January 2001

North Carolina Board of Pharmacy

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Published to promote voluntary compliance of pharmacy and drug law.

Correction

In the October 2000 *Newsletter*, under Item 1086, an incorrect entry regarding Donna Hinson and McNeill's Long Term Care Pharmacy occurred through editorial error. The entry should have indicated that Ms Hinson received a letter of reprimand for a dispensing error only. Also, although no findings were made against the pharmacy with regard to dispensing prescriptions without authorization, it agreed to implement the policy and procedure described in the *Newsletter*. We deeply regret any misunderstandings caused by this error.

Item 1105 – Disciplinary Actions

Pre-hearing Conference Recommendations

July

Chetan Kanjia, Cary (DOB August 13, 1968). Heard by Board Member Watts. Violation of patient counseling rule. Recommendation: Letter of Warning. Accepted by Kanjia June 16, 2000; accepted by Board July 18, 2000.

September

William O. Lombard, Rockwell (DOB April 24, 1924); **Richard W. Teeter**, Concord (DOB January 19, 1950); and **Crescent Pharmacy, Inc**, Rockwell. Heard by Board member Overman. Violation of patient counseling rule. Recommendation: License of Lombard and Teeter suspended seven days, stayed two years with active three-business-day suspension and other conditions; permit suspended seven days, stayed two years with active one-business-day suspension of permit and other conditions. Accepted by Lombard August 31, 2000; accepted by Teeter August 30, 2000; accepted by Lombard on behalf of Crescent Pharmacy August 31, 2000; accepted by Board September 19, 2000.

Norris F. Buff, Conover (DOB May 3, 1943) and **H&W Drug Company, Inc**, Newton. Heard by Board member Overman. Dispensing prescription drugs to a patient without the existence of a valid patient, physician, pharmacist relationship, and not maintaining readily retrievable records of prescription drugs dispensed from the pharmacy. Recommendation: Pharmacist Buff and H&W Drug Company reprimanded for their conduct in this matter with pharmacist to submit a written plan of action to correct any and all deficiencies in the record keeping system of the pharmacy and other conditions. Accepted by Buff August 28, 2000; accepted by Buff on behalf of H&W Drug Company August 28, 2000; accepted by Board September 19, 2000.

James S. Liverman, Hookerton (DOB May 18, 1931) and **Edwards Discount Pharmacy**, Ayden. Heard by Board member Nelson. Dispensing error. Recommendation: Pharmacist Liverman and Edwards Discount Pharmacy reprimanded for their conduct in this matter with conditions. Accepted by Liverman September 6, 2000; accepted by Horace Tripp on behalf of Edwards Discount Pharmacy September 7, 2000; accepted by Board September 19, 2000.

Robert A. Kennedy, Monroe (DOB October 11, 1958) and **Medicap Pharmacy**, Monroe. Heard by Board Member Overman. Failure to keep and maintain accurate controlled substances inventories; failure to make and keep and maintain records required to be kept by the Code of Federal Regulations. Recommendation: Pharmacist Kennedy and Medicap Pharmacy reprimanded for their conduct in this matter with conditions. Accepted by Kennedy September 11, 2000; accepted by Kennedy on behalf of Medicap Pharmacy September 11, 2000; accepted by Board September 19, 2000.

Charles R. Hill, Kannapolis (DOB November 14, 1964) and **Kerr Drug**, 690 Church Street, North Concord. Heard by Board member Overman. Dispensing prescription drugs in a misbranded manner; failing to document that a patient declined counseling when receiving a new order of a prescription drug. Recommendation: Pharmacist Hill and Kerr Drug be reprimanded for their conduct in this matter with conditions. Accepted by Hill September 15, 2000; accepted by Hill on behalf of Kerr Drug September 15, 2000; accepted by Board September 19, 2000.

Voluntary Surrender of License

James R. Newby, Harlem, Ga (DOB March 8, 1953).

Full Hearing

July

Douglas P. Dove, Apex (DOB December 15, 1962). Indulged in the use of drugs to an extent that rendered him unfit to practice pharmacy. Surrender of License November 16, 1999. License reinstated with specific conditions.

