

GEORGIA STATE BOARD OF PHARMACY
Board Meeting Minutes
September 19, 2012
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
9:30 a.m.

The Georgia State Board of Pharmacy met on **September 19, 2012** for the purpose of conducting business.

Board Members Present:

Bill Prather, Chairperson
Al McConnell
Fred Barber
Mike Faulk
Ronnie Wallace
Laird Miller
Tony Moye

Staff Present:

Rick Allen, GDNA
Janet Wray, Board Attorney
Lisa Durden, Division Director
Tanja D. Battle, Executive Director
Tamara Elliott, Board Support Specialist

Visitors Present:

Tracie D. Lude, Walgreens
Scott Biddulph, Target

Open Session

Bill Prather established that a quorum was present and called the meeting to order at 9:32a.m.

Deputy Secretary of State Kelly Farr-Budget Presentation

Deputy Farr shared budget information with the Board. This information included an overview of productivity for the entire Professional Licensing Boards Division as well as a breakdown of work specific to the Georgia Board of Pharmacy. Mr. Wallace inquired about call center staff which Mr. Farr addressed. Deputy Farr also discussed the requirement of the Secure and Verifiable Document now mandated for initial licensure as well as all renewals. This requirement has resulted in each renewal needing manual processing thus utilizing resources that were not previously required. Deputy Farr called for additional questions of which there were none and thanked the Board for its time.

Consideration of minutes from the August 17, 2012 Board Meeting

Tony Moye made a motion to approve the minutes as amended, Ronnie Wallace seconded and the Board voted unanimously in favor of the motion.

Consideration of minutes from the August 27, 2012 Teleconference

Tony Moye made a motion to approve the minutes, Ronnie Wallace seconded and the Board voted unanimously in favor of the motion.

Consideration of minutes from the September 7, 2012 Teleconference

Tony Moye made a motion to approve the minutes, Ronnie Wallace seconded and the Board voted unanimously in favor of the motion.

Consider for ratification licenses that have been administratively issued

Tony Moye made a motion to approve the report of licenses (806) issued August 1, 2012- August 31, 2012. Laird Miller seconded and the Board voted unanimously in favor of the motion.

Review of Rule Rule 480-2-.04

Chairman Prather asked Tony Moye and Mike Faulk to research this rule and make a recommendation at the November meeting regarding any need changes.

Rebecca Pivouz Rule Waiver Request 480-12-.05

This was deemed to not be an actual rule waiver request given the way the rule reads. As such there was no vote. The Board directed staff to send a letter indicating a “conditional waiver.” The correspondence should state that, at such time that they would like to start doing IV therapy, they would need to ensure that the proper equipment is obtained and utilized prior to providing such.

Correspondence from Robert P. Esgro

The Board considered Mr. Esgro’s correspondence and determined that it had no jurisdiction regarding his inquiry.

Correspondence from Stacey A. Hester

The Board considered Ms. Hester’s correspondence. Discussion ensued about responding and the Board opted to not provide Ms. Hester with any legal interpretation.

Correspondence from Karen Guerreso

The Board directed staff to point Ms. Guerreso to O.C.G.A. § 26-4-28 Powers, Duties, and Authority and also Rule 480-15 Pharmacy Technicians and Other Pharmacy Personnel.

Correspondence from Bill Brannen

The Board directed staff to point Mr. Brannen to Rule 480-37 Remote Automated Medication Systems and notify him that the application process for such is pending.

Discussion on Rule concerning “Robots”

Bill Prather asked that Janet Wray and staff have rule ready at next board meeting.

Discussion on Technicians providing proof of HS Diploma

Tony Moye asked if GDNA Agents could ask technicians to provide proof of High School diploma. Mr. Moye indicated that he often hears about technicians not having completed this requirement. It was discussed that perhaps a rule amendment could be proposed regarding the requirement of maintaining proof of such in the pharmacy.

