

TEMPORARY SUSPENSION ORDER #A-11-032

RE: IN THE MATTER OF
BRIGHT OMEMGBOJI WOKOCHA
(PHARMACIST LICENSE #31516)

BEFORE THE TEXAS STATE
BOARD OF PHARMACY

On this day came on to be considered by the Texas State Board of Pharmacy (hereinafter referred to as "BOARD") Disciplinary Panel the matter of the Petition for Temporary Suspension of pharmacist license number 31516, issued to Bright Omemgboji Wokocha, pursuant to § 565.059 of the Texas Pharmacy Act (hereinafter referred to as "Pharmacy Act"), TEX. OCC. CODE ANN. Subtitle J.

Bright Omemgboji Wokocha, R.Ph.; and Tanika J. Solomon, Legal Counsel for Bright Omemgboji Wokocha, were not in attendance but provided written submissions. Julie Hildebrand represented BOARD staff. Kerstin E. Arnold served as General Counsel to the BOARD. The following BOARD members served as the Disciplinary Panel: Jeanne D. Waggener, R.Ph.; Dennis F. Wiesner, R.Ph.; and Charles F. Wetherbee.

The BOARD Disciplinary Panel determines that Bright Omemgboji Wokocha, by continuation in practice, would constitute a continuing threat to the public welfare, and that pharmacist license number 31516 issued to Bright Omemgboji Wokocha shall be temporarily suspended in accordance with § 565.059 of the Pharmacy Act. The BOARD Disciplinary Panel makes this finding based on the following evidence and/or information presented at the Hearing on Temporary Suspension of License of Bright Omemgboji Wokocha:

1. On or about December 12, 1989, Bright Omemgboji Wokocha was issued Texas pharmacist license number 31516.
2. Bright Omemgboji Wokocha's license is current until July 31, 2012.

3. Bright Omemgboji Wokocha's license was in full force and effect at all times and dates material and relevant to this matter.
4. On July 22, 2011, the BOARD, by U.S. First Class and certified mail, return receipt requested, served Bright Omemgboji Wokocha Notice and Petition for Temporary Suspension of pharmacist license at Mr. Wokocha's address of record, proper and timely notice of all matters asserted.
5. On or about April 18, 2011, Bright Omemgboji Wokocha, director and pharmacist-in-charge of Richmond Professional Pharmacy, 1601 Main Street, Suite 105, Richmond, Texas 77469, delivered 840 Hydrocodone/APAP 10/650 tablets, 360 Hydrocodone/APAP 10/500 tablets, and 600 Alprazolam 2 mg tablets to an under cover police officer in unlabeled prescription containers in exchange for two thousand one hundred dollars (\$2,100). The officer did not have a prescription for the controlled substances.
6. On or about April 20, 2011, Bright Omemgboji Wokocha, director and pharmacist-in-charge of Richmond Professional Pharmacy, 1601 Main Street, Suite 105, Richmond, Texas 77469, delivered 480 Hydrocodone/APAP 10/650 tablets, 720 Hydrocodone/APAP 10/500 tablets, and 600 Alprazolam 2 mg tablets to an under cover police officer in unlabeled prescription containers in exchange for two thousand one hundred dollars (\$2,100). The officer did not have a prescription for the controlled substances.
7. A controlled substance audit indicated that Richmond Professional Pharmacy, 1601 Main Street, Suite 105, Richmond, Texas 77469, was unable to account for the loss of 5,023 Hydrocodone/APAP 10/650 tablets, 2,150 Hydrocodone/APAP 10/500 tablets, and 1,145 Alprazolam 2 mg tablets. A controlled substance audit indicated that Adbright Pharmacy, Incorporated, 4601 Avenue H, Suite 1, Rosenberg, Texas 77471, was unable to account for the loss of 5,779 Hydrocodone/APAP 10/650 tablets, 254 Hydrocodone/APAP 10/500 tablets, and 8,719 Alprazolam 2 mg tablets.
8. Between January 2, 2010, and April 20, 2011, Bright Omemgboji Wokocha, director and pharmacist-in-charge of Adbright Pharmacy, Incorporated, 4601 Avenue H, Suite 1, Rosenberg, Texas 77471, dispensed controlled substances pursuant to approximately 7,644 prescriptions he knew or should have known were invalid. The prescriptions were issued from various pain management clinics by various physicians, or mid-level practitioners acting under a physician's supervision. The prescriptions were written for hydrocodone, carisoprodol, and/or alprazolam for the purported treatment of pain and/or anxiety. Mr. Wokocha dispensed the controlled substances pursuant to prescriptions that were invalid because (a) the prescribers issued prescriptions for controlled substances that were not necessary or required for the patients' valid medical need or for a therapeutic purpose; or (b) the prescribers issued the prescriptions outside the

