowledge that he has the right to a 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:

PATRICK OGRIN (License No. 13112)

Patrick Ogrin Date 7/16/10

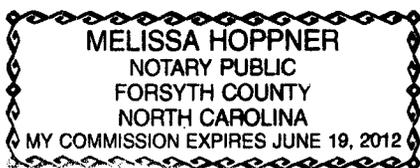
STATE OF North Carolina

New Hanover 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: **Patrick Ogrin.**

Date: 7/16/10

Melissa Hoppner
Notary Public
Melissa Hoppner



My commission expires: June 19, 2012

REJECTED BY:

PATRICK OGRIN (License 13112)

_____ Date _____