GEORGIA BOARD OF PHARMACY
University of Georgia College of Pharmacy
250 W Green St. Room 230
Athens, GA 30602
June 14, 2023
9:00 a.m.

The following Board members were present:
Michael Azzolin, President
Michael Brinson
Young Chang
Cecil Cordle
Michael Farmer
Chuck Page
Dean Stone

Staff present:
Eric Lacefield, Executive Director
Dennis Troughton, Director, GDNA
Michael Karnbach, Deputy Director, GDNA
Russ Moore, Special Agent, GDNA
Tommy Roe, Special Agent, GDNA
Max Changus, Senior Assistant Attorney General
Clint Joiner, Attorney
Brandi Howell, Business Support Analyst I

Visitors:
Brandon Brooks, Publix
Gary Long, Botanical Sciences
Brian Dalton, Botanical Sciences
Susan Jackson Wright, Wellstar
Jennifer DeJames, Wellstar
Mindy Leech, Lee King
Michael Leech
Jenny Danker, GHA
Scott Tomerlin, Walgreens
Lisa Harris, Trulieve
Maney Mazloom, Peachtree Therapeutics
Jennifer Duckett, Walgreens
Andrew Turnage, GMCC
Perry Walden, GMCC
Beth Jarrett, Walmart
Blair Curless
Emily Yona
Rahul Bali, WABE
Andrew Darley, UGA
John Reynolds, Village Drug Shop at Advantage
Becca Hallum, GHA
Jordan Khail, UGA

Public Hearing

President Azzolin called the public hearing to order at 9:00 a.m.

Chapter 480-52, which consists of Rule 480-52-.01 Definitions, Rule 480-52-.02 Low THC Products: Inspection, Retention of Records and Security, Rule 480-52-.03 Prescription Department, Requirement, Supervision, Hours Closed, Rule 480-52-.04 Location of Low THC Products, Rule 480-52-.05 Sufficient Space in Prescription Department, Rule 480-52-.06 Refrigeration, Rule 480-52-.07

Licensure, Applications, and Display of License and Renewal Certificate, Rule 480-52-.08 Sanitation, Rule 480-52-.09 Storage of Equipment, Rule 480-52-.10 Requirements for Dispensing Low THC Products, Rule 480-52-.11 Outdated, Deteriorated Drugs, Rule 480-52-.12 Minimum Equipment for Prescription Departments, Rule 480-52-.13 Destruction of Low THC Products, Rule 480-52-.14 Security System Approval, Rule 480-52-.15 Required Notifications to the Board, and Rule 480-52-.16 Purchase of Low THC Products by a Low THC Pharmacy Dispensary.

No public comments or written responses were received.

Vice-President Page made a motion to adopt Chapter 480-52 as written. Mr. Brinson seconded, and the Board voted unanimously in favor of the motion.

The public hearing concluded at 9:02 a.m.

Open Session

President Azzolin established that a quorum was present and called the meeting to order at 9:02 a.m.

Approval of Minutes
Mr. Stone made a motion to approve the Public and Executive Session minutes from the May 24, 2023, 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. Cordle seconded, and the Board voted unanimously in favor of the motion.

Petitions for Rule Waiver or Variance
President Azzolin noted that the petitions from Angus Lake Healthcare, LLC, PHRE009911, and Southern Drug Co – Jesup, PHRE010876, were withdrawn by each petitioner.

Mr. Lacefield stated that the amendments to Rule 480-10-.06 became effective as of June 9, 2023.

Correspondence
Correspondence from James W. Spence, RPH028433: The Board considered this correspondence from Mr. Spence requesting the Army's Medical Management of Chemical and Biological Casualties course he completed be accepted as continuing education. The Board requested Mr. Spence provide additional information regarding the course content and once that information is received, the Board will reconsider the request.

Georgia Drugs and Narcotics Agency – Mr. Dennis Troughton
Director Troughton reported that GDNA conducted 2704 inspections and received 455 complaints for FY2023. Director Troughton noted that the number of complaints were down and the number of inspections were up compared to this time last year.

