

North Carolina Board of Pharmacy

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Item 1109 Disciplinary Actions

Full Hearing

October

Miriam G. Lawrence, Hickory (DOB December 1, 1941); **Glenn A. King**, Hickory (DOB December 18, 1933), Hickory; and **Eckerd Drugs**, 1160 16th St, NE, Hickory. Failure to provide patient counseling. License of Lawrence suspended three days, stayed two years with conditions; License of King suspended three days, stayed two years with conditions; permit suspended one day, stayed two years with conditions.

Endurance O. Onori, Lenoir (DOB April 28, 1967); and **Kerr Drug**, 605 Harper Ave, Lenoir. Dispensing prescription drug with incorrect directions. Pharmacist and pharmacy reprimanded for their actions.

Keith E. Steen, Mt Holly (DOB October 8, 1957); and **The City Pharmacy**, Stanley. Failure to offer patient counseling. License suspended three days, stayed two years with conditions; permit suspended one day, stayed two years with conditions.

Thomas R. Upchurch, Thomasville (DOB April 9, 1942), and **American Pharmaceutical Services**, Winston-Salem. Dispensing error. License suspended 30 days, stayed two years with active seven-day suspension of the license and other specific conditions; permit suspended seven days, stayed two years with specific conditions.

November

G. Earl Hill, Kinston (DOB April 28, 1945), and **Hill's Pharmacy**, Kinston. Violation of patient counseling rule; dispensing generic drug products when the prescription required the dispensing of name brand drug products; dispensing prescription drugs, including controlled substances, without authorization. License suspended seven days, stayed two years with active three-day

suspension and other conditions; permit suspended seven days, stayed two years with active one-day suspension and other conditions.

Connie Mac McGee, Williamston (DOB December 10, 1934). Dispensing errors committed; failure to comply with conditions of January 20, 1998. Consent Order. License revoked November 20, 2000.

CVS Pharmacy, Barber Blvd, Waynesville. Violation of patient counseling rule. Permit suspended three days, stayed three years with conditions.

CVS Pharmacy, Fleming Dr, Morganton. Violation of patient counseling rule. Permit suspended three days, stayed three years with conditions.

Consent Order

October

Robin L. Woods, Kernersville (DOB March 2, 1960). Consent Order entered. Dispensing prescription drugs without authorization. License suspended six months, stayed two years with active suspension of 15 days and other conditions.

Prehearing Conference Recommendations

October

George A. Blalock, Jr, Rockingham (DOB January 10, 1947); **Samuel F. Lewis**, Rockingham (DOB May 8, 1953), and **CVS Pharmacy**, 487 E Broad Ave, Rockingham. Heard by Board member Robert L. Crocker. Violation of patient counseling rule. Recommendation: Both pharmacist Blalock and Lewis be reprimanded for their actions in this matter and the permit be suspended for one business day, stayed two years with specific conditions. Accepted by Blalock October 10, 2000; accepted by Lewis October 5, 2000; accepted by Blalock on behalf of CVS Pharmacy October 10, 2000; accepted by Board October 24, 2000.

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CVS Pharmacy, 815 East Boulevard St, Williamston. Heard by Board member Wallace E. Nelson. Dispensing errors committed at the pharmacy by pharmacist employed at this facility. Recommendation: Permit suspended one day, stayed three years with conditions. Accepted by Bradley Humphreys on behalf of CVS Pharmacy October 10, 2000; accepted by the Board October 24, 2000.

Frank B. Dean, Laurinburg (DOB September 22, 1948); **Carla J. Herring**, Laurinburg (DOB November 5, 1972); and **Medical Village Pharmacy**, Laurinburg. Heard by Board member Robert L. Crocker. Violation of patient counseling rule. Recommendation: Pharmacists Dean and Herring be reprimanded for their actions in this matter and the permit be suspended one business day, stayed two years with specific conditions. Accepted by Dean October 17, 2000; accepted by Herring October 17, 2000; accepted by Dean on behalf of Medical Village Pharmacy October 17, 2000; accepted by Board October 24, 2000.

Thomas A. Floyd, Asheville (DOB January 5, 1959). Heard by Board member L. Stan Haywood. Dispensing Error. Recommendation: Warning. Accepted by Floyd October 18; 2000 accepted by Board October 24, 2000.

Melanie Gentile (DOB April 5, 1964) and **Medical Center Pharmacy of Cherryville**. Heard by Board member L. Stan Haywood. Dispensing an incorrect strength prescription drug to a patient. Recommendation: Pharmacist Gentile and Medical Center Pharmacy of Cherryville be reprimanded. Accepted by Gentile October 21, 2000; accepted by Douglas Agner on behalf of Medical Center Pharmacy of Cherryville October 18, 2000; accepted by Board October 24, 2000.

