

**GEORGIA STATE BOARD OF PHARMACY**

**BOARD MEETING**

October 12, 2011

Professional Licensing Boards

237 Coliseum Drive

Macon, GA 31217

**Members Present:**

Steve Wilson, President

Bill Prather, Vice President

Judy Gardner

Al McConnell

Ronnie Wallace

Tony Moye

**Members Absent:**

Pat McPherson

Fred Barber

**Staff Present:**

Eric Lacefield, Executive Director

Janet Wray, Board Attorney

Rick Allen, GDNA

Melanie Bradley, Board Support Specialist

**Visitors:**

Scott Biddulph, Target

Brian Robinson, Walgreens

Jimmy England, Walgreens

Helen Sloat, Kaiser Permanente

Karen Waters, GHA

Hal Henderson, Omnicare

Al Staiti, Ingles

Troy McNeill, Ingles

Alan Armstrong, CVS

Rosalyn Harris, Caremark

Mary Stokes, Caremark

Ruth Thompson, TCSG

Mike King, Publix

Stacy Burke, Publix

Steve Wilson established that a quorum was present and called the meeting to order at 10:07 a.m.

*Bill Prather made a motion, Judy Garland seconded, and the Board voted unanimously 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 Al McConnell, Ronnie Wallace, and Tony Moye.*

#### **Appointments – Executive Session**

1. L.D.B. appeared before the Board to discuss reinstatement of his Pharmacist license. He provided the Board with a sealed envelope containing medical treatment information from Dr. Gbadebo, MD. The Board stated that an advocate must appear before the Board to answer questions regarding his treatment.
2. J.N.S. appeared before the Board to appeal the denial of her pharmacy technician registration. A motion was made by Bill Prather to overturn the Board's previous decision and to approve her registration as pharmacy technician under a public Consent Order with probation to run concurrent with criminal probation. Tony Moye seconded the motion and the Board voted unanimously in favor of the motion.
3. Mary E. S. Wilson appeared before the Board to appeal the denial of her pharmacy technician registration. A motion was made by Al McConnell to affirm the Board's previous decision and to uphold the denial of her registration as pharmacy technician. Tony Moye seconded the motion and the Board voted unanimously in favor of the motion.
4. Edward J. Jackson appeared before the Board to appeal the denial of his pharmacy technician registration. A motion was made by Ronnie Wallace to overturn the Board's previous decision and to approve his registration as pharmacy technician. Bill Prather seconded the motion and the Board voted unanimously in favor of the motion.
5. Carla L. Benhardt appeared before the Board to discuss her application for pharmacist. The Board instructed her to reciprocate to Georgia in lieu of ??

#### **Applications/Licensures**

1. J.H.B. – Pharmacy Technician - Board recommended approval for registration.
2. K.E.T. – Pharmacy Technician - Board recommended approval for registration.
3. B.B.B. – Pharmacy Technician - Board recommended approval for registration.
4. C.T.S. – Pharmacy Technician - Board recommended an order for mental physical evaluation.
5. C.H. – Pharmacy Technician - Board recommended to deny registration.
6. L.H. – Pharmacy Technician – Board recommended an order for mental physical evaluation.
7. M.J.E. – Pharmacy Technician – Board recommended approval for registration.
8. P.L.P. – Pharmacy Technician – Board recommended approval for registration.

9. N.M.P – Pharmacy Technician – Board recommended to deny registration.
10. P.O.W. - Pharmacy Technician – Board recommended to deny registration.
11. R.O.S. - Pharmacy Technician – Board recommended to deny registration.
12. S.D.B. – Pharmacy Technician – Board recommended to deny registration.
13. S.T.B. - Pharmacy Technician – Board recommended to deny registration.
14. S.B.T. – Pharmacy Technician – Board stated that it is not a complete application as it is missing the background check.
15. T.D.S. - Pharmacy Technician – Board recommended approval for registration.
16. T.W.B. – Pharmacy Technician – Board recommended an order for mental physical evaluation.
17. A.N.G. - Board recommended approval her application for pharmacy intern license.
18. B.L.F. – Board recommended to schedule for December Board appearance.
19. C.H.M. - Board recommended approval his application for pharmacy intern license.
20. E.M.S. - Board recommended approval his application for pharmacy intern license.
21. E.D.P. – Board recommended approval his application for pharmacy intern license.
22. F.D.R. – Board recommended approval his application for pharmacy intern license.
23. I.E.D. – Board recommended to schedule for December Board appearance.
24. J.W.M. – Board recommended approval his application for pharmacy intern license.
25. J.D. – Board recommended approval his application for pharmacy intern license.
26. M.H.C. – Board recommended approval her application for pharmacy intern license.
27. M.K.N. – Board recommended approval her application for pharmacy intern license.
28. N.A.B. – Board recommended approval his application for pharmacy intern license and issue with a letter of concern.
29. R.W.S. – Board recommended approval his application for pharmacy intern license.
30. S.M.A. – Board recommended approval her application for pharmacy intern license.
31. T.M.S. – Board recommended approval his application for pharmacy intern license and issue with a letter of concern. Ronnie Wallace opposed.
32. G.C.R. – Board recommended approval his application for pharmacist.
33. D.V.N. – Board recommended approval the request to take MPJE.
34. M.D.B. – Board recommended approval the request to take MPJE.
35. R.L.P. – Board recommended approval her application for pharmacist.
36. C.J. – Board recommended approval the request for Board appearance.
37. S.K.N. – Board recommended approval his pharmacist renewal application.
38. C.Y.L. – Board recommended approval her pharmacist reinstatement application.
39. F.A.F. – Board recommended approval her pharmacist reinstatement application pending student loan is current and in good standing.
40. G.M.K. – Board recommended approval his pharmacist reactivation application.
41. J.W.L. – Board recommended approval his pharmacist reinstatement application.
42. P.M.B. – Board recommended to deny pharmacist reinstatement application.
43. R.M.S. – Board recommended approval his pharmacist reinstatement application.
44. R.L.R. – Board recommended approval his pharmacist reactivation application.

