

NORTH CAROLINA BOARD OF PHARMACY

In Re:)
)
RX CENTER, INC. d/b/a) ORDER SUMMARILY
THE PRESCRIPTION CENTER,) SUSPENDING PERMIT
Permit No. 1702)

Pursuant to G.S. § 150B-3(c) and 21 N.C.A.C. 46 .2006(b), the North Carolina Board of Pharmacy (“Board”), vis Board President Robert McLaughlin, Jr. and Members J. Parker Chesson, Jr., Carol Yates Day and William A. Mixon find that the protection of the public health, safety and welfare requires emergency action. Accordingly, the Board hereby summarily suspends Permit No. 1702 issued to the Rx Center, Inc. d/b/a the Prescription Center (“Respondent”), effective upon service of this Order.

Respondent shall immediately cease any practice of pharmacy in North Carolina pending issuance by the Board of a Final Agency Decision. Respondent’s pharmacy must be closed and may not perform any dispensing of any type, even if the prescriptions were presented before the date of this Order and/or the products were prepared, packaged and/or labeled before the date of this Order.

Furthermore, in order to protect the public health, safety and welfare, the Board orders as follows:

1. During the term of this summary suspension, the only person who may be present in Respondent’s pharmacy is either one pharmacist or one certified technician, who may be present solely to transfer prescriptions to other pharmacies pursuant to 21 N.C.A.C. 46 .1806. Within 48 hours of service of this Order, Respondent shall notify the Executive Director, in writing, of the person designated to be present in the pharmacy for the purposes of the transfers set forth in this paragraph.

2. During the term of this suspension, signs shall be placed at the entrance to the pharmacy, in a format in the discretion of the Board, informing the public that the pharmacy is closed by order of the Board.

3. Although there is no evidence at this time of any contamination in Respondent's products, Respondent shall immediately recall any compounded drugs that were compounded on or after September 24, 2014. Any recalled products shall be retained and secured.

These limitations and conditions shall remain in place 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 order 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 order 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 summary order imposed upon you. However, you retain the right to file a written petition for lifting of the limitations and conditions on your permit. The Board will set a hearing at a time and place within its discretion and will rule on the petition, in its discretion, under its duty to consider the public health, safety and welfare.

By Order of the Board, this 24th day of March, 2015.

NORTH CAROLINA BOARD OF PHARMACY



Jack W. Campbell, IV
Executive Director

CERTIFICATE OF SERVICE

I certify that on the 1st day of ~~March~~^{April}, 2015, I hand served a copy of the Order Summary Order Limiting and Conditioning Permit, upon Respondent Rx Center, Inc. d/b/a the Prescription Center upon its Pharmacist-Manager, John Gary Newton.



Catherine E. Collier, Investigator
North Carolina Board of Pharmacy