

STATE OF NORTH CAROLINA
NORTH CAROLINA BOARD OF PHARMACY

IN THE MATTER OF)
)
DONALD W. BEAM) **FINAL ORDER**
Former License No. 7651)

Upon a request by Petitioner Donald W. Beam ("Petitioner" or "Beam") and following all required notice of the hearing, this matter was heard on February 15, 2011, by the North Carolina Board of Pharmacy ("Board") located at 6015 Farrington Road, Suite 201, Chapel Hill, North Carolina. Board President Chater and Board members McLaughlin, Chesson, Dennis, Marks, and Minton 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. Petitioner held license number 7651 from the North Carolina Board of Pharmacy from July 21, 1981 to September 5, 2001.
2. Petitioner is and was, at all relevant times referred to herein, subject to the rules and regulations of the North Carolina Board of Pharmacy and the laws of the State of North Carolina.
3. In September 2001, Petitioner pled guilty to a felony charge in federal court under 21 United States Code, Section 353(c)(1) and 18 United States Code, Section 371, involving the purchase and sale of sample pharmaceuticals and conspiracy to commit the same.
4. On September 5, 2001, as a condition of his federal felony sentence, Petitioner voluntarily surrendered his license to practice pharmacy in the State of North Carolina.
5. On April 21, 2004, Petitioner entered into a Consent Order with the Board, mandating the indefinite suspension of his license to practice pharmacy.

6. The Board scheduled this hearing at Petitioner's request to consider whether the indefinite term of the suspension of his license should be lifted and Mr. Beam's license to practice pharmacy should be reinstated.

7. Petitioner attended the hearing, presented testimony and evidence, including his admission to the basis for the Consent Order and the facts underlying his felony guilty plea.

CONCLUSIONS OF LAW

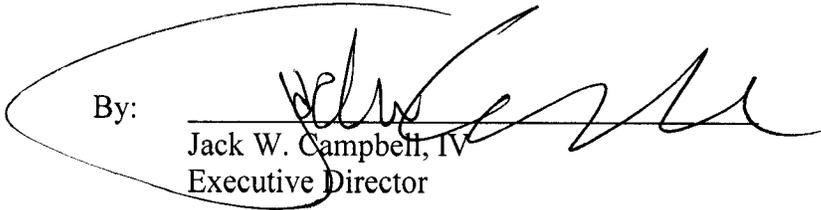
Considering all of the facts and circumstances of this matter, the Board finds and concludes that the indefinite suspension provided in the original Consent Order continues to be appropriate, as a result of Mr. Beam's violation of North Carolina General Statutes Section 90-85.38(a)(2), and therefore that Mr. Beam's request should be denied.

WHEREFORE, it is hereby **ORDERED, ADJUDGED and DECREED** that the request of Petitioner Donald Beam for the Board to reinstate his license to practice pharmacy is hereby **DENIED**. Mr. Beam's license shall remain **SUSPENDED INDEFINITELY**.

This the 15th day of February, 2011.

NORTH CAROLINA BOARD OF PHARMACY

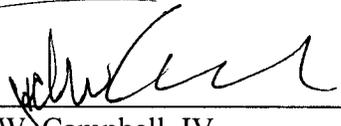
By:



Jack W. Campbell, IV
Executive Director

CERTIFICATE OF SERVICE

I hereby certify that, on February 22, 2011, I caused a copy of this Final Order to be served on Petitioner by registered mail, return-receipt requested.



Jack W. Campbell, IV
Executive Director