

BEFORE THE NORTH CAROLINA BOARD OF PHARMACY

In the Matter of:

Robin Woods
(License No. 09223)

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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 July 16, 2007 and, after appropriate notice, was heard on that day by Board member L. Stan Haywood at the offices the Board. The Respondent Robin Woods (License No. 09223) (hereinafter, "Respondent" or "Woods") was present and was not represented by counsel. Counsel Sarah Phillips 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.

1. 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. 09223. Respondent was at all relevant times referred to herein, the pharmacist manager of CVS Pharmacy, Permit. No. 06679, located at 1119 Eastchester Drive, High Point, 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.

2. Between approximately January 2006 and November 2006, Respondent allowed an unregistered technician to work and fulfill the duties of a pharmacy technician.

3. Between approximately May 2005 and November 2006, approximately 50,000 dosage units of Schedule III and Schedule IV medications were diverted from the Pharmacy by one or more Pharmacy employees, including the unregistered technician.

4. Respondent testified that she personally mailed the technician registration renewal of the unregistered technician to the Board and contended that she did not know his registration had lapsed. Respondent further testified that she conducted two inventories during the period of time the diversion occurred but found no significant shortages of medications.

5. On several occasions Respondent dispensed drugs without a prescription to employees of the Pharmacy and allowed unlicensed employees to fill their own prescriptions, which Respondent acknowledged.

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's conduct, as set out in the findings of fact above, constitutes grounds for discipline pursuant to N.C. Gen. Stat. § 90-85.38 because Respondent's acts were in violation of N.C. Gen. Stat. §§ 90-85.15A and 106-134.1, and 21 N.C.A.C. 46.1805, 46.2302 and 46.2502(a), (d) and (e).

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

1. Respondent Robin Wood's license to practice pharmacy (License No. 09223) is hereby permanently suspended. The suspension shall be served as follows:

a. Respondent's license to practice pharmacy shall be actively suspended for a period of seven (7) consecutive days, which active suspension shall commence at a time to be selected by the Respondent, but in any event, shall be served and completed by Respondent within ninety (90) days of the date of acceptance of this Consent Order by the Board. The Respondent shall notify the Executive Director of the Board, in writing, at least ten (10) days prior to serving such active suspension of her intention to do so, and shall notify the Executive Director of the Board, in writing, within ten (10) days after completion of service of such active suspension. Respondent shall not be present in any pharmacy except as a customer during the active suspension of her license;

b. The remainder of the permanent suspension of Respondent Wood's license shall be stayed for a period of five (5) years. The stay is conditioned upon Respondent's compliance with the terms of this Consent Order. If at the end of the five (5) year period, Respondent has violated no terms of this Consent Order, Respondent shall not be required to serve the remainder of her permanent suspension;

2. Respondent shall obtain prior approval of all employment as a pharmacist from the Board's Executive Director;

3. Respondent shall not serve as a pharmacist manager of any pharmacy;

4. Respondent shall not serve as a preceptor of pharmacy students;

5. Respondent may not be employed as a pharmacist more than 40 hours per week, on average;

6. Respondent shall violate no laws governing the practice of pharmacy or the distribution of drugs;

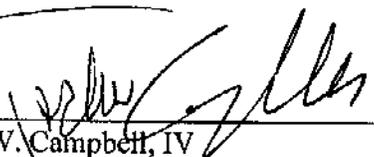
7. Respondent shall violate no rules and regulations of the Board;

8. If Respondent fails to comply with any terms or conditions of this Consent Order, Respondent may be subject to additional disciplinary action by the Board.

[SIGNATURES ON FOLLOWING PAGE]

This the 17th day of September, 2007.

NORTH CAROLINA BOARD OF PHARMACY

By: 

Jack W. Campbell, IV
Executive Director

Robin Woods, the holder of license number 09223, has full knowledge that she has the right to a formal hearing, at which she would have the right to be represented at her 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, 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.

ACCEPTED AND CONSENTED TO BY:

Robin Woods Date 8-29-07
ROBIN WOODS (License No. 09223)

NORTH CAROLINA

Guilford 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: Robin Woods

Date: 8/29/07

Lyn Simmons
Notary Public

My commission expires: 8/8/2011

LYN SIMMONS
Notary Public
Guilford County, NC
My Commission Expires Aug. 8, 2011

REJECTED BY:

ROBIN WOODS (License No. 09223) Date _____