

NORTH CAROLINA BOARD OF PHARMACY

In Re:)
)
Andrew Smith) ORDER SUMMARILY
(Registration No. 22986)) 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 Gene Minton, E. Lazelle Marks, J. Parker Chesson, Jr., Carol Yates Day, Robert (Joey) McLaughlin, Jr. and William A. Mixon find that the protection of the public health, safety and welfare requires emergency action. Accordingly, the Board hereby Summarily Suspends Registration No. 22986 issued to Andrew Smith (“Respondent Smith”), effective upon service of this Order. Respondent Smith 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 16th day of October, 2012.

NORTH CAROLINA BOARD OF PHARMACY



Jack W. Campbell, IV
Executive Director

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the North Carolina Board of Pharmacy and that on the 22, day of October, 2012, I served a copy of the foregoing Order Summarily Suspending Technician Registration No. 22986, upon Respondent Andrew Smith by Federal Express, postage prepaid, and properly addressed to the following:

Andrew Smith

[REDACTED]



Karen S. Matthew, Director of Investigations and Inspections
North Carolina Board of Pharmacy

STATE OF NORTH CAROLINA
NORTH CAROLINA BOARD OF PHARMACY
COMPLAINT NO. 2012-00139

IN THE MATTER OF)
)
) AFFIDAVIT OF SERVICE
)
Andrew Smith)
(Registration No. 22986))

Karen S. Matthew, Director of Investigations and Inspections for the North Carolina Board of Pharmacy, being duly sworn, deposes and says:

Respondent Andrew Smith was served an Order Summarily Suspending his technician registration number 22986, order executed by Jack W. Campbell, IV, Executive Director of the North Carolina Board of Pharmacy on October 16, 2012, in this matter by FedEx Express Service and delivered on October 25, 2012, as evidenced by the FedEx Tracking Delivery Confirmation Receipt attached as Exhibit A.



FURTHER AFFIANT SAYETH NOTHING.

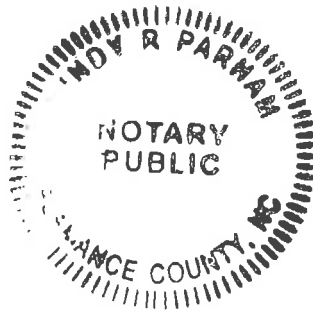
This the 26 day of October, 2012.


Karen S. Matthew, Director
Investigations and Inspections
North Carolina Board of Pharmacy
6015 Farrington Road, Suite 201
Chapel Hill, NC 27517

Sworn to and subscribed before me

This the 26 day of October, 2012.


Notary Public Name

Notary Public Signature



My Commission Expires: 10/14/2017

EXHIBIT A

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Detailed Results

Tracking no.: 877117807887

Select time format: 12H

Delivered

Delivered
Signed for by: Signature not required

Shipment Dates

Ship date Oct 22, 2012

Delivery date Oct 25, 2012 12:49 PM

Destination

Proof of Delivery

Shipment Options

Hold at FedEx Location

Hold at FedEx Location service is not available for this shipment.

Shipment Facts

Service type	Express Saver Envelope	Delivered to Reference	Residence ANDREW SMITH
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Shipment Travel History

Select time zone: Local Scan Time

All shipment travel activity is displayed in local time for the location

Date/Time	Activity	Location	Details
Oct 25, 2012 12:49 PM	Delivered		Left at front door. Package delivered to recipient address - release authorized
Oct 25, 2012 7:59 AM	On FedEx vehicle for delivery	CONCORD, NC	
Oct 24, 2012 8:48 PM	At local FedEx facility	CONCORD, NC	
Oct 24, 2012 10:17 AM	At local FedEx facility	CONCORD, NC	Package not due for delivery
Oct 24, 2012 7:39 AM	At local FedEx facility	CONCORD, NC	
Oct 24, 2012 5:57 AM	At destination sort facility	CHARLOTTE, NC	
Oct 24, 2012 3:47 AM	Departed FedEx location	MEMPHIS, TN	
Oct 23, 2012 11:45 AM	In transit	MEMPHIS, TN	
Oct 23, 2012 8:08 AM	Arrived at FedEx location	MEMPHIS, TN	
Oct 22, 2012 8:22 PM	Left FedEx origin facility	DURHAM, NC	
Oct 22, 2012 10:57 AM	Picked up	DURHAM, NC	