

STATE OF NORTH CAROLINA  
NORTH CAROLINA BOARD OF PHARMACY

IN THE MATTER OF )  
 )  
WILLIAM T. WALKER ) **FINAL ORDER**  
(License Number 5445) )

THIS MATTER came on to be heard before the North Carolina Board of Pharmacy (the "Board") on June 17, 2008 pursuant to an Amended Notice of Hearing, dated June 2, 2008, and was heard by Board President Wallace E. Nelson and Board Members Robert McLaughlin, Jr., Dr. J. Parker Chesson, Jr., Dr. Betty H. Dennis, Rebecca W. Chater, and L. Stan Haywood at the offices of the North Carolina Board of Pharmacy. Mr. Walker was present at the hearing and was represented by counsel Seth R. Cohen. Board staff was represented by Alexander Elkan. The Board heard testimony of Respondent Walker and Executive Director Jack W. Campbell, IV and received stipulations and exhibits offered 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. From April 1970 through the present, Respondent William T. Walker ("Walker") has been the holder of North Carolina Board of Pharmacy License Number 5445.
2. Respondents Walker 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.
4. On April 2, 2008, Respondent Walker signed and accepted a Consent Order to resolve disciplinary complaints against him (the "Consent Order").
5. The Consent Order was accepted by the Board on April 15, 2008.

6. The Consent Order provided, among other things, that Respondent Walker shall not serve as pharmacist manager of any pharmacy.

7. The prohibition on serving as pharmacist manager of any pharmacy was a material term of the Consent Order.

8. The Consent Order was effective on the date it was accepted by the Board, April 15, 2008.

9. Evidence demonstrated, and Respondent Walker admitted and stipulated that Respondent Walker acted and served as the pharmacist manager of Pharmacy Land, formerly Permit Number 5651, from April 15, 2008 through and including May 29, 2008.

10. Respondent Walker's service as pharmacist manager of Pharmacy Land from April 15, 2008 through and including May 29, 2008 was a violation of the term of the Consent Order that prohibited Respondent Walker from serving as pharmacist manager of any pharmacy. Respondent admitted that he violated the terms of the Consent Order.

11. Respondent Walker testified that he did not understand the terms of the Consent Order when he signed it on April 2, 2008. The Board finds, however, that this testimony lacked credibility. The greater weight of the evidence indicated that Respondent Walker signed and entered into the Consent Order voluntarily, willingly and with the advice of his own counsel. Based on the plain language of the Consent Order, Respondent Walker knew or should have known that he was violating the terms of the Consent Order. Furthermore, after being alerted in late April to the Board staff's position that he was violating the terms of the Consent Order by serving and acting as the pharmacist manager of Pharmacy Land after April 15, 2008, Respondent Walker knowingly and intentionally continued to serve as pharmacist manager, in violation of the Consent Order.

## CONCLUSIONS OF LAW

1. Respondent Walker 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 Walker 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 Walker 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 Consent Order of April 15, 2008.
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 Walker is hereby disciplined as follows:

1. Respondent Walker's license to practice pharmacy is hereby actively suspended for a period of one year. During this time, Respondent Walker shall not engage in the practice of pharmacy.
2. Respondent Walker shall advise the Board promptly in writing of any change of address or change in practice status.
3. Respondent Walker shall obtain prior written approval of all employment as a pharmacist from the Board's Executive Director.

4. Respondent Walker shall not serve as pharmacist manager of any pharmacy at any time without prior written approval of the Board.

5. Respondent Walker shall not serve as a preceptor of pharmacy students.

6. Respondent Walker may not be employed as a pharmacist more than 40 hours per week, on average over any two-week period of time.

7. Prior to the end of the suspension of Respondent Walker's pharmacist license, Respondent Walker shall submit to the Board documentation of his current continuing education hours to the Board's Executive Director.

8. Respondent Walker shall complete an error reductions course providing a minimum of 5 hours of CE. These CE requirements shall be in addition to the annual CE requirement of 10 hours, shall be approved by the Executive Director, and shall be completed within six (6) months of the date of this Final Order. Respondent Walker shall submit documentation to the Executive Director of the Board establishing that the required CE has been completed within the time period set forth.

9. Respondent shall take and pass the MPJE Examination administered by the NABP within twelve (12) months of the date this Final Order. Respondent shall submit documentation to the Executive Director of the Board establishing that this requirement has been met within the time period set forth. In the event that Respondent Walker requires additional time to comply with the provisions of this paragraph 9, he may submit an appropriate written request or petition to the Board, and such request or petition may be considered by the Board;

10. Respondent Walker 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.

11. Respondent Walker shall violate no laws governing the practice of pharmacy or the distribution of drugs at any time.

12. Respondent Walker shall violate no rules and regulations of the Board.

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

This, the 12<sup>th</sup> day of June, 2008.


NORTH CAROLINA BOARD OF PHARMACY

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

Jack W. Campbell, IV  
Executive Director

**CERTIFICATE OF SERVICE**

I certify that on July 1, 2008, I caused a copy of this Final Order to be served on  
Petitioner by registered mail, return-receipt requested



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Jay Campbell  
Executive Director