Memo Discussion

Visitor Scott Biddulph of Target questioned why it is necessary to extend the memo every 90 days. Chairman Prather explained that, until the General Assembly changes the law regarding security paper, it would be necessary to extend the memo. Tony Moye made a motion to extend the memo regarding security paper to December 31, 2012. Laird Miller seconded and the Board voted in favor of the motion.

Georgia Drugs and Narcotics Agency - Rick Allen

Mr. Allen indicated that there were a number of rules that he wanted the Board to consider for posting. Because the rules were not in final draft formatting, they were tabled until the next meeting.

Attorney General's Open Session - Janet Wray

Executive Director's Open Session - Ms. Tanja D. Battle

Ms. Battle inquired about requirements for reciprocity. She asked if there was requirement regarding the amount of time someone held a license in another state. The Board responded that there was no such requirement. Additionally, she inquired about whether or not someone could come in via reciprocity if he or she failed the exam three times in Georgia. There was discussion about possibly clarifying the rule so that it is clear. It is the Board's interpretation that if someone fails three times in Georgia, he or she may not go to another state and opt to apply by reciprocity.

The Board considered the updated FDA Statement and received it as information only.

The Board considered correspondence from Dorene Miles and responded that no license was required for the use of a flash drive as a medical device.

The Board considered correspondence from Everett B. McAllister and received it as information only.

The Board considered correspondence from Lucinda J. Van Anglen and directed staff to send a letter stating that providing non-patient specific compounded sterile preparations to hospitals is not legally permissible in Georgia.

The Board received correspondence from Roger Morris and advised staff to make it part of the record for LLC Wholesale Supply, LLC.

Tony Moye made the motion, Fred Barber seconded, and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §43-1-19(h)(2), 43-11-47(h) and §43-1-2(k) to deliberate and to receive information on applications, investigative reports and the Assistant Attorney General's report. Voting in favor of the motion were Bill Prather, Al McConnell, Mike Faulk, Ronnie Wallace, and Laird Miller. The Board entered into Executive Session.

Executive Session

Appointments

The Board held the following appointments:

- 9:30 a.m.** J. V. J. -Pharmacist
- 9:45 a.m.** R. F. G. -Pharmacist
- 10:00 a.m.** J. M. J. -Pharmacist
- 10:15 a.m.** M. E. -Pharmacist
- 10:30 a.m.** D. B. C. -Pharmacist Intern

10:45 a.m. N. I. B. Representative

11:00 a.m. D. M.T. -Pharmacist

Applications/Licensures:

The Following applications were discussed:

01. A.E.B.-Pharmacist Intern
02. A.P.M.-Pharmacist Intern
03. A.R.R. -Pharmacist Technician
04. A.R.T- Pharmacist Intern
05. B.J.F. -Pharmacist
06. B.K.K.-Pharmacist
07. B.M.T.-Pharmacy Intern
08. C.A.N.-Pharmacist Intern
09. C.A.W. -Pharmacist Reciprocity
10. C.C.L. -Pharmacist Intern
11. C.E.D.-Pharmacist Intern
12. C.J.M. - Pharmacy Technician
13. C.R.H. -Pharmacy Technician
14. C.W.D. –Pharmacist Intern
15. D.B.C- Pharmacist
16. D.H.S. -Pharmacist Intern
17. E.A.K. -Pharmacy Technician
18. G.N.A. –Pharmacist Intern
19. H.K.T. -Pharmacist Intern
20. H.S. -Pharmacy Technician
21. J.C.M. Jr. –Pharmacy
22. J.I.J. - Pharmacist Intern
23. J.J.P. - Pharmacist Intern
24. J.L.C. –Pharmacist
25. J.L.M.- Pharmacist
26. J.L.R. –Pharmacist Intern
27. J.R.H. –Pharmacist and Nuclear Pharmacist
28. K.A.W.-Pharmacist
29. K.P.Q. –Pharmacist
30. K.Q.P. –Pharmacy Technician
31. L.B.C. –Pharmacist Intern
32. L.K.D. -Pharmacy Technician
33. M.A.-Pharmacist
34. M.E.D. –Pharmacy Technician
35. M.M.W.-Pharmacist
36. N.E.-Pharmacist
37. N.O.W.-Pharmacist
38. N.T.E.-Pharmacist
39. P.L.P.-Pharmacist Intern
40. R.A.B - Pharmacist Intern
41. R.E.B. -Pharmacist Intern
42. R.I. –Pharmacist
43. R.W.C. -Pharmacist Intern