45. S.R.R. – Board recommended approval her pharmacist reinstatement application and to deny request to reduce reinstatement fee.
46. W.A.O. – Board recommended approval his pharmacist reactivation application.
47. F.P. - Board recommended accepting the response to the Letter of Concern that was issued.
48. P.P.I. – Board recommended accepting her response to the Letter of Concern she was issued.
49. P.H.S.C. – Board recommended approval the wholesaler renewal application.
50. S.M.M.P.P. – Board recommended denial of fee waiver request and approval the wholesaler renewal application.
51. V.A.H.I. – Board recommended approval the pharmacy wholesaler application.
52. T.L.C.C.S. – Board recommended to table the application until resolution of court case.
53. T.A.L. – Pharmacy Technician – Board recommended approval for registration.
54. L.T.C. - Board recommended approval the application for reinstatement of opioid treatment clinic.

**Attorney General’s Report:**

Senior Assistant Attorney General, Janet B. Wray presented a status report including 24 open cases and 6 closed cases. The following consent orders were presented for acceptance:

W. – Interim Consent Order

**Cognizant Report – Bill Prather, Cognizant Member**

**GDNA Case #A-29585** – The Cognizant Member recommended that Board send a letter of concern to the pharmacist in charge regarding missing inventory and maintaining proper records; and \$27,700 fine to owner of the pharmacy.

**GDNA Case #A11-17** - The Cognizant Member recommended a Private Consent Order with 5 years probation.

**GDNA Case #A-29785** – The Cognizant Member recommended to table this case since the Pharmacist is awaiting a decision whether he is able to receive long term disability.

**GDNA Case #A-30051** – The Cognizant Member recommended to approve her pharmacy intern application.

**GDNA Case #A11-34** – The Cognizant Member recommended to refer case to Attorney General for revocation of license for Pharmacist in Charge and \$300,000 fine for noncompliance of state and federal laws regarding the filling of prescriptions for controlled substances.

**GDNA Case #A11-37** – The Cognizant Member recommended to refer case to Attorney General for revocation of pharmacist license.

**GDNA Case #T11-41** – The Cognizant Member recommended revocation of her pharmacy technician registration.

**GDNA Case #A11-42** – The Cognizant Member recommended to suspend his pharmacy intern license.

**GDNA Case #B-29975** – The Cognizant Member recommended closing the case – no violation.

**GDNA Case #B-29979** – The Cognizant Member recommended closing the case – no violation.

**GDNA Case #A-29958** – The Cognizant Member recommended a Public Consent Order with 1 year probation and \$500 fine each for the pharmacists and pharmacist in charge; and \$500 fine for the pharmacy.

**GDNA Case #A-29986** – The Cognizant Member recommended a Private Consent Order with a \$500 fine for pharmacist; pharmacist must also attend misfill school; and, pharmacist must submit written plan for correcting the problem.

**GDNA Case #30034** - The Cognizant Member recommended revocation for the pharmacy technician and to deny registration for the pharmacy technician whose application is pending.

**GDNA Case #B-30004** – The Cognizant Member recommended a letter of concern for physician to follow Board practitioner dispensing Rule 480-28.

**GDNA Case #B-30006** – The Cognizant Member recommended Board Policy for incorrectly entering a Rx for pharmacy technician; and a Public Consent Order and \$500 fine for pharmacist; and request inventory of all prescription medication in pharmacy stock.

At the conclusion of **EXECUTIVE SESSION**, Ronnie Wallace made a motion to enter into **Open Session** to vote on the matters discussed in Executive Session and to conduct other Board business; Judy Gardner seconded the motion. Voting in favor of the motion were Bill Prather, Tony Moye, and Al McConnell.

OPEN SESSION

Ronnie Wallace made a motion to approve the recommendations made in Executive Session; Judy Gardner seconded the motion. Voting in favor of the motion were Bill Prather, Tony Moye, and Al McConnell.

