

GEORGIA BOARD OF PHARMACY
October 16, 2024 - Open Session Minutes
2 MLK Jr. Drive, SE, 11th Floor, East Tower, Atlanta, GA 30334

Board Members present:

Chuck Page, President
Cecil Cordle, Vice-President
Dean Stone
Jim Bracewell
Michael Brinson
Young Chang
Michael Farmer

Board Staff present:

James Joiner, Executive Director
Dennis Troughton, Director, GDNA
Michael Karnbach, Deputy Director, GDNA
Tommy Roe, Special Agent GDNA
Alec Mathis, Special Agent GDNA
Justin Cotton, Assistant Attorney General
Itovia Evans, Deputy Director of Licensing
Angela Johnson, Board Administrative Secretary

Visitors:

Jonathan Marquess, GPHA & AIP
Christi Heys, Emory
Heather Hughes, Publix
Diane Sanders, Kaiser Permanente
Jordan Khail, UGA
Gary Long, Botanical Sciences
Brandon Brooks, Publix
Ben Wright, The Hudson Group
Melissa Price, Eldercare Pharmacy
Kathleen Bowen, Impact Public
Jeff Pappas, Pharm Script
Luegenia Sherriffe, Pharm Script
Tracey Jarvis, Botanical Sciences

Dawn Saoine
Tyler McNish, Zipline
Becca Hallum, GHA
Emily Doppel, McKesson
Helen Sloat, Nelson Mullins
Stephen Snow, Norcross Pharmacy
Brooks Patterson, Emory
Jennifer Sain, Walgreens
Jordan Khail, UGA
Robert Brennan
Sarah Frizzell, Pharm Script
Diane Sanders, Kaiser Permanente

Open Session

President Page established that a quorum was present and called the meeting to order at 9:05 a.m.

President Page greeted the members of the public who were present.

Approval of Minutes

Mr. Stone made a motion to approve the Public and Executive Session minutes from the September 18, 2024, meeting. Mr. Brinson seconded, and the Board voted unanimously in favor of the motion.

Report of Licenses Issued

Mr. Stone made a motion to ratify the list of licenses issued. Mr. Farmer seconded, and the Board voted unanimously in favor of the motion

Petitions for Rule Waiver or Variance

Mercy Health Center – Rule(s) 480-10-.12(1)(e)(1.) and 480-10-.12(1)(f)(1,2,5,6)

President Page asked if anyone was present on behalf of Mercy Health Center. It was established that a representative was not present. The facility requested a waiver of Rule(s) 480-10-.12(1)(e)(1.) and 480-10-.12(1)(f)(1,2,5,6), which deals with the requirement of having compounding equipment in the pharmacy. Mercy Health Center does not perform compounding and requested a waiver of the rule stating that the requirement of having these items in the pharmacy would be a hardship.

Mr. Cordle made a motion to approve the request for waiver. Mr. Farmer seconded, and the Board voted unanimously in favor of the motion.

PharmScript of GA, LLC – Rule 480-24-.06(1)(a)(2)

PharmScript of GA, LLC. (“PharmScript”) requested a waiver of Rule 480-24-.06(1)(a)(2), which deals with the removal of discontinued non-controlled drugs from long term care facilities and the requirement that a consultant pharmacist serve as the person who stores and/or delivers the drugs. PharmScript requested approval to utilize professional couriers to transport discontinued drugs from the long-term care facilities to its Georgia pharmacy in Macon.

Director Troughton asked if anyone was present on behalf of PharmScript, it was established that representatives were present. Director Troughton and Mr. Chang requested clarification on the proposed process.

PharmScript’s proposal is to have a dedicated courier service, that would only be working for PharmScript, pick up the packaged drugs and deliver them back to the Macon Pharmacy. Nursing personnel at the long-term care facilities will be in charge of packaging the drugs, documenting them into a secured portal which will allow the nurse to barcode scan the prescription label, which records the relevant data and quantity of the returning drugs. The nurse will then generate manifest/delivery slips that would be included with the packaged drugs. The courier would be required to record everything that leaves the long-term care facility and is delivered to the pharmacy.

President Page asked Mr. Brennan if he presented the request as intended by PharmScript. Mr. Brennan responded that yes President Page did present the request well. Mr. Brennan then introduced Sarah Frizzell as the pharmacist in charge, Jeff Pappas from Michigan and Luegenia Sherriffe from Florida, who are both pharmacist executives with PharmScript. Mr. Brennan asked the Board if they had any questions.

Mr. Chang asked if once the package is picked up does it go directly back to the Pharmacy. Mr. Pappas responded that the courier would pick up the packages from locations in his run for the day and once all packages have been picked up for the day, the courier would return the drugs to the Pharmacy. Mr. Brennan followed up that it is a secured process and if the returns are not returned to the pharmacy as listed on the manifest, then it would be obvious that there was a problem.

Director Troughton stated that PharmScript’s proposed process is a good way to handle the discontinued drugs since every step of the process is documented and that he does not see any possible enforcement issues with the process.

Mr. Brinson made a motion to approve the request for waiver. Mr. Stone seconded, and the Board voted unanimously in favor of the motion.