Director Troughton reported that Special Agent Robbie Raybun will start the Police Academy on July 5th.

Director Troughton reported that the agent position for the Southwest Georgia area is still open. He added that GDNA is doing everything it can to advertise and spread the word that the position is open.

Director Troughton reported that GDNA has come to an agreement with a company regarding a database. He stated that this will be a huge advancement for GDNA and will make things more efficient. He further stated that the database should be fully functional in about a year.

Attorney General's Report – Mr. Max Changus
No report.

Executive Director's Report – Mr. Eric Lacefield
Continuing Education Report: No report for June.

Low THC Applications: Mr. Lacefield reported that the Board can discuss low THC applications and fees at the Board's July meeting.

Legal Services – Mr. Clint Joiner
The Board discussed the following draft rules prepared by Mr. Joiner:

Rule 480-7B-.02 DME Supplier Licensing Requirements: Vice-President Page noted that section (2)(a)(6) and (7) were duplicates. Mr. Joiner responded by stating that he will delete item (7).

Vice-President Page noted the amendment added to section (5) concerning ownership location and the name of the business changing.

Mr. Joiner commented that he is making the adjustment to section (2)(a)(6) and (7) in real time and will post it to Sharepoint for the members to review once completed.

Rule 480-10-.16 Security System Approval: Mr. Brinson inquired if GDNA had any issues with the suggested changes. Director Troughton commented that the current rule has been in place since 2005. He stated that there are so many different types of security systems. He further stated that when GDNA inspects a new pharmacy, the owners ask if they have to get security system approved. Director Troughton explained that there are no specifics on motion detectors, for example. He added that, from an enforcement standpoint, the whole rule should be restructured. President Azzolin agreed that the current board and future boards are not qualified to determine the efficacy of a security system. He added that he would defer to GDNA's opinion on the matter. Director Troughton stated that GDNA can bring lockbox requests to the Board; however, he stated that with the current technology that is out there, GDNA cannot evaluate a security system other than the basics.

Mr. Lacefield commented that the suggested amendment that is currently before the Board is to clarify who is required to obtain board approval for a lockbox. President Azzolin stated that stems from the current rule specifying an owner that has more than one pharmacy would need to request approval of the security system to the Board, but the rule does not specify that for a single pharmacy. Mr. Lacefield responded by stating that for interpretation the Board has said it applied to everyone, but now it sounds as if the Board is wanting to review the rule in its entirety concerning security systems and he is unsure as to whether or not the Board needs to make the clarification or review the rule further.

Vice-President Page commented that since there are questions about security systems and lockboxes and the Board is wanting to tweak the rule, should it vote on current draft of changes or table until the Board can review the rule in its entirety. Mr. Lacefield responded by stating that when the Board votes to post a rule, that means the Board is satisfied with the rule in its current format. He added that if the Board wants to make more changes after it votes to post, it has to completely start the rules process over. He stated that it would be better for the Board to table the rule at this time.

President Azzolin commented that section (7) of the proposed amendment states that a single pharmacy or any retail pharmacy security system must be approved. He inquired if any single pharmacy who has not submitted a security system for approval would be impacted retrospectively if the language is changed. Mr. Changus responded by stating that if the Board has what it determines to be a violation of rule, it does not have to impose discipline every time. H explained that if the Board wants to bring it to their attention, then it can do that without imposing a fine. He added that the Board could send a non-disciplinary letter of concern regarding what the new requirements are. President Azzolin inquired if GDNA, at the time of the inspection, could notify the pharmacy regarding the changes to the rule. Director Troughton responded by stating that is how GDNA would handle a rule change. He added that if the pharmacy does not have a letter of approval from the Board, that means the pharmacy never requested approval. He stated that if none of the pharmacies are grandfathered in the Board would need to provide GDNA with some direction as to how a violation should be handled. Director Troughton continued by stating that if there is a pharmacy that has had the same lockbox for 20 years that GDNA has cited, GDNA can direct the pharmacy to submit a request to the Board for approval. He added that GDNA can add that to its inspection form; however, he stated that going forward it will be the Board's decision as to how it would like GDNA to enforce the matter.

