

BEFORE THE NORTH CAROLINA BOARD OF PHARMACY

In Re:)
)
) **ORDER GRANTING LICENSE**
License Application of) **WITH CONDITIONS**
Selwyn Keith Agent)
)
)

THIS MATTER was heard on October 27, 2009, by the North Carolina Board of Pharmacy (the "Board") located at 6015 Farrington Road, Suite 201, Chapel Hill, North Carolina, upon the application of Selwyn Keith Agent (the "Applicant") for a license to practice pharmacy in the State of North Carolina. Board President McLaughlin and Board members Chater, Chesson, Dennis, Haywood and Nelson conducted this hearing. After hearing the testimony of witnesses, adjudging the credibility of the witnesses and receiving evidence, the Board makes the following:

FINDINGS OF FACT

1. In 2006, the Applicant was licensed to practice pharmacy by the Board and became the holder of license number 18117.
2. By order dated February 27, 2008, the Board revoked the Applicant's license to practice pharmacy in North Carolina. The Applicant was found to have made three misstatements in connection with his original license application relating to his alcoholism, his prior alcohol treatment and disciplinary proceedings pending against his California license arising from an alcohol-related incident.
3. The Board's February 2008 Order provided that Mr. Agent could not apply for a new license to practice pharmacy for a period of six (6) months, and that the merits of a new application would be judged based upon the facts presented to the Board at the time of any such application.

4. The Board's February 2008 Order provided that any future application would not be considered unless and until the Applicant successfully completed an ethics training course approved by the Board's Executive Director. In April 2008, the Applicant successfully completed such a course.
5. The Board's February 2008 Order further provided that any future application would not be considered unless and until the Applicant underwent an assessment by the North Carolina Pharmacist Recovery Network ("NCPRN") and complied with any and all recommendations of an NCPRN counselor.
6. In April 2008, the Applicant contacted NCPRN and arranged for an evaluation at the Center for Professional Excellence ("CPE"), in which he participated in May 2008.
7. CPE recommended that the Applicant enter into a five-year monitoring agreement with NCPRN and follow NCPRN's recommendations.
8. For a number of reasons, including the fact that Applicant temporarily relocated to New Mexico, the Applicant did not immediately begin successfully participating in the NCPRN program. However, during the period in which he was not participating in the NCPRN program, the Applicant undertook certain rehabilitation steps, such as documented participation in abstinence-based support meetings and random drug screens. NCPRN considered these steps taken prior to participation in the NCPRN program in determining that the Applicant was fit to practice pharmacy.

9. Following his return to the State of North Carolina, on June 8, 2009, the Applicant entered into a contract with the North Carolina Pharmacist Recovery Network ("NCPRN").
10. Petitioner has continued to remain under his contract with NCPRN. Cindy Sugg of NCPRN testified that Petitioner has been in full compliance with his NCPRN contract. That testimony was corroborated by a letter received from Mary Christine Parks, Executive Director of NCPRN, who was unavailable to testify.

CONCLUSIONS OF LAW

The Board concludes that it is appropriate, under all of the facts and circumstances of this case, to issue a new license to the Applicant. The Board further concludes in its discretion that, because the Applicant has demonstrated that he has maintained a period of successful recovery and compliance with his NCPRN contract, the Applicant can safely engage in the practice of pharmacy.

IT IS THEREFORE ORDERED that the Applicant's application for a license to practice pharmacy shall be GRANTED on the condition that the Applicant fully complies with all terms of his monitoring agreement, dated June 8, 2009, and successfully completes the full term of the agreement. If the Applicant fails to comply with any terms or conditions of this Order, he shall may be subject to additional discipline.

This the 27th day of October, 2009..

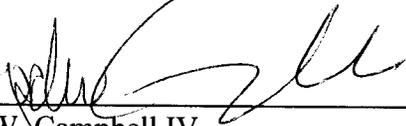
NORTH CAROLINA BOARD OF PHARMACY

By: _____

Jack W. Campbell IV
Executive Director

CERTIFICATE OF SERVICE

I certify that on October 29, 2009, I caused a copy of this Order Granting License with Conditions to be served on Petitioner by registered mail, return-receipt requested.



Jack W. Campbell IV
Executive Director