Director Joiner asked the Board if it wished to review Rule 480-24-.06(1)(a)(2) for possible amendment at the Board’s November work session. The Board agreed to add the rule for possible changes to the work session agenda.

Hanklas’, Inc. d/b/a Norcross Pharmacy (Laura & Jason Backus) – Rule 480-6-.01(3)

Laura and Jason Backus, the new owners of Hanklas’ Inc. d/b/a Norcross Pharmacy, requested a waiver of Rule 480-6-.01(3) stating that not allowing the license to be transferred to the new ownership would create a substantial hardship and delay in care for the pharmacy’s patients.

President Page asked Director Joiner if approval of the waiver is necessary given that the rule was

recently changed. Director Joiner advised that since the rule has been changed that there is no need for a waiver and that the Board could choose to accept this as notice of the name change and accept them keeping the same license number.

Mr. Stone made a motion to approve the request for waiver. Mr. Brinson seconded, and the Board voted unanimously in favor of the motion.

Mr. Brinson commented that the Board's staff issued 565 licenses last month and commended the staff for their hard work. He asked Director Joiner to thank the Board staff for their dedication.

Correspondences

Correspondence from Tim Koch – Walmart Pharmacy Designs

President Page asked if anyone was present on behalf of Walmart Pharmacy. It was established that a representative was not present.

The Board discussed this correspondence and agreed that there is nothing more specific that the Board could provide other than to point Walmart to the language of Rule 480-10-.02 and the requirements thereof and to suggest that Walmart should have GDNA inspect the location(s) in question.

President Page directed Board Staff to respond to the correspondence as discussed.

Correspondence from Tad Leithead – Update on Metro Atlanta's Recovery Residence's (MARR) Future

Mr. Leithead provided information to the Board regarding MARR's decision to transfer ownership in the future to an investor group which includes Todd Stumbo of Thoroughbred Wellness and Recovery. President Page reminded the members that this program was already Board approved.

The Board discussed this correspondence from Mr. Leithead and agreed to take this correspondence as information.

Georgia Drugs and Narcotics Agency – Mr. Dennis Troughton

Director Troughton introduced Special Agent Alec Mathis. Director Troughton stated that Special Agent Mathis currently covers eighteen (18) counties in Georgia. Director Troughton reported that GDNA has conducted 1,072 inspections and were involved in 114 investigations for FYD. He added that at this point last year they only had 615 inspections. The difference is that the agency has added two (2) more agents this year and that the numbers are showing that the additional resources have been a success, and that the agency is on track to have much bigger numbers this year.

Director Troughton advised that this is the first year in a long time that the agency is on track, thanks to the legislature providing additional resources, to be able to go into pharmacies at least once a year and hospitals every two years.

Director Troughton also advised that, thanks to the legislature, the agency has a new database that they are hoping to test in the next 30 days, which would be operational in about 2 to 3 months, that will make the agents more efficient providing the agents with tablets so that they will have all of the information they need to conduct their visits and interviews.

Attorney General's Report – Mr. Tommy

No Report.

Executive Director's Report – Mr. James Joiner

Director Joiner introduced Deputy Director Stacy Altman as the Deputy Director.

Legal Services – Mr. James Joiner

No Report.

Discussion Topics

FDA's "Temporary Policies for Compounding Certain Parenteral Drug Products"

President Page wanted to give an update to the Board on a situation in North Carolina where a facility was damaged by Hurricane Helene. The facility is unable to provide the fluid for peritoneal dialysis patients due to a shortage. President Page advised he, Director Troughton and Director Joiner discussed a request made to the Board by Baxter for temporary measures to be able to provide the needed product. President Page mentioned that he wanted to open the discussion to see if anyone had any questions or concerns about the Board allowing these temporary measures.

Director Troughton advised that those drugs were listed on the FDA shortage list. He added that the temporary measures only apply to these fluids that are listed in short supply that are in a sealed inner liner with uncompromised manufacturer sealing.

The Board will continue to monitor the situation and follow up with more details and any additional procedures and conditions.

Renewal of Licenses

Mr. Brinson wanted to let everyone know that when they go to renew their license that there will be an additional four (4) questions that need to be answered and asked Director Joiner to provide some background information on the issue.

Director Joiner advised that the new survey questions are a statutory requirement. The additional questions are being asked so that the Georgia Board of Healthcare Workforce can assemble data on mental healthcare providers in response to the general assembly's mandate under the law which included Pharmacists for the collection of this data.

Mr. Brinson made a motion and Mr. Stone seconded, and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. § 43-1-19(h) and § 43-1-2(h) to deliberate and to receive information on applications, investigative reports, and the Assistant Attorney General's report. Voting in favor of the motion were those present who included Jim Bracewell, Michael Brinson, Young Chang, Cecil Cordle, Michael Farmer, Chuck Page, and Dean Stone.

Executive Session

Appearances:

- P.P.J.C.
- A.L.

Georgia Drugs and Narcotics Agency – Mr. Dennis Troughton

No Report.

