

The Georgia State Board of Pharmacy met on December 15, 2004 at the Professional Licensing Boards Office, 237 Coliseum Drive, Macon, GA.

Members Present:

- Mickey Tatum, President
- Eddie Madden, Vice-President
- Charles Palmer
- Bill Prather
- Fred Barber
- Robbie Dial
- Judy Gardner

Members Absent:

- Pat McPherson

Staff Present:

- Janet Wray, Board Attorney
- Bill Atkins, Director, Georgia Drugs and Narcotics Agency
- Rick Allen, Deputy Director, Georgia Drugs and Narcotics Agency
- Sylvia L. Bond, Executive Director, Georgia Board of Pharmacy
- Ylice Crews, Administrative Assistant

Visitors Present:

- Merrill Norton, Advocate

Mr. Tatum established that a quorum was present, and called the meeting to order at 9:54 a.m.

Mr. Prather moved, Mr. Madden seconded, and the Board voted to enter into **EXECUTIVE SESSION** in accordance with O.C.G.A §§43-1-19(h)(2) and 43-1-2(k) to review applications, deliberate on disciplinary matters, and to receive information on investigative reports. Voting in favor of the motion were those present who included Board Members Mr. Barber, Mr. Dial, Mrs. Gardner, Mr. Palmer, Mr. McPherson, and Mr. Tatum.

At the conclusion of the EXECUTIVE SESSION, the Board declared an **Open Session** to vote on the matters discussed in Executive Session and to conduct other Board business.

APPOINTMENT (S)

- The Board met with Britt G. Roberts and his advocate, Merrill Norton, to discuss possible reinstatement.

Britt G. Roberts: Mr. Dial made a motion to deny Mr. Roberts request for reinstatement of his license. Mr. Barber seconded the motion and it carried unanimously.

Janet Wray, Attorney General's Office:

- A status report (as of December 2004) on current cases was reviewed.
- Mrs. Wray requested approval of a Private Consent Order for M.L.

The following vote was made in reference to Mrs. Wray's report:

- Mr. Madden made a motion to accept the Private Consent Order of M.L. Mr. Barber seconded the motion and it carried unanimously.

Eddie Madden, Cognizant Board member reported on the following cases:

- A04-64, A04-65, B27036 (#PHAR040078), B27110 (#PHAR050002), B27124 (#PHAR050010) B27126 (#PHAR050012).

The following votes were made in reference to the Cognizant Member's report:

#A04-64: The cognizant member recommended scheduling an investigative interview with the pharmacist. Mr. Dial made a motion to approve the recommendation. Mr. Barber seconded the motion and it carried unanimously.

#A04-65: The cognizant member recommended sending letter to the pharmacist stating that the Board will vote to suspend her license within 30 days if she does not agree to meet with us. Mr. Dial made a motion to approve the recommendation. Mr. Palmer seconded the motion and it carried unanimously.

#B27036/#PHAR040078: The cognizant member recommended taking no action at this time. Mr. Barber made a motion to approve the recommendation. Mrs. Gardner seconded the motion and it carried unanimously.

#B27110/#PHAR050002: The cognizant member recommended taking no action at this time. Mr. Prather made a motion to approve the recommendation. Mr. Barber seconded the motion and it carried unanimously.

#B27124/#phar050010: The cognizant member recommended issuing a public reprimand along with a \$500.00 to both the Pharmacy and Pharmacist for incorrectly labeling two drug containers. Mr. Prather made a motion to approve the recommendation. Mrs. Gardner seconded the motion and it carried unanimously.

#B27126/PHAR050012: The cognizant member recommended issuing a Letter of Concern. For violation of pharmacy practice act for dispensing drugs too frequently. Mr. Palmer made a motion to approve the recommendation. Mrs. Gardner seconded the motion and it carried unanimously.

Bill Atkins, Director, Georgia Drugs and Narcotics:

- Met with representatives from Georgia Technology Authority about updating the computer system throughout the office. This will be done within approximately two months, but there will be no internet access.
- Currently, GDNA is short two agents. Hopefully, one position will be filled next year.

Sandy Bond, Executive Director:

- Mrs. Bond presented a status report on the renewal of pharmacy licenses.

The Board voted for the following regarding submitted applications and requests:

Reciprocity Application of A.M.M.L.: Mr. Madden made a motion to approve A.M.M.L.'s application for reciprocity. Mr. Prather seconded the motion and it carried unanimously.