The Board voted to accept the following signed Board orders:

Walgreens, Warner Robins, GA – Interim Consent Order

Bill Prather made a motion to approve the minutes as amended from the September 14, 2011; September 22, 2011 and September 30, 2011 Board meeting; Tony Moye seconded the motion. The Board voted to approve the minutes.

Executive Director Eric Lacefield presented a list of licenses and registrations (850) that were issued from September 1-30, 2011. Ronnie Wallace made a motion to ratify the list of licenses and registrations; Al McConnell seconded the motion. The Board voted to ratify the licenses and registrations issued.

The Board instructed staff to keep Rule 480-6 revision on the agenda for next month.

Judy Garland made a motion, Al McConnell seconded and the Board voted to approve the following Board meeting dates for 2011:

- January 11 & 12 – Mercer University - Meeting & Exam
- February 8 & 9
- March 14 & 15
- April 11 & 12
- May 9 & 10
- June 6 & 7 – University of Georgia - Meeting & Exam
- July 18 & 19
- August 15 & 16 - South University - Meeting & Exam
- September 19 & 20
- October 10 & 11
- November 14 & 15
- December 12 & 13

Executive Director Eric Lacefield presented a list of security prescription paper providers. Bill Prather made a motion to ratify the list of security prescription providers and to post list; Judy Gardner seconded the motion. The Board voted to ratify the list of security prescription providers and to post list.

The Board received security prescription paper correspondence and complaints. The Board viewed these as informational.

The Board held a public hearing regarding specialty pharmacies accreditation. Josh Belinfante of Robbins Freed & Ross LLC, on behalf of URAC accrediting body, presented a petition for specialty pharmacy accreditation. Members from the public in attendance also made comments. Following the comments, Ronnie Wallace made a motion to recognize URAC as an accrediting body for specialty pharmacies; Bill Prather seconded the motion, and the Board voted unanimously in favor of recognizing URAC as an accrediting body for specialty pharmacies.

The Board received an open records request from Littler Mendleson PC and Unum Life Insurance Company of America. Bill Prather made a motion to deny all open records requests; Judy Gardner seconded the motion, and the Board voted to deny the open records requests.

Caroline G. Carter and Ruth E. Baxter submitted a waiver request of the requirement that a Pharmacy Technician must have a high school diploma or GED. Tony Moye made a motion to grant the waiver requests, Ronnie Wallace seconded the motion and the Board voted to grant the waiver requests because the applicants were working as technicians at the time that the law and rules were enacted.

Genevieve M. Reid submitted request to lift the supervised practice restrictions from her license. Bill Prather made a motion to grant the request to lift the supervised practice restriction from license; Al McConnell seconded the motion, and the Board voted to lift the supervised practice restriction from license.

Samuel A. Brewton submitted request to lift the supervised practice restrictions from her license. Tony Moye made a motion to grant the request to lift the supervised practice restriction from license; Al McConnell seconded the motion, and the Board voted to lift the supervised practice restriction from license.

**Apothecary LTC Pharmacy**

Jeffery D. Merrill submitted a request for approval to obtain pharmacy intern hours in a non-typical setting. Bill Prather made a motion to approve one hour of credit for every two hours worked; Al McConnell seconded the motion, and the Board voted to approve the request.

M. Shane Miller requests an appearance with the Board regarding the denial for reciprocity of his pharmacist license. The Board instructed staff to schedule him an appearance.

Douglas R. Lang, Pharmacy Compliance Officer with Express Scripts, Inc. submitted a letter to the Board stating that Walgreens has decided not to renew its network pharmacy provider agreement with ESI; effective December 31, 2011 Walgreens will no longer be a participating provider in the ESI PMB network. The Board viewed as informational.

**Executive Director’s Report:** Eric Lacefield informed that Board that as of October 7, 2011 there are 12,833 registered pharmacy technicians.

**Miscellaneous**

Bill Prather reviewed the following continuing education providers and made the following recommendations for approval:

2011-0027	GPhA Academy of Independent Pharmacy (AIP)	Use of Potentiated Antimicrobials in Wound Care	1
2011-0028	National Association of Drug Diversion Investigators	Pharmacy Safety	6
2011-0029	Northside Hospital Pharmacy Dept	An Update on Epogen	1

2011-0030	Columbus Regional - The Medical Center - Dept of Pharmacy	2011 Diabetes University Learning Objectives	4.75
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Chairperson Steve Wilson congratulated Lisa Durden on her recent promotion to Director of the Professional Licensing Boards Division and thanked her for all her hard work with the Pharmacy Board.

The meeting adjourned at 4:51 p.m.

The next Pharmacy Board meeting will be Wednesday, November 9, 2011 at 10:00 a.m. at the Office of the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217.

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 Steve Wilson, President  
 The Georgia State Board of Pharmacy

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 Date

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 Eric Lacefield, Executive Director  
 The Georgia State Board of Pharmacy

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 Date