Jeffrey B. Mercer, Hickory (DOB October 22, 1972). Indulged in use of drugs to an extent that rendered him unfit to practice pharmacy. Surrender of License September 3, 1999. License reinstated with specific conditions.

Eric C. Bell, Charlotte (DOB October 21, 1959). Indulged in the use of drugs to an extent that rendered him unfit to practice pharmacy. Surrender of License August 24, 1999. License reinstated with specific conditions.

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September

Mildred F. Matthews, Asheville (DOB November 17, 1939). Dispensing errors committed; failure to comply with previously entered Consent Order. License suspended 15 consecutive days as result of violation of Consent Order; following active suspension license suspended indefinitely effective October 24, 2000, stayed two years with specific conditions.

Item 1106 – Generic/Brand Labeling

Stacy Krick from the Wake Area Health Education Center has brought to our attention two very serious incidents which could have been avoided by placing both the brand and generic names on prescription labels. In one case, a patient is instructed by telephone to increase his Lasix dose, but none of his prescription containers has a Lasix label. One has a Lanoxin label that he mistakes for Lasix and increases the dose which results in hospitalization in the intensive care unit and the use of Digibind.

In another case, a patient gets his prescription for Coumadin filled with Warfarin, labeled as such, and he has some Coumadin left from a hospital visit. The patient does not realize they are the same drug and is fortunate that his double dose was not fatal.

Both of these examples are good reasons for placing both the generic and brand name on prescription labels to avoid patient harm.

Item 1107 – Medicaid ID Numbers

The Division of Medical Assistance (DMA) requires Drug Enforcement Administration (DEA) numbers on all pharmacy claims when processing prescription claims at the point of sale, thereby eliminating the Unique Physician Identification Number. Prescribers must write or have printed on each Medicaid prescription their name, address, telephone number, and DEA number, if they have one, in addition to their legal signature as described in North Carolina General Statute 106-134.1(a)(4)a.

The North Carolina Medicaid program requires the above referenced information be placed on a prescription blank whether the prescribed drug is a controlled substance or a prescription drug. Failure to process each Medicaid prescription with a provider's correct DEA number will result in denied claims for the pharmacy.

If the prescriber does not have a DEA number and needs to issue prescriptions to Medicaid recipients, the provider will have to contact the Drug Utilization Review (DUR) Section of DMA at 919/733-3590. At that time, the DUR assistant will issue an identification (ID) number to be used in lieu of the DEA number. The ID number will follow the exact format of the DEA number but will always begin with the letter "Z." For example, ZF1234567. Prescribers will need to write their ID numbers on their Medicaid prescriptions. Pharmacists will enter the prescriber's "Z" ID number in the same field where they would enter the DEA number.

This number is referred to as a Medicaid identification number **only** and should not be referred to as a DEA number.

Submitted by Sharman Leinwand, Drug Utilization Review Coordinator with Program Integrity, Division of Medical Assistance.

Item 1108 – DME News

The Durable Medical Equipment (DME) Subcommittee for the North Carolina Board of Pharmacy met on November 1, 2000, at the Board offices in Carrboro. The main topic for discussion was the new supplier standards set forth by Health Care Financing Adminstration and the effect that the standards will have on DME providers that conduct business out of their homes. After much discussion, the committee decided that the pharmacy Board inspectors are to submit a list of the providers to the committee. At that time the committee will decide the appropriate course of action and the amount of time that should be given for these providers to make the appropriate changes in their places of business.

Other topics of discussion were companies that claim to set up osteogenesis stimulators in physician offices but are actually going into the patient's home to do their initial instruction and set up. The inspectors plan to send notifications to these companies informing them that they are required to obtain a DME permit.

Teresa Gregory of Statesville was named chairperson of the DME Subcommittee replacing Wayne Link of Lynn in that office.

The *North Carolina Board of Pharmacy News* is published by the North Carolina Board of Pharmacy and the National Association of Boards of Pharmacy Foundation, Inc, to promote voluntary compliance of pharmacy and drug law. The opinions and views expressed in this publication do not necessarily reflect the official views, opinions, or policies of the Foundation or the Board unless expressly so stated.

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