

January 2004



North Carolina Board of Pharmacy

PO Box 4560, Chapel Hill, NC 27515-4560
6015 Farrington Rd, Suite 201
Chapel Hill, NC 27517
Tel: 919/942-4454 Fax: 919/967-5757
Web site: www.ncbop.org

Published to promote voluntary compliance of pharmacy and drug law.

Item 2019 – Disciplinary Actions September-November 2003 (No Board Meeting Held August 2003)

Full Hearing: Voluntary Surrender of License Permanently: 1
Suspension with Stay: 1
Reinstatement of Pharmacist License with conditions: 1
Prehearing Conference: Reinstatement of Pharmacist License with conditions: 1
Reprimand: 2
Warning: 7
Caution: 1

The actions listed above were taken regarding:

Diversion of controlled substances; probability that a prescription drug had caused or contributed to the death of a patient and failure to report this to the North Carolina Board of Pharmacy; failure to maintain proper counseling logs; dispensing enalapril maleate 5 mg on a prescription for Valium® 5 mg with the patient subsequently dying; dispensing Celexa® on a prescription for Claritin®; discrepancies regarding Durable Medical Equipment inspection from the Department of Agriculture; dispensing albuterol syrup to an infant with incorrect directions and no offer of patient counseling; dispensing of Cefzil® 125 mg/5 ml suspension on a prescription for Cefitin® 125 mg/5 ml; dispensing of azathioprine on a prescription order for mercaptopurine; dispensing of a fraudulent prescription created by a fellow employee; dispensing of Lanoxin® 0.25 mgs on a refill order for Synthroid® 0.025 mg; dispensing atenolol 25 mg on a refill order for hydrochlorothiazide 25 mg; no proper documentation of patient counseling refusals.

Item 2020 – Renewal Reminder

This is a reminder to all pharmacists that this is the second year that the Board has not sent out renewals by United States mail. It is possible to renew your license to practice pharmacy from our Web site, www.ncbop.org.

If you need to complete this process manually by US mail, please contact our office at 919/942-4454 ext 234 or send an e-mail message to renewal@ncbop.org to request a paper renewal – and you should do so without delay. While there is a grace period at the expiration of your license on December 31, 2003, it is best to finish the renewal process so there will be no doubt about your status as a pharmacist in this state.

Item 2021 – Elections

The Board will conduct elections this spring for two positions beginning in the spring of 2005. L. Stan Haywood, the board's current president, and Wallace Nelson, the former president of the Board, currently occupy these positions. Members customarily spend at least 50 days per year away from their practice on Board business.

One position up for election is the Central District, which includes the following counties: Anson, Cabarrus, Chatham, Davidson, Davie, Iredell, Lee, Mecklenburg, Montgomery, Moore, Randolph, Richmond, Rowan, Stanley, and Union.

Another position up for election for is the Northeastern District, which consists of Bertie, Camden, Chowan, Currituck, Dare, Durham, Edgecombe, Franklin, Gates, Granville, Halifax, Hertford, Hyde, Martin, Nash, Northampton, Pasquotank, Perquimans, Tyrell, Vance, Wake, Warren, Washington, and Wilson.

Pharmacists who live in these counties are eligible to run for election and require a petition of 10 pharmacists from that district to get a name on the ballot. The deadline for submission is March 1, 2004.

Item 2022 – DME Committee Election

A position is also up for election on the Durable Medical Equipment (DME) Committee. A representative from the medical equipment suppliers' group is up for election in the spring of 2004. An individual who holds a DME dispensing permit for medical equipment is eligible to run for this position. Individuals who are interested in serving in this position should contact the Board office for procedures to get their name on the ballot.

DME Committee members customarily spend 10 days per year away from their practice on DME Committee business.

Item 2023 – New Personnel at PRN

Paul Peterson has replaced Dave Marley as the executive director of the Pharmacist Recovery Network (PRN). Dave Marley has opened up his own independent pharmacy in Winston-Salem and Paul comes to PRN with many years of experience with a similar group that deals with physicians.

As of now the contact information has not changed.

Item 2024 – Hurricane Notice

At least one pharmacist took the initiative on the approach of a hurricane and notified all physicians, hospitals, and clinics in his area of their procedures as a hurricane approached in September 2003. This made it possible to contact pharmacists and obtain emergency supplies. This would be a good practice for pharmacists in every community, as hurricanes come through our state on a regular basis.

The situation that was brought to our attention involved Gene Minton at DrugCo Pharmacy in Roanoke Rapids.

