## STATE OF NORTH CAROLINA NORTH CAROLINA BOARD OF PHARMACY

IN THE MATTER OF	)	
	)	CONSENT ORDER
AMANDA VANHOOZEN	)	
Registration Number 20265	)	

THIS MATTER came on for consideration at a prehearing conference (hereinafter, "conference") pursuant to 21 N.C.A.C. 46 .2008. This conference was scheduled for October 18, 2010, and, after appropriate notice, was heard on that day at the office of the North Carolina Board of Pharmacy (hereinafter, "Board") by Board member Dr. Betty Dennis. Respondent Amanda VanHoozen, Registration No. 20265, was present at the conference. Board Counsel Clinton R. Pinyan, members of the Board's investigative staff and representatives of the North Carolina Pharmacist Recovery Network staff were also present at this conference.

## **FINDINGS OF FACT**

- 1. At various times from August 13, 2007 to the present, Amanda VanHoozen has been registered to work as a pharmacy technician by the Board and is the holder of registration number 20265.
- At all relevant times hereto, Ms. VanHoozen was employed with Family Care Pharmacy of Swansboro, Permit No. 10348, located at 1106B Main Street Extension, Swansboro, North Carolina.
- 3. On July 9, 2010, Ms. VanHoozen was asked by a Board Investigator to submit a drug screen and did not do so, acknowledging that she would have tested positive for the use of marijuana. Ms. VanHoozen further acknowledged that she used marijuana from time to time and that she had previously been terminated from Camp Lejeune Naval Hospital Pharmacy for testing positive for the use of marijuana.

4. Following that interview, Ms. VanHoozen entered into a monitoring contract with the North Carolina Pharmacist Recovery Network ("PRN"). Representatives of PRN have stated that Ms. VanHoozen is currently in compliance with her monitoring contract and that PRN advocates for her continued practice as a pharmacy technician at this time.

## **CONCLUSIONS OF LAW**

- 1. The evidence demonstrates that Ms. VanHoozen violated one or more of the following statutes and rules:
  - a. North Carolina General Statutes § 90-85.15A(d)(3) and (5);
  - b. North Carolina General Statutes § 90-106(e); and
  - c. North Carolina General Statutes § 90-108(a)(7).
- 2. Considering all of the facts and circumstances of this matter, the Board finds and concludes that the discipline set forth in this Consent Order is appropriate.

WHEREFORE, it is hereby ORDERED, ADJUDGED AND DECREED that Ms. VanHoozen's continued holding of a technician registration is hereby subject to the following conditions:

- 1. Ms. VanHoozen shall fully comply with and successfully complete the full term of a PRN contract (as extended or shortened in the discretion of PRN) that, in the judgment of PRN, is adequate to assure that Ms. VanHoozen can safely assist a pharmacist in preparing and dispensing prescription medications.
- 2. Ms. VanHoozen shall advise the Board promptly in writing of any change of address or change in practice status.

- 3. Ms. VanHoozen shall violate no laws governing the practice of pharmacy or the distribution of drugs.
  - 4. Ms. VanHoozen shall violate no rules or regulations of the Board.

If Ms. VanHoozen fails to comply with any terms or conditions of this Order, she shall be subject to additional discipline.

This, the <u>le</u> day of November, 2010.

NORTH CAROLINA BOARD OF PHARMACY

By:

Jack W. Campbell, IV

Executive Director

Amanda VanHoozen, the holder of registration number 20265, has full knowledge that she has the right to a formal hearing, at which she would have the right to be represented at her expense by counsel, in this matter. The undersigned freely, knowingly and voluntarily waives such right by entering into this Consent Order.

The undersigned understands and agrees that by entering into this Consent Order, she certifies that she has read the foregoing Consent Order and that she voluntarily consents to the terms and conditions set forth therein and relinquishes any right to judicial review of Board actions which may be taken concerning this matter.

The undersigned further understands that should she violate the terms and conditions of this Consent Order, the Board may take additional disciplinary action.

The undersigned understands and agrees that this Consent Order will not become effective unless and until approved by the Board.

The undersigned understands that she has the right to have counsel of his choice review and advise her with respect to her rights and this Consent Order, and represents that she enters this Consent Order after consultation with his counsel or after knowingly and voluntarily choosing not to consult with counsel.

CONSENTED TO BY:

Amanda VanHoozen ()
(Registration No. 20265)

NORTH CAROLINA

DOSTO D COUNTY

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that the following person(s) personally appeared before me this day, and each acknowledged the due execution of the foregoing document:

Amanda VanHoozen

Date: 10-25-10

Patricia Ann Danide Notary Public

My commission expires: 12-20-14