

GEORGIA STATE BOARD OF PHARMACY

BOARD MEETING

January 11, 2012

Professional Licensing Boards

237 Coliseum Drive

Macon, GA 31217

Members Present:

Bill Prather, Chairperson

Judy Gardner, Vice Chairperson

Fred Barber

Ronnie Wallace

Tony Moye

Al McConnell

Laird Miller

Members Absent:

Pat McPherson

Staff Present:

Eric Lacefield, Executive Director

Janet B. Wray, Board Attorney

Rick Allen, GDNA

Melanie Bradley, Board Support Specialist

Visitors:

Jim Bartling, Mercer

Frances Cullen

Jayne Mahboubi, Ridgeview Institute

Scott Biddulph, Target

Hal Henderson, Omnicare

Jimmy England, Walgreens

Bill Prather established that a quorum was present and called the meeting to order at 9:56 a.m.

*Judy Gardner made a motion, Tony Moye 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 Fred Barber, Al McConnell, Laird Miller and Ronnie Wallace.*

Appointments – Executive Session

1. Shakebia T. Baker appeared before the Board to appeal the denial of her Pharmacy Technician registration application. A motion was made by Ronnie Wallace to reverse the Board's previous decision to deny and to approve her application and register as pharmacy technician; Tony Moye seconded the motion and the Board voted unanimously in favor of the motion.
2. B.Z. and his advocate appeared before the Board to discuss reinstatement of his Pharmacist license. A motion was made by Judy Gardner to issue under a Private Consent Order with stipulations; Tony Moye seconded the motion the Board voted unanimously in favor of the motion.
3. Pauline M. Badiki and attorney Francis Cullen appeared before the Board to appeal the denial of her Pharmacist reinstatement application. Tony Moye made a motion to uphold the Board's previous decision to deny. Laird Miller seconded the motion and the Board voted unanimously in favor of the motion.
4. Natasha M. Perry appeared before the Board to appeal the denial of her Pharmacy Technician registration application. Judy Gardner made a motion to reverse the Board's previous decision to deny and to now issue under a Private Consent Order with probation to run concurrent to criminal probation and other stipulations. Al McConnell seconded and the Board voted unanimously in favor of the motion.
5. S.P. and his advocate appeared before the Board to discuss reinstatement of his Pharmacist license. Judy Gardner made a motion to approve the reinstatement application and issue under a Public Consent Order with lifetime probation and other stipulations. Tony Moye seconded the motion and the Board voted unanimously in favor of the motion. Al McConnell recused himself for the duration of the appointment.

Applications/Licensures

1. B.M.D. – Pharmacy Technician - Board recommended to deny registration and reapply once probation is terminated.
2. J.M.G. – Pharmacy Technician – Board recommended to deny registration and reapply once probation is terminated.
3. J.A.P. – Pharmacy Technician – Board recommended to deny registration and reapply once probation is terminated.
4. J.X. – Pharmacy Technician - Board recommended approval for registration.
5. S.C.H. – Pharmacy Technician - Board recommended approval for registration.
6. V.H.N. – Pharmacy Technician - Board recommended approval for registration.
7. W.P.M. – Pharmacy Technician - Board recommended approval for registration.
8. A.E.S. – Pharmacy Technician - Board recommended approval for registration.
9. E.M.P. – Pharmacist - Board recommended to deny reciprocity application.
10. S.M.W. – Pharmacist - Board recommended approval the reinstatement application under Private reprimand with stipulations and \$500 fine per month working unlicensed.
11. K.R.D. – Pharmacist - Board recommended approval the reinstatement application with stipulations.
12. F.H.B. – Pharmacist - Board recommended to schedule for an appearance.
13. J.F. – Pharmacist - Board recommended approval for reciprocity application.

14. H.J.A. – Pharmacist - Board recommended approval with random drug screens.
15. L.A.S. – Pharmacist - Board recommended to lift pharmacist in charge restriction from Private Consent Order.
16. C.P.S.PA. – Pharmacy Wholesaler - Board recommended approval under Public Consent Order. Fred Barber opposes.
17. D.P.I. – Pharmacy Wholesaler - Board recommended to table application per email from applicant.
18. ESI.D.S. – Pharmacy Wholesaler - Board recommended Investigative Interview. Fred Barber opposes.
19. K.I. – Pharmacy Wholesaler - Board recommended approval for license.
20. C.M.I. – Pharmacy Wholesaler Reinstatement - Board recommended additional information was needed prior to rendering decision.
21. AMBI.P.I. – Pharmacy Wholesaler Reinstatement - Board recommended additional information was needed prior to rendering decision.
22. N.I.B.H.I – Opioid Treatment Clinic Pharmacy Reinstatement – Board recommended approval under Public Consent Order and \$100,000.00 fine for operating 18 months without license
23. T.E.A. – Board viewed the reporting as informational.
24. Y.A.K. – Board viewed the information and recommended to uphold previous decision to deny pharmacist reciprocity application.
25. M.S. – Board recommended approve request and lift supervised restriction from consent order.

GDNA Report:

Rick Allen advised that K.E.A., pharmacist, will be scheduled for an investigative interview. Rick Allen also reviewed the proposed changes to OCGA 26-4 Article I Sections 1 through 5 and to OCGA 16-13 Article I Sections 1 and 2.

