

**STATE OF NORTH CAROLINA  
NORTH CAROLINA BOARD OF PHARMACY**

<b>IN THE MATTER OF</b>	)	
	)	<b>CONSENT ORDER OF</b>
<b>Richard C. Harris</b>	)	<b>DISCIPLINE</b>
<b>(License No. 09579)</b>	)	
	)	
_____	)	

THIS MATTER came to be considered at a prehearing conference (hereinafter, "Conference") before a member of the North Carolina Board of Pharmacy (hereinafter, the "Board") pursuant to 21 N.C.A.C. 46.2008. The Conference was scheduled for March 20, 2017 and, after appropriate notice, was heard on that day by Board member Robert Graves at the offices of the Board. Respondent Richard Harris (License No. 09579) (hereinafter, "Petitioner") was present at the Conference. The Board's Executive Director, Jay Campbell, represented the Board.

Petitioner has agreed to waive a formal hearing in the above-referenced matter. Both parties stipulate and agree to the findings of fact and conclusions of law recited herein and to the order of discipline imposed. By his consent, Petitioner also stipulates that he waives his right to appeal this Consent Order or challenge in any way the sufficiency of the findings of this Order as a basis for the conclusions reached. Based upon the consent of the parties, the Board hereby enters the following:

**FINDINGS OF FACT**

1. The North Carolina Board of Pharmacy is a body duly organized under the laws of North Carolina and is the proper body for this proceeding under the authority granted it in Chapter 90 of the General Statutes of North Carolina, and the rules and regulations promulgated thereunder.

2. Petitioner is, and was at all relevant times referred to herein, a pharmacist licensed to practice pharmacy in the State of North Carolina with License No. 23705. Petitioner is and was, at all relevant times referenced 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. On September 18, 2014, the Board issued a Consent Order of Discipline (hereinafter, "2014 Order") to Petitioner reinstating his license to practice pharmacy with certain conditions.

4. On October 20, 2015, the Board issues a second Consent Order of Discipline (hereinafter, "2015 Order") to Petitioner suspending Petitioner's license to practice pharmacy, with the suspension stayed indefinitely on certain conditions. The 2015 Order left all conditions imposed on Petitioner's license by the 2014 Order intact.

5. The 2014 and 2015 Orders contain findings of fact and conclusions of law, and these are incorporated into this Order by reference.

6. Among the conditions imposed on Petitioner's license by the 2014 Order are that he: (a) not serve as a preceptor of pharmacy students; and (b) not serve as a pharmacist-manager.

7. Since the Board's 2015 Order, Petitioner has remained under the care and monitoring of North Carolina Pharmacist Network (until January 2016) and the North Carolina Physicians Health Program ("NCPHP") (since January 2016).

8. NCPHP reports that Petitioner has been fully compliant with his treatment and monitoring obligations since the 2015 Order and that he remains in good recovery.

9. Petitioner asks the Board modify the terms of the 2014 Order to lift the prohibition on his serving as a preceptor of pharmacy students and to modify the 2014 Order so that, under certain conditions, he may serve as a pharmacist-manager.

**CONCLUSIONS OF LAW**

Petitioner has demonstrated that, with modifications to the 2014 Order, he will continue to practice pharmacy with reasonable care, safety and competence

In the Board's discretion, **IT IS THEREFORE ORDERED** that the conditions of Petitioner's 2014 Order are modified as follows:

1. The condition prohibiting Petitioner from serving as a preceptor of pharmacy students is lifted.
2. The condition prohibiting Petitioner from serving as a pharmacist manager is modified. Petitioner may serve as a pharmacist-manager only upon receiving advance approval to do so from the Board's Executive Director, in the Executive Director's discretion. During the period of Petitioner's treatment and monitoring agreement with NCPHP, the Board's Executive Director shall consult with NCPHP concerning any request Petitioner may make to serve as a pharmacist-manager to ascertain NCPHP's views on whether such service is consistent with, and will not impair, Petitioner's recovery.

Other conditions of the 2014 and 2015 Orders not modified by this Order remain in effect.

This is the 21<sup>st</sup> day of March, 2017

NORTH CAROLINA BOARD OF PHARMACY

By: \_\_\_\_\_

  
Jack W. Campbell IV  
Executive Director

Richard C. Harris, the holder of license number 09579, has full knowledge that he has the right to a formal hearing, at which he would have the right to be represented at his expense by counsel, in this matter. The undersigned freely, knowingly and voluntarily waives such right by entering into this Consent Order.

The undersigned understands and agrees that by entering into this Consent Order, he certifies that he has read the foregoing Consent Order and that he voluntarily consents to the terms and conditions set forth therein and relinquishes any right to judicial review of Board actions which may be taken concerning this matter.

The undersigned further understands that should he violate the terms and conditions of this Consent Order, the Board may take additional action.

The undersigned understands and agrees that this Consent Order will not become effective unless and until approved by the Board.

The undersigned understands that he has the right to have counsel of his choice review and advise him with respect to her rights and this Consent Order, and represents that he enters this Consent Order after consultation with his counsel or after knowingly and voluntarily choosing not to consult with counsel.

CONSENTED TO BY:

Richard C. Harris Date 3/20/17  
Richard C. Harris  
(License No. 09579)

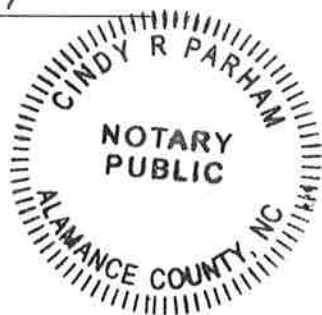
STATE OF North Carolina  
Durham COUNTY

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that the following person(s) personally appeared before me this day, and each acknowledged the due execution of the foregoing document: Richard C. Harris

Date: 3/20/17

Cindy R. Parham  
Notary Public  
Cindy R. Parham

My commission expires: 10/14/17



I DO NOT CONSENT:

\_\_\_\_\_ Date \_\_\_\_\_

Richard C. Harris  
(License No. 09579)