

STATE OF NORTH CAROLINA
NORTH CAROLINA BOARD OF PHARMACY

In the Matter of:)

MELYNN ROBERTS)
(License No. 11194))

**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 March 14, 2011 and, after appropriate notice, was heard on that day by Board member Dr. Betty H. Dennis at the offices of the Board. Respondent Melynn Roberts (License No. 11194) (hereinafter, "Respondent" or "Roberts") was present, along with other related respondents. Counsel Clinton R. Pinyan represented the Board. Members of the Board's investigative staff and other Board counsel were also present at the Conference.

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 her consent, Respondent also stipulates that she waives her 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. Respondent is, and was at all relevant times referred to herein, a pharmacist licensed to practice pharmacy in the State of North Carolina with License No. 11194. Respondent was at all relevant times referred to herein, a pharmacist at Iredell Memorial Hospital, Inc., Permit No. 2410, located at 557 Brookdale Drive, Statesville, North Carolina (the "Pharmacy"). Respondent is and was, at all relevant times referenced 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 May 26, 2008, Respondent dispensed ten times the prescribed amount of acetadote to a patient who had overdosed on drugs, including acetaminophen. Respondent made the error by entering 10.5 vials of acetadote, rather than the prescribed 10.5 ml of acetadote. Two technicians questioned Respondent about whether the amount dispensed was correct, but Respondent assured the technicians that the amount was correct.

4. The evidence does not suggest that the error contributed to the patient's death.

5. Respondent took responsibility for the dispensing error. Respondent acknowledged that she made the error and that the technicians had questioned her about the amount dispensed but she did not correct the error.

CONCLUSIONS OF LAW

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

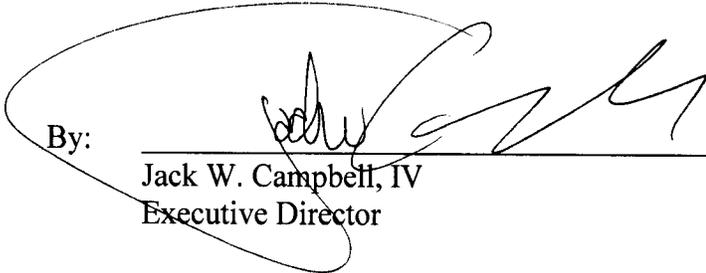
1. Respondent violated N.C. Gen. Stat. §§ 90-85.38(a)(6), (7) and (9), 90-85.40(f), and 106-122; 21 N.C.A.C. 46 .1414(a) and .1805.

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.

Based upon the foregoing, and with the consent of the parties, IT IS THEREFORE ORDERED that Respondent Melynn Roberts, practicing under License No. 11194, is hereby REPRIMANDED for the aforementioned violations of law.

This the 19th day of April, 2011.

NORTH CAROLINA BOARD OF PHARMACY

By: 

Jack W. Campbell, IV
Executive Director

Melynn Roberts, the holder of license number 11194, has full knowledge that she has the right to a formal hearing in this matter, at which she would have the right to be represented at her expense by counsel. 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 her rights and this Consent Order, and represents that she enters this Consent Order after consultation with her counsel or after knowingly and voluntarily choosing not to consult with counsel.

CONSENTED TO BY:

Melynn Roberts Date 3-22-2011
Melynn Roberts
(License No. 11194)

NORTH CAROLINA

Iredell COUNTY

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that the following person(s) personally appeared before me this day, and each acknowledged the due execution of the foregoing document: Melynn Roberts

Date: March 22, 2011

Latasha Douglas
Notary Public
Latasha Douglas

My commission expires: 9/6/2015

OBJECTED TO BY:

_____ Date _____

Melynn Roberts
(License No. 11194)