Attorney General's Report:

Janet Wray presented a status report including 33 open cases and 5 closed cases. The following consent orders were presented for acceptance:

- K.P. - Pharmacist – Private Consent Order
- C.A.J. – Pharmacist - Private Consent Order for Reinstatement
- B.T. – Pharmacy Intern – Private Interim Consent Order
- W.L. – Pharmacist – Private Interim Consent Order
- M.B.B. – Pharmacist – Private Interim Consent Order for Assessment

Cognizant Report – Judy Gardner

GDNA Case #B-30136 – The Cognizant Member recommended to release grades and issue pharmacist license.

GDNA Case #A11-42 - The Cognizant Member recommended to accept the signed private interim consent order.

GDNA Case #A11-54 – The Cognizant Member recommended to accept the sign private interim consent order.

GDNA Case #B11-55 – The Cognizant Member recommended to accept the signed private interim consent order for assessment.

GDNA Case #A12-01 – The Cognizant Member recommended to accept the signed Voluntary Surrender and the public interim consent order when receive; if he does not sign and return those then seek a summary suspension of his pharmacist license.

GDNA Case #B-29781 – The Cognizant Member recommended a Private Consent Order with a \$500 fine each for pharmacist and pharmacy; pharmacist must also attend misfill school; and, pharmacist must submit written plan for correcting the problem.

GDNA Case #A-29848 – The Cognizant Member recommended to close the case.

GDNA Case #A-30037 – The Cognizant Member recommended a public consent order and reprimand with a \$5000 fine to wholesaler.

GDNA Case #A-30009 – The Cognizant Member recommended a public consent order and reprimand with a \$5000 fine to wholesaler.

GDNA Case #B-30047 – The Cognizant Member recommended to issue a letter of concern to the pharmacist regarding the misfill and require he attend misfill school.

GDNA Case #30085 – The Cognizant Member recommended a Public Consent Order with a \$500 fine each for pharmacist and pharmacy; pharmacist must also attend misfill school; and, pharmacist must submit written plan for correcting the problem.

GDNA #A-30160 - The Cognizant Member recommended to close the case.

GDNA #T-30167 – The Cognizant Member recommended revocation of pharmacy technician registration.

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 Tony Moye, Fred Barber, Laird Miller and Fred Barber.

OPEN SESSION

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

The Board voted to accept the following signed Board orders:

- K.P. - Pharmacist – Private Consent Order
- C.A.J. – Pharmacist - Private Consent Order for Reinstatement
- B.T. – Pharmacy Intern – Private Interim Consent Order
- W.L. – Pharmacist – Private Interim Consent Order
- M.B.B. – Pharmacist – Private Interim Consent Order for Assessment

Judy Gardner made a motion to approve the minutes as amended from the January 11, 2012 Board meeting; Laird Miller seconded the motion and the Board voted to approve the minutes.

Executive Director Eric Lacefield presented a list of licenses and registrations (403) that were issued from December 1-31, 2011. Tony Moye made a motion to ratify the list of licenses and registrations; Judy Gardner seconded the motion. The Board voted to ratify the licenses and registrations issued.

Bill Prather delegated Laird Miller to take a deeper look in to “robots” regarding the lack of Board rules regulating and to report back to the Board during February’s meeting.

April J. Baker, Christopher M. Daniel, and Moenah D’Morai submitted letters requesting an appearance before the Board. Tony Moye made a motion to grant the requests for an appearance; Ronnie Wallace seconded the motion, and the Board voted to grant the requests for an appearance.

Jeffery D. Merrill and Lauren G. Howell submitted requests for non-traditional intern hours. Ronnie Wallace made a motion to approve 1 credit hours for every 2 hours worked; Tony Moye seconded the motion and the Board voted to approve the requests.

Jerry W. Hopkins requested the Board lift the pharmacist in charge restriction from his public consent order. Judy Gardner made a motion to deny the request; Ronnie Wallace seconded the motion, and the Board voted to deny the request to lift the pharmacist in charge restriction from his public consent order.

Michael H. Nix requested the Board amend the public consent order. The Board directed Executive Director Eric Lacefield to send a letter stating this request was not within the Board’s authority.

Keri N. Rowland submitted an inquiry regarding intern hours. The Board advised they needed more information regarding the inquiry: Who is the supervising pharmacist? Additionally, a clearer description of the “remote” pharmacy environment is needed.

Subcommittee on Pharmacy Technicians presented a Misfill Policy for discussion. No further action was taken.

Miscellaneous

Executive Director, Eric Lacefield advised that due to budget constraints all Boards have been asked to cancel a meeting prior to July or to schedule a conference to replace a scheduled meeting.

Board Attorney, Janet Wray advised that when applicants or licensees request an appearance that those on suspension or license revocation have priority when scheduling.

GDNA Director, Rick Allen advised of the clarification needed in Rule 480-27-.07(b) Dangerous Prescription Drug Order Transfer defining “communicated transfer” to mean orally, by facsimile, and/or by computer to computer.

No more business was discussed and the meeting adjourned at 4:47 p.m.

The next Pharmacy Board meeting will be Wednesday, February 8, 2012 at 10:00 a.m. at the Office of the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217.

Bill Prather, President
The Georgia State Board of Pharmacy

Date

Eric Lacefield, Executive Director
The Georgia State Board of Pharmacy

Date