

NORTH CAROLINA BOARD OF PHARMACY

In Re:)
)
Airway Medical Supplies, Inc.) ORDER SUMMARILY
(Registration No. 01358)) 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, J. Parker Chesson, Jr., Betty H. Dennis, Wallace E. Nelson and 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. 01358 issued to Airway Medical Supplies, Inc. ("Respondent Registration No. 01358"), effective upon service of this Order. Respondent Registration No. 01358 shall immediately cease providing Durable Medical Equipment ("DME") services in North Carolina or to North Carolina patients pending issuance by the Board of a Final Agency Decision.

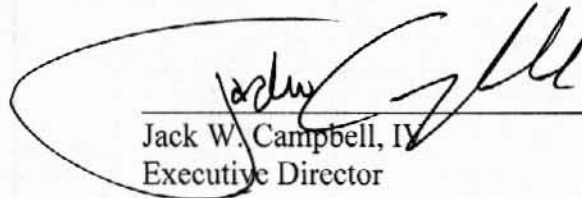
Respondent Registration No. 01358 may request a hearing on the charges against the registration by submitting a written request within 60 days of service of this order, pursuant to 21 N.C.A.C. 46. 2004. Within 60 days of receipt of a written request, the Board will issue a notice of hearing with respect to whether the summary suspension should be continued. That notice will advise Respondent Registration No. 01358 of the date and time of the hearing, which will be set within the discretion of the Board. In the event that Respondent Registration No. 01358 requests a hearing, this summary suspension remains in effect until the issuance of a further decision by the Board.

If Respondent Registration No. 01358 does not request a hearing as set forth above, the Respondent Registration No. 01358 waives the right to contest the Board's decision and the suspension imposed upon the registration by this order. However, the Respondent Registration

No. 01358 retains the right to file a written petition for reinstatement of the 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.

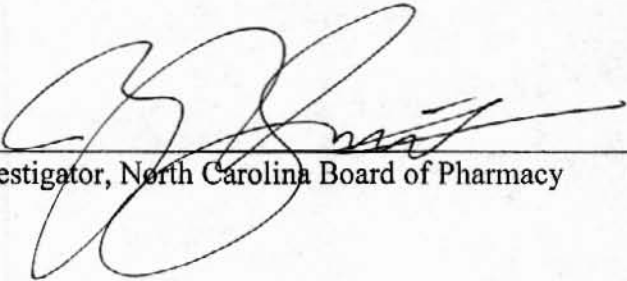
By Order of the Board, this 15th day of January, 2008.



Jack W. Campbell, IV
Executive Director

CERTIFICATE OF SERVICE

I certify that on January 12, 2008, I hand served a copy of the Order Summarily Suspending Registration No. 01358, upon Respondent Airway Medical Supplies, Inc.


Investigator, North Carolina Board of Pharmacy