44. S.K.A. –Pharmacist
45. S.M.R. Nuclear Pharmacist
46. S.S.A. – Pharmacist Intern
47. T.T.B. –Pharmacist
48. V.O.O. – Pharmacy Technician
49. W.J.L.-Pharmacist Intern
51. A. D. M. - Pharmacist Intern
52. J.N.Z. - Pharmacist Intern
53. P.J.M. –Pharmacist
54. T.A.S. Jr. - Pharmacist Intern

Georgia Drugs and Narcotics Agency - Rick Allen

No report

Attorney General’s Report - Janet Wray

The following consent orders were presented for acceptance:

J.M.C.
J.D.-
M.A.M
J.J.P
M.D.C.
P.S. -
S.M.S.
WG
WM
P.W.Z.
CVS

Cases to discuss

The Board discussed the following cases:

J.R.H.
Case #T-1172

Cognizant Report- Al McConnell

The Cognizant presented the following cases for discussion:

GDNA Case #A12-29
GDNA Case #T12-44
GDNA Case #T12-48
GDNA Case #T-30455
GDNA Case #A12-43
GDNA Case #B-30318
GDNA Case #B-30282
GDNA Case #A12-49
GDAN Case #A-30252
GDNA Case #A-30342

Bill Prather concluded Executive Session, in which no votes were taken, and declared the meeting back in Open Session.

OPEN SESSION

VOTE:

Appointments

Ronnie Wallace made a motion to approve the recommendations based on deliberations in Executive Session as follows:

J. V. J. Reinstatement of Pharmacist License. -Approve with Private Consent Order

R. F. G. –Reinstatement of Pharmacist License.- Approve with Private Consent Order

J. M. J. - Reinstatement of his Pharmacist License. -Deny

M. E.-Pharmacist- Deny

D. B. C. –Pharmacist Intern-Approve

N. I. B. –Approve

D.M.T. -Reinstatement of Pharmacist License- Approve with Private Consent Order

Tony Moye seconded the motion and the Board voted in favor of the motion.

Applications/Licensures:

Mike Faulk made a motion to approve the recommendations based on deliberations in Executive Session as follows:

01. A.E.B.-Pharmacist Intern- Approve
02. A.P.M.-Pharmacist Intern-Approve
03. A.R.R. -Pharmacist Technician- Deny
04. A.R.T- Pharmacist Intern-Approve
05. B.J.F. –Pharmacist-Approve
06. B.K.K.-Pharmacist-Request additional information
07. B.M.T.- Pharmacy Intern-Schedule for Appearance
08. C.A.N.-Pharmacist Intern-Send LOC for outcome of case
09. C.A.W. -Pharmacist Reciprocity-Approve
10. C.C.L. -Pharmacist Intern- Approve
11. C.E.D.-Pharmacist Intern-Approve
12. C.J.M. -Pharmacy Technician-Approve
13. C.R.H. -Pharmacy Technician-Approve
14. C.W.D. -Pharmacist Intern-Approve
15. D.B.C- Pharmacist-Approve
16. D.H.S. -Pharmacist Intern-Approve with LOC
17. E.A.K. -Pharmacy Technician-Deny
18. G.N.A. –Pharmacist Intern- Request additional information
19. H.K.T. -Pharmacist Intern- Approve
20. H.S. -Pharmacy Technician- Approve

