

BEFORE THE NORTH CAROLINA BOARD OF PHARMACY

In Re:

WAYNE WOODBURY)
(License No. 16693)) **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 Wayne Woodbury (“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 16693.
2. Petitioner was convicted in February 2009 of driving under the influence. He received a multi-month suspended jail sentence and lost his driver’s license. Following the conviction, Petitioner underwent a four-week evaluation at the Wilmington Treatment Center, a substance abuse treatment provider though not one that specializes in treating health care professionals. Wilmington Treatment Center strongly recommended that Petitioner undergo treatment and monitoring by North Carolina Pharmacist Recovery Network (“NCPRN”).
3. On March 2, 2009, Petitioner’s license to practice pharmacy lapsed due to non-renewal.

4. Petitioner filed an application to reinstate his license, on which he noted that he was “enrolled in NCPRN.”
5. On March 4, 2009, NCPRN informed Board staff that Petitioner was not, in fact, a NCPRN client. Based on Petitioner’s misrepresentation, Board staff denied the reinstatement application.
6. Petitioner entered into an NCPRN treatment and monitoring contract in mid-March 2009.
7. On May 12, 2009, Petitioner appeared before the Board seeking reinstatement of his license to practice pharmacy. NCPRN was not able to advocate for Petitioner’s safe return to practice due to the extremely short period of time that Petitioner had been a client.
8. On May 12, 2009, the Board declined to reinstate Petitioner’s license, but stated it would entertain a future application to reinstate at such time that NCPRN could testify that Petitioner could safely return to practice.
9. In June 2009, NCPRN terminated Petitioner’s treatment and monitoring contract due to positive alcohol screenings and Petitioner’s decision to stop attending therapy sessions. Petitioner testified that financial difficulties drove his 2009 decision to cease therapy.
10. In 2011, Petitioner was again convicted of driving under the influence.
11. After the 2011 conviction, Petitioner undertook a renewed effort to deal with his substance abuse problem. He voluntarily underwent a thirty-day inpatient treatment program at the La Paloma Treatment Center in Memphis, Tennessee. He began seeing a personal counselor and therapist regularly. He was being

screened for inappropriate substances as a condition of probation from the 2011 driving under the influence conviction.

12. Petitioner reestablished contact with NCPRN in 2013 and signed a treatment and monitoring contract in July 2013.
13. Valanda Nelson, NCPRN's executive director, testified that Petitioner has been fully compliant with his NCPRN treatment and monitoring plan and that, from a clinical standpoint, Petitioner may safely resume the practice of pharmacy with appropriate conditions.

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 seventy-five (75) hours of continuing education, forty (40) 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 2010, 2011, 2012, 2013, and 2014.

3. Petitioner shall successfully complete his NCPRN treatment and monitoring agreement.
4. Petitioner must obtain advance approval of all employment as a pharmacist from NCPRN.
5. Petitioner may not serve as a pharmacist-manager unless NCPRN determines that Petitioner's serving as a pharmacist-manager would not jeopardize his substance abuse recovery program. If NCPRN approves Petitioner's serving as a pharmacist-manager, Petitioner shall inform the Board's Executive Director prior to beginning service as a pharmacist-manager.
6. Petitioner may not serve as a preceptor of pharmacy students unless NCPRN determines that Petitioner's serving as a preceptor would not jeopardize his substance abuse recovery program. . If NCPRN approves Petitioner's serving as a preceptor of pharmacy students, Petitioner shall inform the Board's Executive Director prior to beginning service as a preceptor.
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 26th, 2014, I caused a copy of this Order Reinstating License With Conditions to be served on Petitioner by registered mail, return-receipt requested:

[REDACTED]
[REDACTED]



Jack W. Campbell IV
Executive Director

cc: Woodbury License File
Valanda Nelson, North Carolina Pharmacist Recovery Network
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