Federal Student Loan Default: Mr. Madden moved that the board suspend **David H. Berman's** license to practice as a Pharmacist, License # **RPH010473**, effective 30 days from the date of the "First Notice Letter of Suspension", for nonpayment status or default or breach of repayment or service obligation for his federal educational loan, service conditional loan repayment program, or service conditional scholarship program. Mr. Madden further moved that such suspension shall be STAYED pending an
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appearance before the board **if a request for an appearance is timely received** and that the suspension shall be lifted upon receipt of a written release from the federal agency that **David H. Berman** is not the person at issue or is making payments on the loan, service conditional loan repayment program, or service conditional scholarship program satisfying the payment or service requirements in accordance with an agreement approved by the federal agency. Mr. Prather seconded the motion and it carried unanimously.

Letter from Sam Brewton: Mr. Madden made a motion to deny Mr. Brewton's request to lift his suspension. Mr. Dial seconded the motion and it carried unanimously.

Letter from Michele Shuster: The Board reviewed Ms. Shuster's letter referencing centralized data systems. At this time, the Board requested sending Ms. Shuster a copy of Georgia Law, O.C.G.A. 26-4-80(c)(i).

Newly Licensed Pharmacists/Pharmacy Interns: Mrs. Gardner made a motion to ratify all newly licensed pharmacists/pharmacy interns. Mr. Dial seconded the motion and it carried unanimously. (Attachment 1)

Draft – November 17, 2004 Board Meeting Minutes: Mr. Dial made a motion to approve the minutes as amended. Mr. Madden seconded the motion and it carried unanimously.

Listing of Administratively Approved Reinstatement Applications: Mr. Madden made a motion to approve the reinstatement applications, administratively approved by the Board staff. Mr. Palmer seconded the motion and it carried unanimously. (Attachment 2)

Letter from Jesse Covington: Mr. Prather made a motion to deny Mr. Covington's request to meet with the Board to discuss possible reinstatement of his license. Mr. Palmer seconded the motion and it carried unanimously.

Letter from Grady E. West, Jr.: Mr. Madden made a motion to approve Mr. West request to lift his PIC restrictions. Mr. Palmer seconded the motion and it carried unanimously.

Letter from Nahid Hosseini: Mr. Madden made a motion to send applicant a letter requesting enrollment in a pharmacy school. Upon receipt of this information, the Board will then determine if his intern license can be reinstated. Mr. Palmer seconded the motion and it carried unanimously.

Letter from Nicholas A. Collora: Mr. Madden made a motion to approve Mr. Collora's community service hours. Mr. Palmer seconded the motion and it carried unanimously.

Rick Allen, Deputy Director, Georgia Drugs and Narcotics

- Reviewed complaint submitted against IDS regarding lack of security system. Mr. Madden made a motion to send IDS a letter requesting that they submit their security plan to cover the following:
 - Video Device with adequate lighting so that the pharmacist can see the patient;
 - Metal tubing for pneumatic tube system; and
 - Handsets to allow private conversations between Pharmacist and Patient.

In addition, the Board would like to extend an invitation for IDS to appear before the Board to discuss their plans. Mr. Prather seconded the motion and it carried unanimously.

- Reviewed proposed rule change to 480-10-16 – Security System. The Board completely reviewed this rule and made necessary revisions. The Board has requested that this rule be ready for posting at the January Board Meeting.
- At this time, Mrs. Bond requested a policy concerning e-prescribing until such time as the Board rules are revised. Mr. Allen agreed to write the policy and bring it back for review by the Board.

Request to Issue a Honorary Pharmacy Certificate to Roger Lane

Mr. Prather has received a request from Mr. Lane's daughter asking the Board to grant a honorary pharmacy certificate to her father, Roger Lane for his service on the Pharmacy Board. In addition, she is also asking for the Board's endorsement to obtain an honorary pharmacy degree for her father. Mr. Madden made a motion to write letter to the school endorsing a honorary degree in pharmacy and also sending Mr. Lane a honorary pharmacy certificate from the Georgia Board of Pharmacy. Mr. Palmer seconded the motion and it carried unanimously.

There being no further business to be discussed, the meeting was adjourned at 4:00 p.m.

Mickey Tatum, President

**Mollie L. Fleeman, Division Director
Professional Licensing Boards Division**

**Minutes Prepared By: Ylice Crews, Administrative Assistant
Reviewed/Edited By: Sylvia L. Bond, Executive Director**