Mr. Changus agreed with Director Troughton. He stated that the issue concerning security systems is complicated and suggested the Board have further discussions regarding the matter.

Mr. Stone made a motion to table Rule 480-10-.16 Security System Approval. Mr. Cordle seconded, and the Board voted unanimously in favor of the motion.

Rule 480-10A-.05 Transmission and Labeling: President Azzolin commented that the proposed amendment to this rule states that if a computer prescription system has the ability to notate a prescription was filled by central fill, there is no requirement to handwrite it on the prescription or reduce it to paper. Mr. Brinson made a motion to post Rule 480-10A-.05 Transmission and Labeling. Mr. Cordle seconded, and the Board voted unanimously in favor of the motion.

Rule 480-10A-.05. Transmission and Labeling

(1) The transmission and labeling of controlled substance prescriptions processed utilizing central fill services must comply with all federal and state laws, rules, and regulations.

(2) The originating pharmacy must comply with the minimum required information for the patient record system and all requirements of a prescription drug order as outlined in the Georgia law and Board rules prior to sending a prescription to the central fill pharmacy.

(3) All prescriptions may be transmitted electronically from an originating pharmacy to a central fill pharmacy including via facsimile.

(4) All transmission records must include the following:

(a) "CENTRAL FILL" written on the face of a prescription if it is a hard copy prescription;~~,~~

1. Where the record of a prescription is maintained in a pharmacy's computer prescription system, this requirement may be satisfied by notation in the computer prescription system indicating that a particular prescription was filled by central fill, provided such record is capable of immediate retrieval upon request for inspection by the Georgia Drugs and Narcotics Agency;

(b) The name, address, telephone number, Georgia license number, and DEA registration number (if the prescription is a controlled substance), of the central fill pharmacy to which the prescription has been transmitted;

(c) Number of refills already dispensed and number of refills remaining (if applicable);

(d) The name of the originating pharmacy pharmacist transmitting the prescription; and

(e) The date of transmittal.

(5) All receipt of transmission records must include all information included in subsection 4 and the name, address, telephone number, Georgia license number, and DEA registration number (if the prescription is a controlled substance), of the originating pharmacy transmitting the prescription.

(6) The label affixed to the container of a dangerous drug or other non-controlled substance filled by a central fill pharmacy must contain the following:

(a) Date of fill or refill;

(b) The originating pharmacy name, address, and telephone number;

(c) The central fill pharmacy's unique identifier;

(d) The serial number of the prescription;

(e) The name of the patient;

(f) The name of the prescribing practitioner;

(g) Name of supervising physician if applicable;

(h) Expiration date of the dispensed drug; and

(i) The directions for use and cautionary statements, if any, contained in such prescription or required by law.

Rule 480-27-.04 Use of Facsimile Machine to Transmit or Receive Prescription Drug Order: President Azzolin commented that there are two versions for the Board to consider. Mr. Brinson made a motion to post the second version of Rule 480-27-.04 Use of Facsimile Machine to Transmit or Receive Prescription Drug Order. Vice-President Page seconded, and the Board voted unanimously in favor of the motion.

Rule 480-27-.04. Use of Facsimile Machine to Transmit or Receive Prescription Drug Order

(1) All prescription drug orders sent via facsimile or other electronic means must meet the requirements of O.C.G.A. § 26-4-80 and Chapter 480-22 of the Board Rules and the requirements for electronically transmitted prescriptions or drug orders.

(2) All persons engaged in the practice of pharmacy in this state, which includes accepting or receiving a prescription drug order, must be licensed by the Board.

(3) All dangerous drugs and controlled substances must be dispensed pursuant only to a valid prescription drug order. A pharmacist shall not dispense a prescription drug order which the pharmacist knows or should know is not a valid prescription drug order.

(4) A prescription drug order may be accepted by a licensed pharmacist, a pharmacy intern or extern, acting under the direct supervision of a registered pharmacist, in written form, orally, via facsimile,

or electronically as set forth in O.C.G.A. § 26-4-80 and the Rules of the Board. Provisions for accepting a prescription drug order for a schedule II controlled substance are set forth in Chapter 480-22.