21. J.C.M. Jr. –Pharmacy Reinstatement- Schedule for Cognizant
22. J.I.J. - Pharmacist Intern- Approve
23. J.J.P. - Pharmacist Intern- Approve
24. J.L.C. –Pharmacist Reciprocity- Approve
25. J.L.M.- Pharmacist-Approve pending staff verification of compliance
26. J.L.R. – Pharmacist Intern-Approve
27. J.R.H. –Pharmacist and Nuclear Pharmacist- Deny appointment; precede with hearing
28. K.A.W.-Pharmacist- Schedule for Appearance
29. K.P.Q. –Pharmacist- Request additional information
30. K.Q.P. –Pharmacy Technician-Deny
31. L.B.C. –Pharmacist Intern- Approve
32. L.K.D. -Pharmacy Technician- Approve
33. M.A.-Pharmacist-Deny
34. M.E.D. –Pharmacy Technician-Deny
35. M.M.W-Pharmacist-Deny
36. N.E.-Pharmacist- Board recommends correcting original consent order, initial, and repost on the website.
37. N.O.W.-Pharmacist- Request additional information
38. N.T.E.-Pharmacist-Deny
39. P.L.P.-Pharmacist Intern-Approve with LOC
40. R.A.B - Pharmacist Intern- Approve
41. R.E.B. -Pharmacist Intern-Approve
42. R.I. –Pharmacist-Schedule for an Appearance
43. R.W.C. -Pharmacist Intern-Approve
44. S.K.A. –Pharmacist-Approve
45. S.M.R. Nuclear Pharmacist-Approve
46. S.S.A. – Pharmacist Intern- Approve
47. T.T.B. –Pharmacist-Approve
48. V.O.O. – Pharmacy Technician-Approve
49. W.J.L.- Pharmacy Intern-Approve
51. A. D. M. - Pharmacist Intern-Schedule for Cognizant Interview
52. J.N.Z. - Pharmacist Intern - Approve with LOC
53. P.J.M. –Pharmacist- Request additional information
54. T.A.S. Jr. - Pharmacist Intern- Approve

Ronnie Wallace seconded and the Board voted in favor of the motion.

Georgia Drugs and Narcotics Agency - Rick Allen

No report

Attorney General’s Report - Janet Wray

Ronnie Wallace made a motion to accept the recommendations based on deliberations regarding the AG’s report in Executive sessions as follows:

- J.M.C. - Accept Public CO
- J.D.-Accept Private CO
- M.A.M- Accept Private CO
- J.J.P-Accept Private CO
- M.D.C.-Accept Private CO
- P.S. - Accept Private CO
- S.M.S.-Accept Private CO
- Walgreens-Accept Public CO

Wal-Mart-Accept Public CO
P.W.Z.-Accept Private CO
CVS-Accept Private
J.R.H. Proceed with hearing
T. #T-1172-Close with of LOC

Ronnie Wallace seconded and the Board voted in favor of the motion.

Cognizant Report

Laird Miller made a motion to accept the recommendations based on deliberations in Executive Session as follows:

GDNA Case #A12-29 Accept signed Private CO
GDNA Case #T12-44 Accept signed surrender of Pharmacy Technician Registration
GDNA Case #T12-48 Accept signed surrender of Pharmacy Technician Registration
GDNA Case #T-30455 Accept signed surrender of Pharmacy Technician Registration
GDNA Case #A12-43 Refer to AG for a consent order for fine and probation
GDNA Case #B-30318 Close with no action
GDNA Case #B-30282 Close; case has been referred to RN and Medical Board
GDNA Case #A12-49 Refer to AG for Summary Suspension
GDAN Case #A-30252 Close with no action
GDNA Case #A-30342 Close with LOC

Executive Director's Report - Ms. Tanja D. Battle

No Report

Miscellaneous

Board states a maximum of 4 appointments scheduled and make sure language states that appointments must wait 90 days.

Chairman Prather wanted to publicly acknowledge the hard work of the staff at the Attorney General's Office and the Secretary of State's Office and that such is appreciated greatly by the Board.

No more business was discussed and the meeting adjourned at 4:28 p.m.

The next Pharmacy Board meeting will be on Wednesday, October 10, 2012 at 9:30 a.m. at the Office of the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217.