Cognizant's Report – Mr. Cecil Cordle

GDNA Case #A35458	GDNA Case # A35472	A35468
GDNA Case #T35455	GDNA Case # A35387	B35469
GDNA Case #A35449	GDNA Case #A35427	

Attorney General's Report – Tommy McNulty, Sr. Assistant Attorney General

Mr. McNulty presented the following consent orders for acceptance:

1. S.A.T.
2. V.S.I.
3. J.W.P.
4. A.P.
5. M.P.P.
6. O.M.H.I.
7. U.S.I.P.I.
8. W.G.

Counterproposals

- J.M.

Memorandum of Law

- U.S.P.C.

Executive Director's Report – Mr. James Joiner**Legal Services – Mr. James Joiner****Applications**

1. B.D.
2. L.M.
3. A.S.F.
4. A.C.
5. G.L.M.
6. J.L.
7. T.F.
8. T.O.
9. Z.B.
10. Y.M.H.

Correspondences/Requests

1. C.P.A
2. K.P.P.
3. M.K.
4. M.A.
5. A.P.
6. R.P.C.
7. A.L.
8. M.V.S.
9. S.C.S.
10. S.H.P
11. T.P.
12. W.G.
13. M.K.
14. D.G.
15. K.P.
16. T.R.

17. Z.A.

18. T.B.

Open Session

Mr. Stone made a motion for the Board to take the following The Board voted to accept all of their recommendations.

Appearances:

P.P.	Revocation of Probation	Approved
A.L.	7 th Attempt MPJE	Approved

Cognizant's Report – Mr. Cecil Cordle

GDNA Case #A35458	M.K.D.	Refer to the Department of Law
GDNA Case #T35455	M.E.B.	Revoke technician registration
GDNA Case #A35449	T.B.O.	Approve technician registration
GDNA Case #A35470	C.P.	Refer to the Department of Law
GDNA Case #A35472	C.P.L./ H.M.G.	Refer to the Department of Law
GDNA Case #A35387	T.D.C.L./ J.H.	Case referred to Composite Medical Board
GDNA Case #B35427	S.M.W./ P.P.	Misfill guidance #1A
GDNA Case #B35428	C.P. / R.T.P.	Misfill guidance #2A
GDNA Case #A35468	D.S.I.	Approve application & Refer to Department of Law
GDNA Case #B35469	Unknown	Close no action

Attorney General's Report – Tommy McNulty, Sr. Assistant Attorney General

Orders

- S.A.T. Private Consent Order Accepted
- V.S.I. Public Consent Order Accepted
- J.W.P. Public Consent Order Accepted
- A.P. Public Consent Order Accepted
- M.P. Public Consent Order Accepted
- O.M.H.I. Public Consent Order Accepted
- U.S.I.P.I. Public Consent Order Accepted
- W.G. Public Consent Order Accepted

Counterproposals

- J.M. – Pending Public Consent Order (several issues) – Board denied counterproposal.

Applications

B.D.	Pharmacy Technician	Approved
L.M.	Pharmacy Technician	Approved
A.S.F.	Pharmacy Technician	Approved
A.C.	Pharmacy Technician	Approved
G.L.M.	Pharmacy Technician	Approved
J.L.	Pharmacy Technician	Approved
T.F.	Pharmacy Technician	Denied
T.O.	Pharmacy Technician	Approved
Z.B.	Pharmacy Technician	Denied
Y.M.H.	Pharmacist	Approved

Correspondences/Requests

C.P.A.	Notice of Discipline	No Action
K.P.P.	Notice of Discipline	No Action
M.K.	Notice of Discipline	No Action
M.A.	Notice of Discipline	No Action
A.P.	Notice of Discipline	No Action
R.P.C.	Notice of Discipline	No Action
A.L.	Notice of Discipline	No Action
A.L.	Notice of Discipline	No Action
A.L.	Notice of Discipline	No Action
M.V.S.	Notice of Discipline	No Action
S.C.S.	Notice of Discipline	Flag for follow-up
S.H.L.	Notice of Discipline	No Action
T.P.	Notice of Discipline	No Action
W.G.	Notice of Discipline	No Action
M.K.	Notice of Discipline	No Action
D.G.	Request for 5 th attempt to retake MPJE	Approved
K.P.	Request for 5 th attempt to retake MPJE	Approved
T.R.	Request for 4 th attempt to retake MPJE	Approved
Z.A.	2 nd Request to Extend deadline to take the NAPLEX Exam	Approved
T.B.	License	Approved

Mr. Brinson seconded, and the Board voted unanimously in favor of the motion.

There being no further business to discuss, the meeting was adjourned at 12:32 p.m.

The next scheduled meeting of the Georgia Board of Pharmacy will be held on Wednesday, October 16, 2024, at 9:00 a.m. at 2 MLK Jr., Drive, SE, 11th Floor, East Tower, Atlanta, GA 30334.

The next scheduled meeting of the Georgia Board of Pharmacy will be held on Wednesday, November 6 & 7, 2024, at 9:00 a.m. at 2 MLK Jr., Drive, SE, 11th Floor, East Tower, Atlanta, GA 30334.

Minutes recorded by Angela Johnson, Board Administrative Secretary
Edited by J. Clinton Joiner, II, Executive Director