

STATE OF NORTH CAROLINA
NORTH CAROLINA BOARD OF PHARMACY

IN THE MATTER OF)
) **ORDER REVOKING REGISTRATION**
CLEVELAND KIMBROUGH)
Registration No. 46678)

THIS MATTER was heard on June 20, 2017, by the North Carolina Board of Pharmacy (“Board”) located at 6015 Farrington Road, Suite 201, Chapel Hill, North Carolina, pursuant to a Notice of Hearing, dated April 11, 2017, issued to Cleveland Kimbrough (“Respondent”). Board members Minton, Haywood, Mixon, Graves, Bowman, and Vance conducted this hearing. After hearing the testimony of witnesses, adjudging the credibility of the witnesses, and receiving evidence, the Board makes the following:

FINDINGS OF FACT

1. Respondent holds pharmacy technician registration number 46678 from the North Carolina Board of Pharmacy.
2. In April 2017 Board of Pharmacy staff received a letter from Stephanie Cortes, North Carolina Child Support Enforcement, Division of Social Services, Department of Health and Human Services. Ms. Cortes’ letter informed Board staff that Respondent was “delinquent in court-ordered child support or [was] subject to outstanding warrants for failure to comply with the terms of a court order for child support.”
3. Ms. Cortes’ letter further stated that, in accordance with G.S. § 110-142.1, the Board must notify Respondent of its “intent to suspend or revoke occupational, professional, or business licenses immediately.”
4. On April 11, 2017, Board staff sent notice, as required by G.S. § 110-142.1, that Respondent’s pharmacy technician registration would be revoked absent the Board’s receipt of

proof from DHHS that Respondent was in compliance with his child support orders. The notice set an initial date of May 16, 2017 for the Board's action.

5. The Board's Executive Director subsequently spoke with Respondent, who stated that he was aware of the issue and was working to resolve it. In reliance on that representation, the Board's Executive Director did not go forward with a revocation action on May 16, 2017.

6. On June 5, 2017, having received no information from Respondent or DHHS concerning the Respondent's compliance status, the Board's Executive Director contacted Respondent. Respondent stated that he had resolved the matter and that he would fax confirming documentation that day. Respondent did not fax – or otherwise transmit – that documentation.

7. On June 6, 2017, the Board's Executive Director spoke with Ms. Cortes, who advised that Respondent was subject to two child support orders and remained non-compliant with one.

8. On June 7, 2017, the Board's Executive Director contacted Respondent by telephone and left a message relaying Ms. Cortes' information and explaining that, absent documentation from DHHS that Respondent was compliant with his child support order, the Board would have to revoke Respondent's technician registration at its June 20, 2017 meeting. The Board's Executive Director asked that Respondent call back to discuss any questions. Respondent never returned the message.

9. Respondent did not appear for the Board's hearing.

10. The Board received no communication from DHHS that Respondent had come into compliance with a child support order.

CONCLUSIONS OF LAW


Under the undisputed facts as found, G.S. § 110-142.1(e) requires that the Board revoke Respondent's pharmacy technician registration.

WHEREFORE, it is hereby **ORDERED** that the pharmacy technician registration of Cleveland Kimbrough, Number 46678, is hereby **REVOKED**.

This the 20th day of June, 2017.

NORTH CAROLINA BOARD OF PHARMACY

By:



Jack W. Campbell, IV
Executive Director

CERTIFICATE OF SERVICE

I certify that on June 21, 2017, I caused a copy of this Order Revoking
Registration to be served on Respondent by certified U.S. mail, return receipt requested at:

[REDACTED]



Jack William Campbell IV
Executive Director

cc: Stephanie Cortes
Child Support Enforcement
Division of Social Services
North Carolina Department of Health and Human Services
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