Hal C. Harris, Asheville (DOB October 17, 1958), **Steve C. Mason**, Barnardsville, (DOB August 1, 1947), and **K-Mart Pharmacy**, 1001 Patton Ave, Asheville. Heard by Board member L. Stan Haywood. Violation of patient counseling rule. Recommendation: License of Harris and Mason suspended seven days, stayed two years with conditions; permit of K-Mart Pharmacy suspended two days, stayed two years with conditions. Accepted by Harris October 17, 2000; accepted by Mason October 17, 2000; accepted by Harris on behalf of K-Mart Pharmacy October 17, 2000; accepted by Board October 24, 2000.

Gary S. Jared, Rocky Mount (DOB September 24, 1952); and **Almand's Discount Drugs**, 127 Fairview Rd, Rocky Mount. Heard by Board member Timothy R Rogers. Dispensing errors and failure to counsel patients. Recommendation: Jared and Almand's Discount Drugs be reprimanded. Accepted by Jared December 13, 1999; accepted by Jared and Jean R.

Almand on behalf of Almand's Discount Drugs, Rocky Mount December 13, 1999; accepted by Board October 24, 2000.

William C. Johnson, Eden (DOB November 11, 1935); and **Boulevard Pharmacy**, Eden. Heard by Board member Robert L. Crocker. Violation of patient counseling rule. Recommendation: Pharmacist Johnson be reprimanded for his action in this matter and the permit for Boulevard Pharmacy be suspended for one business day, stayed two years with specific conditions. Accepted by Johnson October 3, 2000; accepted by Johnson on behalf of Boulevard Pharmacy October 3, 2000; accepted by Board October 24, 2000.

James W. Oxendine, Charlotte (DOB April 27, 1953), and **CVS Pharmacy**, 3610 Matthews Mint Hill Rd, Matthews. Heard by Board member L. Stan Haywood. Dispensing incorrect prescription drug to a patient. Recommendation: License suspended seven days, stayed two years with conditions; permit of CVS Pharmacy be suspended two days, stayed two years with conditions. Accepted by Oxendine October 20, 2000; accepted by Oxendine on behalf of CVS Pharmacy October 20, 2000; accepted by Board October 24, 2000.

Linda Parham, Greenville (DOB April 8, 1938); **Jeffrey Strickland**, Winterville (DOB November 13, 1959); and **CVS Pharmacy**, 505 S. Memorial Dr, Greenville. Heard by Board member Robert L. Crocker. Violation of patient counseling rule. Recommendation: Both pharmacists, Parham and Strickland be reprimanded for their actions in this matter and the permit be suspended for one business day, stayed two years with specific conditions. Accepted by Parham October 10, 2000; accepted by Strickland October 9, 2000; accepted by Strickland on behalf of CVS Pharmacy October 9, 2000; accepted by Board October 24, 2000.

PSA Healthcare (DME Permit), 114 E Main St, Williamston. Heard by Durable Medical Equipment (DME) Subcommittee. Maintaining a site where prescription drugs were dispensed without a permit or a pharmacist licensed from the Board to perform the dispensing functions. Recommendation: DME permit suspended five days, stayed two years with specific conditions. Accepted by Ron Byers on behalf of PSA Healthcare October 9, 2000; accepted by Board October 23, 2000.

David G. Shipper, Kings Mountain (DOB November 6, 1947) and **Kings Mountain Hospital**, Kings Mountain. Heard by Board member L. Stan Haywood. Noncompliance with rule .1411(b)(10) concerning monthly inspections of patient care units. Recommendation: Both Shipper and Kings Mountain Hospital Pharmacy be reprimanded and the pharmacy must submit updated policies and procedures concerning compliance with .1411(b)(10). Accepted by Shipper October 17,

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2000; accepted by Alex Bell on behalf of Kings Mountain Hospital Pharmacy October 17, 2000; accepted by Board October 24, 2000.

November

Medical Arts Pharmacy, Fayetteville. Heard by Board member Wallace E. Nelson. Having one pharmacist verify the records of dispensing for other pharmacists and failing to mandate that the records of dispensing be verified daily. Recommendation: Permit suspended 10 days, stayed three years with active suspension of one day and other specific conditions. Accepted by Christina Washington on behalf of Medical Arts Pharmacy September 25, 2000; accepted by Board November 21, 2000.

Reinstatement of License

Leopold K. Salzer, Wingate (DOB April 20, 1957). License reinstated with specific conditions November 20, 2000.

Item 1110 – DME News

The Health Care Financing Administration (HCFA) recently gave clarification to the new supplier standards. There was concern on the part of the Durable Medical Equipment (DME) Subcommittee that DME providers who work out of their homes were no longer in compliance. But after speaking with HCFA, the understanding is that the company is in compliance as long as the facility contains adequate space for equipment and records; it is accessible to clients during reasonable business hours; the hours of operation are posted; and a visible business sign is displayed. The Board inspectors will closely look at any providers who operate out of their homes to ensure that these rules are followed.