Item 2025 – Drug Imports

As of the deadline for this *Newsletter*, the Board of Pharmacy was in litigation on the Canadian storefront pharmacy issue. Pharmacists should be aware that this issue applies to retail pharmacies in other ways.

A complaint was filed with the Board against a pharmacist who had obtained prescription drugs from New Zealand for dispensing to

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North Carolina patients. This is a violation of state and federal law. Pharmacists should guide their conduct accordingly.

Item 2026 – Technician Registration

Please note that it is the responsibility of the pharmacist-manager at each location to be sure that all pharmacy technicians are registered with the Board. A pharmacy technician is defined as a person who assists a pharmacist in the dispensing process.

Item 2027 – Patient Identification

A complaint was forwarded to the Board office regarding the dispensing of a prescription drug to the wrong individual. A technician announced that the prescription for “John Wood” was ready and an individual with that name picked up the prescription and paid for it. The problem is that there was more than one “John Wood” as a patient at that pharmacy. The result is that one person learned about the prescription therapy of another person with the same name.

It is always wise to confirm individual identity by asking the patient to confirm the month and day (but not necessarily the year) of his or her birth.

Item 2028 – Round Tuit

I remember a salesman introducing himself by handing me a round piece of wood about the size of a quarter. One side was blank but the other side had the word “Tuit” printed in bright red. This was his way of trying to persuade me to make a certain decision and get “around to it.” This gimmick may be useful in other ways.

The publicity of a family dispute regarding a woman in Florida who had been in a coma for many years eventually drew politicians to the issue when the legislature passed a law on the subject. That event reminded this editor that it was time to get around to making a Living Will and executing a Health Care Power of Attorney. In some cases patients end up in a persistent vegetative state or are otherwise incapable of communicating with their caregivers. While family and friends may believe they know the desires of the patient it would certainly be much better if the patient had completed a Living Will and Health Care Power of Attorney.

This is not only an issue for individual pharmacists, but for their patients as well. A Living Will and Health Care Power of Attorney can be downloaded from the Board’s Web site, www.ncbop.org, under “health care power of attorney.” Two people who are not heirs of the patient also must witness the signing of the Health Care Power of Attorney. It needs to be kept with important papers, but should not be filed at the county courthouse.

Item 2029 – Poison Remedies

It has been reported to the Board that a patient customer visited a pharmacy in one of the larger cities in the state and complained that she had been to every other drug store in that city and was unable to

find Syrup of Ipecac or Activated Charcoal. These items are essential for treatment when toxic substances have been consumed.

At the February 2004 meeting of the Board the members will discuss the wisdom or propriety of requiring each retail pharmacy to stock these products.

Item 2030 – Coble Helps Pharmacy Again

In a landmark ruling, Drug Enforcement Administration has determined that clinical pharmacist practitioners (CPP) in North Carolina may be eligible for registration as mid-level practitioners. This can only occur if the agreement between the CPP and the physician provides for ordering controlled substances. More information can be found on the Board’s Web site, www.ncbop.org, under “New Developments.”

The office of Congressman Howard Coble from Greensboro was instrumental in getting this approval. The congressman has helped pharmacy in the past – see Item 978 in the October 1998 *Newsletter*.

Item 2031 – Common Shelf Arrangement

Recently, the Board has had three complaints in a very short period of time involving the use of Toprol XL® for Topamax®. In the common shelf arrangement by alphabetical order it is possible that these drugs could be close to or next to each other. There is obvious potential harm to the patient in this situation and pharmacists are reminded to use caution in dispensing these drugs.

Item 2034 – PBM Pharmacists’ Obligation to Patients

Pharmacy benefit managers must remember that mail-order pharmacists’ professional obligation is to patients and not to the company, Associate US Attorney James Sheehan told a Pharmaceutical Compliance Forum meeting in Washington DC on November 13, 2003.

“If you hire a pharmacist, their responsibility is not to the organization; their first responsibility is to the patients whose prescriptions they’re filling,” Sheehan said in a discussion of mail-order pharmacy fraud.

He noted the “law is very clear” that “when you hire professionals, you have responsibility not to interfere with their professional performance or obligations.”

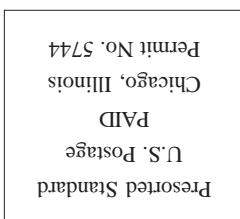
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David R. Work, JD, RPh - State News Editor

Carmen A. Catizone, MS, RPh, DPh - National News Editor
& Executive Editor

Reneeta C. “Rene” Renganathan - Editorial Manager



NORTH CAROLINA BOARD OF PHARMACY
National Association of Boards of Pharmacy Foundation, Inc
700 Busse Highway
Park Ridge, Illinois 60068