(5) Prescription drug orders transmitted either electronically or via facsimile shall include the following requirements:

(a) Electronically transmitted prescription drug orders shall be transmitted directly by the prescribing practitioner or indirectly utilizing intervening electronic formatters as permitted under Georgia law, except in the case of a prescription drug order sent via facsimile equipment by the practitioner or the practitioner's agent acting under the direct supervision of the practitioner, to the pharmacy of the patient's choice with no other intervening person or intermediary having access to or retaining information contained in the prescription drug order. No patient or agent for a patient may transmit a prescription drug order to a pharmacy.

(b) Prescription drug orders transmitted or received by facsimile or other electronic means shall include:

1. In the case of a prescription drug order for a dangerous drug, the complete name, address and telephone number of the prescribing practitioner;

2. In the case of a prescription drug order for a controlled substance when authorized by federal law, the complete name, address, telephone number, and DEA registration number of the prescribing practitioner;

3. The complete name and address of the patient;

4. The time and date of transmission;

5. The complete name of the person transmitting the prescription drug order and a telephone number for verbal confirmation; and

6. The practitioner's signature in the manner required in 480-27-.02(2).

(c) An electronically transmitted prescription drug order which meets the requirements of this Chapter shall be deemed sufficient to serve as the original prescription drug order for the pharmacy.

(d) Electronically generated prescriptions may be transmitted directly or indirectly thru one or more Intervening Electronic Formatters to a pharmacy's computer or other similar electronic device.

(e) Intervening electronic formatters not compliant with the requirements of this chapter will be considered an invalid source and are prohibited.

(f) Electronically generated prescriptions as e-mails directly from the prescriber to a pharmacy of the patient's choice shall be encrypted and accompanied by a digital ID for authentication purposes. The pharmacist shall exercise professional judgment regarding the accuracy and authenticity of prescriptions consistent with federal and state statutes and regulations. In the absence of unusual circumstances requiring further inquiry, the pharmacy and each of its associated pharmacists is entitled to rely on the accuracy and authenticity of electronically transmitted prescriptions. E-mail prescriptions should comply with the following:

1. E-mails shall be reduced to hard copy and maintained as a prescription order record and maintained as required by rules and statute for all other prescription orders; and

2. The prescription may not be for a controlled substance unless allowed by federal law.

(g) Prescriptions received via e-mail as attached original digital image files or as scanned copies of an original hard-copy prescription, shall be treated as electronic prescription drug orders under subparagraph (a) of this Rule and shall not be subject to the restrictions of subparagraph (f) of this Rule. The pharmacist shall exercise professional judgment regarding the accuracy and authenticity of prescriptions consistent with federal and state statutes and regulations. In the absence of unusual circumstances requiring further inquiry, the pharmacy and each of its associated pharmacists is entitled to rely on the accuracy and authenticity of electronically transmitted prescriptions.

(6) The pharmacist or pharmacy intern or extern acting under the direct supervision of a licensed pharmacist shall exercise professional judgment regarding the accuracy and authenticity of the transmitted prescription drug order consistent with Federal and State Laws and rules and regulations adopted pursuant to same.

(7) A prescription drug order electronically transmitted from a prescriber or a prescriber's agent acting under the direct supervision of the prescriber, shall be considered a highly confidential transaction, and said transmission shall not be compromised by interventions, control, change, altering, or manipulation by any other person or party in any manner whatsoever except by an intervening electronic formatter as permitted by law and these rules.

(8) Any pharmacist or pharmacy intern or extern acting under the direct supervision of a licensed pharmacist that transmits, receives, or maintains any prescription or prescription refill either orally, in writing, or electronically shall ensure the security, integrity, and confidentiality of the prescription drug order and any information contained therein.

(9) The Board may provide exceptions to this Rule by establishing policies for institutional settings such as hospital pharmacies, nursing home pharmacies, outpatient clinic pharmacies, opioid treatment program clinic pharmacies, or pharmacies owned and operated directly by health maintenance organizations.

