

BEFORE THE NORTH CAROLINA BOARD OF PHARMACY

In the Matter of:

Prescription Resources of NC, LLC                    )  
(Permit Number 8231)                                    )        CONSENT ORDER

Pursuant to G. S. § 150B-41(c), the North Carolina Board of Pharmacy (Board) and Prescription Resources of NC, LLC (Respondent Pharmacy) have agreed to resolve this matter in accordance with the terms and conditions of this Consent Order. Consequently, the Board and Respondent Pharmacy hereby agree on the following stipulations:

1. Respondent Pharmacy was the holder of permit number 8231 located at 9600-J Southern Pines Boulevard, Charlotte, North Carolina.
2. This matter arises from complaints filed with the Board alleging that prescription drugs were dispensed from Respondent Pharmacy on authority of physicians who had not conducted physical examinations of the patients and without a prior prescriber-patient relationship. One such complaint involved an allegation of Phentermine 30mg being dispensed by Respondent Pharmacy to Missouri Board of Pharmacy Inspector Tom Glenski during May, 2003 without a physical examination by a physician.
3. Respondent Pharmacy neither admits nor denies committing violations of the laws governing the practice of pharmacy and the distribution of drugs and the rules and regulations of the Board in the matters giving rise to the complaints filed with the Board.
4. If proven, the allegations presented in paragraph 2 above would be sufficient to support Findings and Conclusions that Respondent Pharmacy violated the North Carolina Pharmacy Practice Act and such violations would constitute sufficient grounds for disciplinary action against Respondent Pharmacy pursuant to G. S. § 90-85.38(a)(6), (7) and (9).

5. The Board and Respondent Pharmacy agree that this Consent Order resolves only the complaints received by the Board to date and does not preclude the Board from taking appropriate action against Respondent Pharmacy for future unrelated complaints involving violations of G. S. § 90-85.38(a).

6. Respondent Pharmacy admits that the Board has jurisdiction to resolve this matter and admits that this Consent Order is a fair, appropriate and reasonable resolution.

Based on the foregoing stipulations, and with Respondent Pharmacy's consent, IT IS, THEREFORE, ORDERED that:

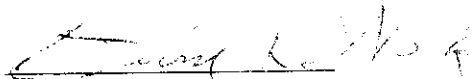
1. Respondent Pharmacy and its principals shall not dispense, fill or ship from within North Carolina or to North Carolina residents any prescription medication on authority of prescriptions issued by physicians if they have knowledge that the prescriptions were authorized without physical examinations or existing physician-patient relationships.

2. Respondent Pharmacy shall not commit any violations of the laws governing the practice of pharmacy and the distribution of drugs or the rules and regulations of the Board.

3. Violation of the terms and conditions of this Consent Order may subject Respondent Pharmacy to additional action by the Board in accordance with G. S. Chapter 150B, Article 3A, and this Order shall be considered as an aggravating factor in determining appropriate action by the Board.

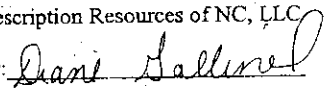
This the 20<sup>th</sup> day of January, 2004.

North Carolina Board of Pharmacy

By:   
David R. Work  
Executive Director

STATEMENT OF CONSENT

The undersigned hereby certifies that he has read the foregoing Consent Order and that he is authorized to execute this Consent Order on behalf of Respondent Pharmacy. Respondent Pharmacy freely and voluntarily consents to the terms and conditions set out therein.

Prescription Resources of NC, LLC  
By:   
Title: PRESIDENT  
Date: 2/2/04

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