

NORTH CAROLINA BOARD OF PHARMACY

In Re:)
)
Barbara Kay Philyaw) ORDER SUMMARILY
(Registration No. 04347)) SUSPENDING REGISTRATION

Pursuant to G.S. § 150B-3(c) and 21 N.C.A.C. 46.2006(b), the North Carolina Board of Pharmacy ("Board"), vis Members Rebecca W. Chater, L. Stan Haywood, J. Parker Chesson, Jr., Betty H. Dennis, Wallace E. Nelson and Robert (Joey) McLaughlin, Jr. find that the protection of the public health, safety and welfare requires emergency action. Accordingly, the Board hereby Summarily Suspends Registration No. 04347 issued to Barbara Kay Philyaw ("Respondent Philyaw"), effective upon service of this Order. Respondent Philyaw shall immediately cease any practice of pharmacy in North Carolina pending issuance by the Board of a Final Agency Decision.

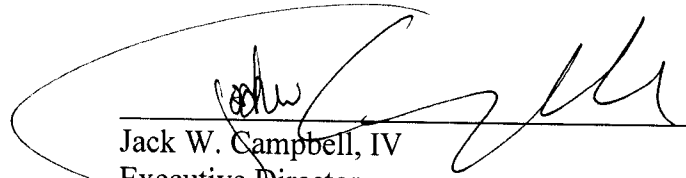
You may request a hearing on the charges against you by submitting a written request within sixty (60) days of service of this order, pursuant to 21 N.C.A.C. 46. 2004. Within sixty (60) days of receipt of your written request, the Board will issue a notice of hearing with respect to whether the summary suspension should be continued. That notice will advise you of the date and time of the hearing, which will be set within the discretion of the Board. In the event that you request a hearing, this summary suspension remains in effect until the issuance of a further decision by the Board.

If you do not request a hearing as set forth above, you waive the right to contest the Board's decision and the suspension imposed upon you by this order. However, you retain the right to file a written petition for reinstatement of your technician registration at any time following this order.

The Board will set a hearing at a time and place within its discretion and will rule on the petition for reinstatement in its discretion under its duty to consider the public health, safety and welfare.

By Order of the Board, this 17th day of November, 2009.

NORTH CAROLINA BOARD OF PHARMACY



Jack W. Campbell, IV
Executive Director

CERTIFICATE OF SERVICE

I certify that on the 23RD, day of November, 2009, I hand served a copy of the Order Summarily Suspending Registration No. 04347, upon Respondent Barbara Kay Philyaw.



Melissa Cummings Investigator
North Carolina Board of Pharmacy