STATE OF NORTH CAROLINA
NORTH CAROLINA BOARD OF PHARMACY

IN THE MATTER OF
LEONARDO D. BENNETT
License Number 16104

FINAL ORDER

THIS MATTER came on to be heard before the North Carolina Board of Pharmacy (the
"Board") on April 15, 2008 pursuant to an Amended Notice of Hearing, dated March 12, 2008,
and was heard by Board President Wallace E. Nelson and Board Members Robert
McLaughlin, Jr., Dr. J. Parker Chesson, Jr. and Dr. Betty H. Dennis at the offices of the North
Carolina Board of Pharmacy. Mr. Bennett was present at the hearing. Board staff was
represented by Clinton R. Pinyan. The Board heard testimony of Respondent Bennett and
Executive Director Jack W. Campbell, IV and received exhibits offered without objection by the
parties. Considering the testimony and evidence, the Board hereby makes the following findings
of fact and conclusions of law:

FINDINGS OF FACT

1. At all relevant times, Respondent Bennett was licensed by the Board to practice
   pharmacy, with license number 16104.

2. On February 5, 2007, Respondent Bennett accepted a proposed Consent Order to
   resolve a disciplinary complaint against Respondent Bennett. The Consent Order was accepted
   by the Board on February 20, 2007.

3. The Consent Order provided that Respondent Bennett would attend a live error
   reduction continuing education class within one year from the date that Respondent Bennett
   executed the Consent Order.
4. The completion of the live error reduction course within one year was a material term of the Consent Order.

5. It is undisputed that Respondent Bennett did not attend the live error reduction continuing education class within the time required by the Consent Order and, as of the date of the hearing, had still not attended the live error reduction continuing education class.

CONCLUSIONS OF LAW

1. Respondent Bennett has violated the terms of his Consent Order with the Board.

2. The Consent Order explicitly provides that the violation of the Consent Order may subject Respondent Bennett to additional discipline by the Board. In addition, separate and apart from the terms of the Consent Order, the Board has the statutory authority to discipline pharmacists who violate the terms of the Board’s Consent Orders.

3. The evidence demonstrates that Respondent violated one or more of the following statutes, rules and decisional authority:

   a. North Carolina General Statutes § 90-85.38(a)(6);

   b. North Carolina General Statutes § 90-85.38(a)(7); and

   c. The Board’s Order of February 20, 2007.

4. Considering all of the facts and circumstances of this matter, the Board finds and concludes that the additional discipline set forth in this Final Order is appropriate.

   WHEREFORE, it is hereby ORDERED, ADJUDGED and DECREED that the request for discipline is hereby GRANTED, and Respondent Bennett’s license to practice pharmacy is hereby disciplined as follows:
1. Respondent Bennett’s license to practice pharmacy is suspended for a period of three days, for the period of April 16, 2008 through and including April 18, 2008.

2. Respondent Bennett shall attend a “live” error reduction continuing education class no later than one year from the date of this Order. Respondent Bennett is advised that such courses are offered by the Campbell University School of Pharmacy and other institutions.

3. Within thirty (30) days from the date of completion of the above-referenced course, Respondent Bennett shall provide written documentation to the Board’s Executive Director regarding his completion of the course.

4. Respondent Bennett shall cooperate with the Board, its attorneys, investigators, and other representatives in any investigation of his practice and compliance with the provisions of this Final Order.

5. Respondent Bennett shall violate no laws governing the practice of pharmacy or the distribution of drugs.

6. Respondent Bennett shall violate no rules and regulations of the Board.

7. If Respondent Bennett fails to comply with the terms or conditions of this Final Order, he may be subject to additional disciplinary action by the Board.

This, the 15th day of April, 2008.

NORTH CAROLINA BOARD OF PHARMACY

By: Jack W. Campbell, IV
Executive Director