

STATE OF NORTH CAROLINA
NORTH CAROLINA BOARD OF PHARMACY

IN THE MATTER OF)
)
WILLIAM R. ROBERSON) **MODIFICATION OF**
License Number 7379) **CONSENT ORDER OF DISCIPLINE**

THIS MATTER came on to be heard before the North Carolina Board of Pharmacy (the "Board") on March 15, 2011, upon the request of William R. Roberson ("Petitioner") for the Board to modify a Consent Order of Discipline. After due notice of the hearing, the matter was heard by Board President Rebecca Chater and Board Members Dr. J. Parker Chesson, Jr., Dr. Betty H. Dennis, E. Lazelle Marks, Robert McLaughlin, Jr. and Gene Minton at the offices of the Board. Board staff was represented by Clinton R. Pinyan, and Petitioner was present and represented by counsel Patrice Walker. The Board received stipulations and evidence offered without objection, and heard the testimony of witnesses. Considering the testimony, stipulations and evidence, the Board hereby makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. The Board is a body duly organized under the laws of the State of North Carolina and is the proper body for this proceeding under the authority granted to it in Chapter 90 of the General Statutes of North Carolina, and the rules and regulations promulgated thereunder. All Parties were properly before the Board, the Board has jurisdiction of the parties and of the subject matter, and Petitioner received all required notice of the hearing.
2. On September 18, 2007, the Board accepted a Consent Order of Discipline related to Petitioner's practice of pharmacy under license number 7379 (the "Consent Order"). The Consent Order placed a number of conditions upon Petitioner's practice of pharmacy.

3. On February 16, 2011, Petitioner submitted a Motion to Amend Consent Order of Discipline. That Motion sought the removal of two conditions of the Consent Order:

- a. that Petitioner may not be employed as a pharmacist more than 40 hours per week, on average, nor more than 8 hours per day, on average; and
- b. that Petitioner shall obtain prior written approval of all employment as a pharmacist from the Executive Director of the Board.

4. The Board heard evidence, both for and against, the proposition that the conditions could be removed consistent with the public health, safety and welfare.

CONCLUSIONS OF LAW

Petitioner has demonstrated that the conditions can be modified in certain respects that are consistent with his practice of pharmacy with reasonable care, safety and competence.

IT IS THEREFORE ORDERED that Petitioner's Motion to Amend Consent Order of Discipline is hereby **GRANTED IN PART** and **DENIED IN PART**, as follows:

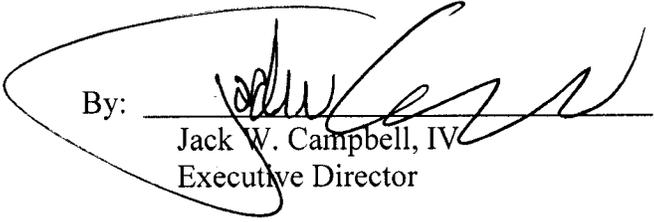
1. Condition four of the Consent Order is hereby modified to read: "Roberson may not be employed as a pharmacist more than 40 hours per week, on average;"
2. Condition seven of the Consent Order is hereby modified to read: "Roberson must provide the Executive Director of the Board with prompt notification of any change in practice status, employer or location."

3. All other portions of the Consent Order remain in full effect and are not modified in any respect.

This, the 15th day of March, 2011.

NORTH CAROLINA BOARD OF PHARMACY

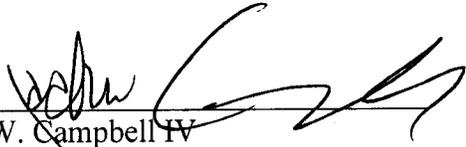
By: _____


Jack W. Campbell, IV
Executive Director

CERTIFICATE OF SERVICE

I certify that on March 22, 2011, I caused a copy of this Order to be served on Petitioner,
through his counsel of record:

Patrice Walker
Post Office Box 16157
Chapel Hill, North Carolina 27516



Jack W. Campbell IV
Executive Director