Secondly, there are still questions concerning the reuse of continuous positive airway pressure masks. After a lengthy discussion on the matter, the committee adopted a policy as follows: DME Providers should follow the manufacturer's recommendations regarding the use of nasal masks on more than one patient. Once properly fitted, a mask becomes the property of the patient and should not be returned to stock for use on another patient.

Board inspectors would like to remind everyone to review and update their disaster plans as well as policies and procedures; make sure that employees are following those policies and procedures.

Item 1111 – DEA Numbers for Midlevel Practitioners

The question has arisen of the necessity for midlevel practitioners (physician assistants, nurse practitioners, and certified nurse midwives) to obtain Drug Enforcement Administration (DEA) numbers in order to comply with the state law on prescribing information on prescriptions. The North Carolina Department of Agriculture has jurisdiction

over this issue since the requirement for a DEA number on prescription documents is in the state Food, Drug and Cosmetic Act.

In response to a specific question, Bruce Williams, the director of the Food and Drug Protection Division of the Department of Agriculture, stated in a letter to the Board that the agency's staff opinion is that the DEA number would be required to be shown only if the prescribed drug was a controlled substance. This should clarify any questions on this issue.

Item 1112 – Board Member Elections

Ballots for two positions on the Board of Pharmacy beginning in the spring of 2002 were mailed earlier this month. **If you have not voted yet, please send your ballot as soon as possible.**

The next election will be in the Spring of 2004 for two positions open in the spring of 2005.

Item 1113 – Board Information Service

The Board plans to begin an information service soon for North Carolina licensed pharmacists. This will consist of periodic e-mail messages to convey important information such as drug recalls, advance newsletter text, and other important material such as the information recently distributed for claims on lorazepam and clorazepate. An initial message should go out soon and those who wish not to receive this information may unsubscribe in the normal way.

If you want your e-mail address added to our Board Information Service, please contact Tom Beudel at tbeudell@ncbop.org.

Item 1114 – Disposal Tips for Home Health Care

There is a handy brochure that is available to give suggestions for disposing needles, syringes, and other sharp objects used in home health care. Single copies are available through the Board office and requests should be made to Wendy Watson, wwatson@ncbop.org, 919/942-4454, ext 24. This information is also included in the "Frequently Asked Questions" section of the Board's Web site www.ncbop.org.

Other information can be obtained by calling 1-800/424-9346.

Item 1115 – Novel Dispensing Error

In some pharmacies it is a common practice to "borrow" products from another nearby pharmacy and return them when the wholesaler's shipment comes in. This common practice recently produced a novel dispensing error which is worthy of noting.

Pharmacy "A" borrowed drug "B" from Pharmacy "C" to dispense in Pharmacy "A." When the drug was returned to Pharmacy "C" it was drug "D" but mislabeled as drug

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“B” and the pharmacist at “C” placed the container from “A” on the shelf labeled as drug “B.” When a prescription at Pharmacy “C” was dispensed with drug “D” instead of drug “B” the error was discovered by the patient after dispensing.

We are unaware of any other similar error but it is worth checking products during such a borrowing arrangement.

Item 1116 – Pharmacists Save Lives

A report from the WRAL Channel 5 Web site described the story of pharmacists Paige Huston and Sylvia Stafford in Dunn.

At the end of December, a consumer eating lunch at Dunn Restaurant had chest pains and proceeded to Thomas Drugs to have her blood pressure checked. Pharmacists Stafford and Huston noticed that she was pale and administered a chewable aspirin. The patient was quoted as saying, “I’m sure what those two girls did helped save my life, and I am very grateful.”

In LaGrange during the middle of January, a small child stopped breathing while her mother was in the checkout line at a grocery store. Ray Burke is the pharmacist-manager there and he, along with a registered nurse who was in the store shopping, positioned the child to assist her breathing until emergency personnel arrived at the store.

It is actions like these that cause the public to give pharmacists consistently high ratings in public service.

Item 1117 – Brand/Generic Labeling

Stacie Krick from the Wake Area Help Education Center has brought to our attention a problem that deserves pharmacists’ attention.

In one case, a patient is told to increase his Lasix dose. Although he has a prescription container labeled “furosemide,” none of his prescription containers had a “Lasix”

label. One has a “Lanoxin” label, which he assumes he Lasix and is consumes that drug for at least one week at a high level. The patient had to spend several days in the intensive care unit receiving Digibind.

A Medicaid patient takes a prescription for Coumadin to a retail pharmacy where it is filled with Warfarin. The patient has Coumadin from a hospital labeled as the brand name and does not realize that they are the same product. He consumed both prescriptions (5 mg each), and his international normalization ration (INR) is 5.83 upon admission to the hospital.

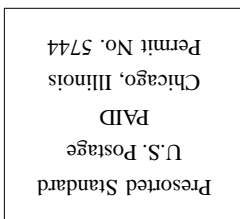
Stacie suggests that the way to avoid these errors is to include both generic and brand names on the label. We appreciate her bringing this to our attention so we can share it with pharmacists of the state.

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