(10) Receiving computers or other similar electronic devices used to view the prescription shall ~~be located within the pharmacy or pharmacy department with only~~ have access restricted to authorized personnel ~~having access~~.

(11) Transmission of prescriptions to answering machines and electronic voice recording devices by an authorized practitioner or approved agent shall be retrieved by a licensed pharmacist, intern, or extern and is considered to be a direct transmission of a prescription order.

Rule 480-35-.04 Requirements for a Protocol: Mr. Lacefield commented that amendments to this rule require a protocol be submitted with the application. He added that the requirement for such is listed on the application, but not in the rule. Mr. Cordle made a motion to post Rule 480-35-.04 Requirements for a Protocol. Mr. Stone seconded, and the Board voted unanimously in favor of the motion.

Rule 480-35-.04. Requirements for a Protocol

(1) A physician may delegate authority to a pharmacist certified under this chapter to modify drug therapy through a protocol for a patient under the physician's direct medical care and supervision. The protocol shall meet the applicable requirements for the issuance of prescriptions provided in O.C.G.A. ~~Section~~ § 16-13-41 or 16-13-74, whichever is applicable.

(2) A protocol shall be in writing and must contain the following:

(a) The printed name and signature of the physician, along with the license number issued to the physician by the Georgia Composite Board of Medical Examiners;

(b) The printed name and signature of the pharmacist, along with the license number issued to the pharmacist by the Board;

(c) The date the protocol was established, and the date the protocol becomes effective;

(d) The length of time the protocol shall be in effect;

(e) The identity of each patient covered by the protocol, and a mechanism to inform the patient the physician has authorized the pharmacist to modify the patient's drug therapy pursuant to this protocol, including information as to how the patient may opt out of the protocol;

(f) The physician's diagnosis of condition or disease state for each patient identified in the protocol, along with a listing of the initial drug therapy prescribed by the physician for each patient;

(g) A description of the parameters and responsibilities for drug therapy modification;

(h) Description of the monitoring required by the pharmacist and physician for each patient identified in the protocol;

(i) The procedures the pharmacist must follow when modifying drug therapy including, but not limited to, the method and frequency of notification to the physician of any drug therapy modification;

(j) For each patient's drug therapy modification, the identification of types and categories of medications allowed to be utilized, and the maximum/minimum dosage levels within each type and category of medication; and

(k) Identification of the documentation required by the pharmacist when drug therapy has been modified, including, but not limited to, a record of any problems or complications encountered, a list of recommendations, and a list of all drug modifications.

(3) Pharmacists applying for certification pursuant to this Rule shall attach a copy of the drug therapy modification protocol under which they intend to practice.

(~~3~~4) No protocol can be longer than two (2) years. Protocols shall terminate immediately when the pharmacist's or physician's license and/or certificate has lapsed, been revoked, or has not been renewed.

Current License Nullification Language: President Azzolin explained that this is not a proposal for a rule change today. He stated that this is more of a request of acceptance of the language to apply to the

applicable rules. Mr. Joiner commented that if the Board agrees on the language, he will make the appropriate changes to those rules and bring back to the Board in July.

President Azzolin stated that this is to clarify the transferability or lack thereof relative to licenses on change of location, ownership, or mode of operation of a pharmacy. He inquired if there were any questions. Director Troughton requested clarification concerning "mode of operation". President Azzolin responded by stating that it was their assumption that if you have a clinic pharmacy that wants to become a retail pharmacy it would need to apply because that would be mode of operation change.

Mr. Changus commented by stating that the null and void language is always interesting because it says that if the pharmacy moves or if there is a change in ownership, then the permit is no longer valid. He continued by stating that the idea of due process is there is some sort of understanding before that interest is taken away and that should be part of the discussion. He added that regarding what Mr. Joiner comes up with in terms of trying to standardize the language, that may be the point of starting that conversation.

