

BEFORE THE NORTH CAROLINA BOARD OF PHARMACY

In the Matter of:

WLLIAM ROBERSON  
(License No. 7379)

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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 February 16, 2009 and, after appropriate notice, was heard on that day by Board member L. Stan Haywood at the offices the Board. Respondent William Roberson (License No. 7379) (hereinafter, the "Respondent" or "Roberson") was present and was represented by counsel Patrice Walker. Counsel Alexander Elkan represented the Board. Members of the Board's investigative staff and other respondents involved with the subject matter of the Conference were also present.

The 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, the 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. The Respondent is, and was at all relevant times referred to herein, the holder of License Number 7379 and the pharmacist manager of Pharmacy Permit No. 6745, located at 215 Williamsboro Street, Oxford, North Carolina (the "Pharmacy"). Roberson, 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 January 4, 2006, the Pharmacy and Roberson as pharmacist manager, with R.Ph. David Moore (License No. 17792) as the dispensing pharmacist, erroneously and incorrectly dispensed Propanolol 60mg, instead of the prescribed Isosorbide Monohydrate 60mg, to a patient.

4. As a result of the dispensing error, the patient consumed one month's prescription of Propanolol (approximately 30 dosage units of 60mg). The patient was hospitalized due to congestive heart failure.

5. On January 4, 2006, and on March 7, 2007, the Pharmacy and Roberson as pharmacist manager, allowed pharmacists to supervise more technicians than permitted by the Pharmacy Practice Act.

6. On January 4, 5, and 16, 2006 and on March 7, 2007 the Pharmacy and Roberson as pharmacist manager, allowed the prescription and dispensing records for the above-referenced dispensing error to be altered or deleted and failed to maintain adequate records related to the subject prescription, including the maintenance of the original prescription on file.

7. The Board finds that discipline is warranted due to the serious nature of the conduct described and the resulting patient harm.

## **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 Roberson'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) because Roberson's acts were in violation of N.C. Gen. Stat. §§ 90-85.38(a)(4), (6), (7) and (9), 90-85.15A(c), and 90-85.26; and 21 N.C.A.C. 46 .1803, 46 .1804, 46 .1805, 46 .2301, 46 .2302, 46 .2303, 46 .2304, 46 .2305, and 46 .2502.

## **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**

For failure to comply with the laws governing the practice of pharmacy and the distribution of drugs, failure to comply with the North Carolina Pharmacy Practice Act and the rules adopted by the Board, and negligence in the practice of pharmacy in violation of N.C. Gen. Stat. § 90-85.38(a), the license of Respondent William Roberson, License No. 7379, is hereby **SUSPENDED** for fifteen (15) days, which suspension is to be served as follows:

1. The fifteen (15) day suspension must be served as an active suspension, which suspension shall be served on fifteen (15) consecutive days - beginning on a Monday at 12:00am and ending on the second following Tuesday at 12:00am.

2. Such suspension shall be served by Respondent Roberson and completed by June 1, 2009.

3. Service of such suspension shall take place only after Respondent notifies the Executive Director of the Board of Pharmacy, in writing, of Respondent's intention to serve the active suspension. Such notice shall inform the Executive Director of the dates that the Respondent intends to serve such suspension.

4. Respondent shall surrender his license to the Executive Director of the Board of Pharmacy during the period of active suspension.

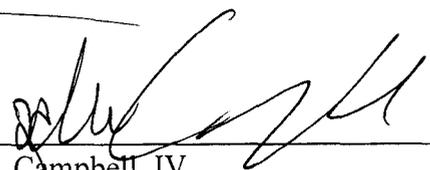
5. During the fifteen (15) day suspension period, Respondent shall not work as a pharmacist or in any capacity in any pharmacy, and shall not enter into any pharmacy in any capacity, except as a customer or patient and for limited purposes associated therewith.

Respondent Roberson's acceptance of this Consent Order shall not constitute an admission of violation of the previous Consent Order entered into between Roberson and the Board and accepted by the Board on September 19, 2007. The terms of such September 19, 2007 Consent Order shall continue to be binding upon Roberson as set forth therein.

This the 17<sup>th</sup> day of March, 2009.

NORTH CAROLINA BOARD OF PHARMACY

By:

  
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Jack W. Campbell, IV  
Executive Director

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REJECTED BY:

WILLIAM ROBERSON (License No. 7379)

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