usual course of medical practice, in that the prescriber failed to use medical reasoning in issuing the prescriptions.

9. Between December 28, 2010, and April 20, 2011, Bright Omemgboji Wokocha, director and pharmacist-in-charge of Richmond Professional Pharmacy, 1601 Main Street, Suite 105, Richmond, Texas 77469, dispensed controlled substances pursuant to approximately 181 prescriptions he knew or should have known were invalid. The prescriptions were issued from various pain management clinics by various physicians, or mid-level practitioners acting under a physician's supervision. The prescriptions were written for hydrocodone, carisoprodol, and/or alprazolam for the purported treatment of pain and/or anxiety. Mr. Wokocha dispensed the controlled substances pursuant to prescriptions that were invalid because (a) the prescribers issued prescriptions for controlled substances that were not necessary or required for the patients' valid medical need or for a therapeutic purpose; or (b) the prescribers issued the prescriptions outside the usual course of medical practice, in that the prescriber failed to use medical reasoning in issuing the prescriptions.

Subsequent to any proceedings involving the conduct described above, the BOARD may take additional disciplinary action on any criminal action taken by the criminal justice system based on the same conduct described in the allegations above. However, Bright Omemgboji Wokocha shall be provided all rights of due process should the BOARD initiate such disciplinary action subsequent to the conclusion of the criminal proceedings.

ORDER OF THE BOARD

THEREFORE, PREMISES CONSIDERED, the BOARD does hereby ORDER that pharmacist license number 31516 held by Bright Omemgboji Wokocha (hereinafter referred to as "Respondent") shall be, and such license is hereby temporarily suspended. Said suspension shall be effective immediately and shall continue in effect, pending a hearing on the suspended license, until further Order of the BOARD. During the period of suspension, Respondent shall:

- (1) not practice pharmacy in this state or have access to prescription drugs during the period pharmacist license number 31516 is suspended; and
- (2) surrender to the BOARD, pharmacist license number 31516 and any renewal certificate and personal identification card pertaining to pharmacist license number 31516 within thirty (30) days after the effective date of the suspension.

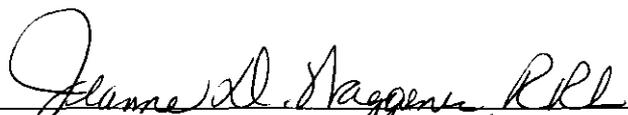
It is finally ORDERED that failure to comply with any of the terms and conditions in this Temporary Suspension Order constitutes a violation and shall be grounds for further disciplinary action against the Texas pharmacist license held by Respondent.

Passed and approved at the Temporary Suspension Hearing of the Texas State Board of
Pharmacy on the 3rd day of August 2011.

And it is so ORDERED.

THIS ORDER IS A PUBLIC RECORD.

SIGNED AND ENTERED ON THIS 3rd day of August 2011.


MEMBER, DISCIPLINARY PANEL OF THE TEXAS
STATE BOARD OF PHARMACY


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