President Azzolin stated that it is his understanding that the words 'null and void' are not listed in the law, but only in the rules. He further stated that the Board is looking to remove that term and define who has the authority to transfer a license because the owner of the pharmacy does not own the license as it belongs to the State. He added that gives the board office the authority to reassign a license number if needed.

There being no further discussion regarding this matter, the Board directed Mr. Joiner to make the necessary changes to the applicable rules, which are Rule 480-6-.01 Pharmacy Licenses, Rule 480-6-.02 Nonresident Pharmacy Permit, Rule 480-7-.01 Manufacturer's Permits, Rule 480-7-.03 Drug Wholesale Distribution License, Rule 480-7-.04 Researcher's Permit, Rule 480-7A-.04 Listed Chemical Wholesale Distributor License, Rule 480-8-.02 Prison Clinic Pharmacy Licenses, Rule 480-10-.06 Retail Pharmacy Licenses, Rule 480-13-.02 Hospital Pharmacy Licenses, Rule 480-18-.02 Opioid Treatment Program Pharmacies, Rule 480-33-.02 Outpatient Clinic Pharmacies, and Rule 480-52-.07 Low THC Pharmacy Dispensary Licenses.

Rule 480-7B-.02 DME Supplier Licensing Requirements: Mr. Joiner informed the Board he made the suggested changes to this rule that were discussed earlier by the Board and posted it to Sharepoint for the members to review.

Discussion was held regarding section (2)(a)(1) of Rule 480-7B-.02. Director Troughton inquired if the DME supplier changes its telephone number, is a notification to the Board required. He stated that from an investigative standpoint, if they did not notify the Board, that would be a violation.

President Azzolin asked if the rule requires notification if there is a change in telephone number or does a telephone number need to be on the application. Deputy Director Karnbach responded by stating that the proposed language in section (5) states, "The Board shall be notified prior to the occurrence of any change to any of the information required by Rule 480-7B-.02(2)(a) to be submitted to the Board as part of an initial application for DME licensure or as part of an application for DME licensure renewal, this obligation shall be continuous and ongoing throughout the period of licensure." Deputy Director Karnbach stated that GDNA was interpreting that language as any change to anything in section (2)(a) requires an application. He further stated that the Board has not typically required an application for a phone number change or designated representative change. The Board agreed.

Mr. Joiner responded by stating that the Board has to be notified if there is a change in information that was included in the initial application. He stated that the proposed language in section (5) does not say a new application must be filed. President Azzolin responded by stating that what Director Troughton was previously referring to was if the pharmacy does not notify the Board if the telephone number changed, GDNA would have to cite a violation and he was asking if it was necessary to notify the Board if there was

a telephone number change. The Board agreed that was not necessary. After further discussion, Mr. Stone made a motion to table Rule 480-7B-.02 DME Supplier Licensing Requirements to allow additional time for Mr. Joiner to review and bring back to the Board. Mr. Farmer seconded, and the Board voted unanimously in favor of the motion.

In regards to the rules the Board voted to post, which were Rule 480-10A-.05 Transmission and Labeling, Rule 480-27-.04. Use of Facsimile Machine to Transmit or Receive Prescription Drug Order, and Rule 480-35-.04. Requirements for a Protocol, Mr. Stone made a motion and Mr. Brinson seconded, that the formulation and adoption of the proposed rule amendments does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule amendments cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the relevant code sections.

In the same motion, the Board also votes that it is not legal or feasible to meet the objectives of the relevant code sections to adopt or implement differing actions for businesses as listed at O.C.G.A § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of the proposed rule amendments will impact every licensee in the same manner, and each licensee is independently licensed, owned and operated and dominant in the field of pharmacy.

Miscellaneous

Misfill Courses: The Board agreed to table until its July meeting.

Mr. Stone made a motion and Mr. Cordle 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 Michael Azzolin, Michael Brinson, Young Chang, Cecil Cordle, Michael Farmer, Chuck Page, and Dean Stone.

Executive Session

Georgia Drugs and Narcotics Agency – Mr. Dennis Troughton

- M.M.S./C.M.P.

