

BEFORE THE NORTH CAROLINA BOARD OF PHARMACY

In Re:

STEVEN D. SAMPLES
(License No. 08926)

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ORDER REINSTATING LICENSE
WITH CONDITIONS

THIS MATTER was heard on January 21, 2014, by the North Carolina Board of Pharmacy (“Board”) located at 6015 Farrington Road, Suite 201, Chapel Hill, North Carolina, upon the request of Steven D. Samples (“Petitioner”) for reinstatement of his license to practice pharmacy. Board members Minton, Marks, McLaughlin, Chesson, Day, and Mixon heard this matter. After hearing the testimony of witnesses, adjudging the credibility of the witnesses, and receiving evidence, the Board makes the following:

FINDINGS OF FACT

1. Petitioner formerly held North Carolina license to practice pharmacy number 08926.
2. On April 1, 2010, Petitioner voluntary surrendered his license to practice pharmacy.
3. Petitioner admitted to diverting controlled substances (principally hydrocodone-containing products) from his place of practice for personal use. Board audits established that Petitioner diverted approximately 10,000 dosage units of controlled substances over a three-year period of time.
4. Shortly after surrendering his license, Petitioner entered into a treatment and monitoring program with the North Carolina Pharmacist Recovery Network (“NCPRN”).

5. Petitioner completed a 12-week inpatient substance abuse treatment program.
6. After completing the inpatient program, Petitioner's early course of treatment and monitoring with NCPRN was rocky. In July 2011, NCPRN referred Petitioner to the Board as a result of repeated noncompliance with his treatment and monitoring obligations. Petitioner's noncompliance manifested chiefly in missed call-ins for screening tests and failure to complete required reports. Board staff advised Petitioner that noncompliance could stand as a substantial barrier to any future request for license reinstatement.
7. Petitioner and NCPRN's Cindy Clark testified that Petitioner's 2011 noncompliance was largely attributable to a then lack of structure in Petitioner's personal life. Petitioner and Ms. Clark testified that after mid-2011, Petitioner improved his organizational skills substantially. Petitioner's compliance improved substantially as a result. Ms. Clark testified that, since 2011, Petitioner's noncompliance has been minimal and, in all events, not indicative of substance abuse relapse.
8. Petitioner continues to participate in a program of treatment and monitoring that includes meetings, individual counseling, and peer group support.
9. Ms. Clark testified that, from a clinical standpoint, Petitioner may safely resume the practice of pharmacy with appropriate conditions.
10. As a result of his diversion, Petitioner pleaded guilty to one count of misdemeanor larceny in February 2011. Petitioner was placed on 36 months of supervised probation. The terms of Petitioner's plea agreement included that his license to practice pharmacy not be reinstated during his probationary period. The

McDowell County Superior Court lifted this restriction by modification order on May 16, 2012.

CONCLUSIONS OF LAW

Petitioner has demonstrated that he has been in a period of successful recovery and compliance with his NCPRN treatment and monitoring obligations. The Board, in its discretion, concludes that Petitioner can safely resume the practice of pharmacy with the conditions stated below.

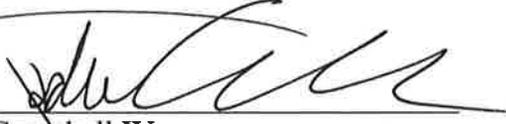
IT IS THEREFORE ORDERED that Petitioner's license to practice pharmacy is **REINSTATED, SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Petitioner shall complete an Application to Reinstate a Lapsed or Inactive License and pay the appropriate fee.
2. As part of her Application to Reinstate a Lapsed or Inactive License, Petitioner shall provide proof that he has obtained sixty (60) hours of continuing education, thirty-two (32) of which must be live or contact hours. These hours represent the continuing education obligation Petitioner would have been required to meet to renew his pharmacy license for 2011, 2012, 2013, and 2014.
3. Petitioner shall successfully complete his NCPRN treatment and monitoring agreement. As originally entered into, that agreement would expire in July 2015. By this Order, that agreement's term shall be extended through July 2016. If, after July 2015, NCPRN determines that Petitioner's agreement need not extend further, Petitioner and NCPRN may make a joint request of the Board to that affect.

4. Petitioner must obtain advance approval of all employment as a pharmacist from NCPRN. Such advance approval shall include specifically the number of hours per week that Petitioner may be employed as a pharmacist.
5. Petitioner may not serve as a pharmacist-manager.
6. Petitioner may not serve as a preceptor of pharmacy students.
7. Petitioner shall violate no laws governing the practice of pharmacy or the distribution of drugs.
8. Petitioner shall violate no rules or regulations of the Board.
10. If Petitioner fails to comply with any term or condition of this Order, Petitioner may be subject to additional disciplinary action by the Board.

This is the 21st day of January, 2014.

NORTH CAROLINA BOARD OF PHARMACY

By: 

Jack W. Campbell IV
Executive Director

CERTIFICATE OF SERVICE

I certify that on January ~~20~~²¹, 2014, I caused a copy of this Order Reinstating License With Conditions to be served on Petitioner by registered mail, return-receipt requested:

[REDACTED]



Jack W. Campbell IV
Executive Director

cc: Samples License File
Cindy Clark, North Carolina Pharmacist Recovery Network
1011 Pemberton Hill Road
Suite 202
Apex, NC 27502-4266