Cognizant's Report – Mr. Chuck Page

- GDNA Case # B34752
- GDNA Case # B34736
- GDNA Case # A34687
- GDNA Case # B34674
- GDNA Case # B34723
- GDNA Case # B34711
- GDNA Case # B34691
- GDNA Case # B34639
- GDNA Case # B34654
- GDNA Case # B34747
- GDNA Case # B34725

Cognizant's Report – President Michael Azzolin

- GDNA Case # B34720
- GDNA Case # B34701

Attorney General's Report – Mr. Max Changus

Mr. Changus presented the following consent orders for acceptance:

- D.P.
- R.A.F.
- C.K.W.

Mr. Changus discussed the following case:

- GDNA Case #SB33332

Executive Director's Report – Mr. Eric Lacefield

No report.

Legal Services – Mr. Clint Joiner

No report.

Applications

- J.M.M.
- K.G.B.
- L.M.S.
- C.R.C.
- T.W.S.
- B.N.R.
- T.A.M.
- M.L.J.
- Y.N.W.
- C.M.A.
- C.A.F.
- E.J.K.
- J.D.F.
- R.C.R.
- A.A.
- M.D.I.
- V.C.P.
- Z.H.
- J.A.T.P.
- W.P.N.
- A.H.I.
- C.K.
- C.A.P.S.I.
- W.P.I.
- A.U.S.A.
- A.U.S.A.
- A.U.S.A.
- A.U.S.A.
- A.U.S.A.
- A.U.S.A.
- A.U.S.A.
- B.H.C.
- B.H.C.

- C.H.A.

Correspondences/Requests

- O.C.I.
- M.D.C.
- B.E.T.P.
- N.C.A.
- H.R.S.
- F.S.E.
- R.D.C.
- J.A.C.
- N.D.S.
- M.T.
- J.P.V.
- H.M.C./I.C.P.
- M.P.I.
- G.H.

No votes were taken in Executive Session. President Azzolin declared the meeting back in Open Session.

Open Session

Miscellaneous

Two Day Work Session: The Board discussed moving its two day work session to another month. After further discussion, the Board agreed to leave its next two day work session scheduled as is for the month of November.

NABP-MPJE Delegate: Deputy Director Karnbach stated the Board would need to consider voting for a board member to attend the NABP meeting in September to review the MPJE questions.

Technician Ratio/Interpreter: Mr. Brinson informed the Board that he received an inquiry concerning having a hearing impaired student that is currently going through the pharmacy technician program with an interpreter. He stated that the question concerned the individual completing the program and if he/she obtains a technician registration would having an interpreter count against the technician ratio since the interpreter would not be performing any technician duties.

Director Troughton commented that in the past, the Board's stance was if an individual was not registered, he/she cannot be in a pharmacy. He stated that there are inventory personnel and other individuals that need to be in the pharmacy, and that could potentially open the door to allow an interpreter. He further stated that there is language in the rule that allows for a pharmacy observer.

Deputy Director Karnbach stated that Rule 480-15-.06(2) reads as follows:

(2) Requirements. In order to be pharmacy observer, an individual must:

(a) Be at least seventeen (17) years old;

(b) Be currently enrolled in high school or in general education diploma preparation courses; and

(c) Not have been convicted of a felony and/or any offense that was related to drugs and have an attestation by the principal of his/her school or parent or guardian stating that the observer has neither been convicted of a felony or any offense that was related to drugs.

He continued by stating that Rule 480-15-.06(4) states that a pharmacy observer shall not be present in the pharmacy for more than eight (8) hours per day and in no circumstance for more than forty (40) hours.

Vice-President Page commented that an interpreter would be completely different than a pharmacy observer. Director Troughton agreed and stated that his point was there could be an opening for the Board to allow it.

Mr. Changus commented that the ADA requires accommodation where appropriate. He added that if the interpreter is not performing technician functions, then they should not count against the ratio.

Discussion was held regarding the interpreter transcribing information to the technician and possible errors that could occur. Mr. Joiner inquired if the interpreter would be trained as a technician. Mr. Brinson stated that he was unsure at this point.

Mr. Changus commented by stating that the safest thing to say is the Board is addressing a hypothetical situation and it does not know all of the facts at this time. Additionally, there is a safety concern about introducing a new person into the chain of getting the prescription order entry correct, and as such, the school may want to think about that interpreter becoming a technician. Mr. Joiner stated that this is probably a situation where the Board can answer the question once it has additional information on what type of setting would be involved and what training the people have.

Mr. Stone made a motion for the full Board to take the following actions:

Georgia Drugs and Narcotics Agency – Mr. Dennis Troughton

• M.M.S./C.M.P.	Request regarding operation of two affiliated entities	Approved request

Cognizant's Report – Mr. Chuck Page

- GDNA Case # B34752 Misfill Guidance #2A
- GDNA Case # B34736 Misfill Guidance #1A
- GDNA Case # A34687 Null and void permit
- GDNA Case # B34674 Close with letter of concern
- GDNA Case # B34723 Refer to the Department of Law
- GDNA Case # B34711 Close with no action
- GDNA Case # B34691 Close with no action
- GDNA Case # B34639 Close with no action
- GDNA Case # B34654 Close with no action
- GDNA Case # B34747 Close with no action
- GDNA Case # B34725 Close with no action

Cognizant's Report – President Michael Azzolin

- GDNA Case # B34720 Misfill Guidance #1A
- GDNA Case # B34701 Close with no action

Attorney General's Report – Mr. Max Changus

Mr. Changus presented the following consent orders for acceptance:

- D.P. Private Consent Order accepted
- R.A.F. Private Consent Order accepted
- C.K.W. Private Consent Order accepted

Mr. Changus discussed the following case:

- GDNA Case #SB33332 Update provided

Executive Director's Report – Mr. Eric Lacefield

No report.

Legal Services – Mr. Clint Joiner

No report.

Applications

• J.M.M.	Pharmacy Technician	Approved for renewal
• K.G.B.	Pharmacy Technician	Approved for renewal
• L.M.S.	Pharmacy Technician	Approved for renewal
• C.R.C.	Pharmacy Technician	Approved for renewal
• T.W.S.	Pharmacy Technician	Approved for renewal
• B.N.R.	Pharmacy Technician	Approved for renewal
• T.A.M.	Pharmacy Technician	Approved for renewal
• M.L.J.	Pharmacy Technician	Approved for renewal
• Y.N.W.	Pharmacy Technician	Approved for renewal
• C.M.A.	Pharmacy Technician	Approved for registration
• C.A.F.	Pharmacist Intern	Approved application
• E.J.K.	Pharmacist Exam	Approved application
• J.D.F.	Pharmacist Reinstatement	Table pending receipt of additional information
• R.C.R.	Pharmacist Certification of DTM	Approved application
• A.A.	Non-Resident Pharmacy	Approved for renewal
• M.D.I.	Non-Resident Pharmacy	Approved for renewal
• V.C.P.	Non-Resident Pharmacy	Approved for renewal
• Z.H.	Non-Resident Pharmacy	Approved for renewal
• J.A.T.P.	Non-Resident Pharmacy	Approved for renewal
• W.P.N.	Non-Resident Pharmacy	Approved for renewal
• A.H.I.	Non-Resident Pharmacy	Approved for renewal
• C.K.	Non-Resident Pharmacy	Approved for renewal
• C.A.P.S.I.	Manufacturing Pharmacy	Approved for renewal
• W.P.I.	Wholesaler Pharmacy	Approved for renewal
• A.U.S.A.	Wholesaler Pharmacy	Approved for renewal
• A.U.S.A.	Wholesaler Pharmacy	Approved for renewal
• A.U.S.A.	Wholesaler Pharmacy	Approved for renewal
• A.U.S.A.	Wholesaler Pharmacy	Approved for renewal
• A.U.S.A.	Wholesaler Pharmacy	Approved for renewal
• A.U.S.A.	Wholesaler Pharmacy	Approved for renewal
• A.U.S.A.	Wholesaler Pharmacy	Approved for renewal
• B.H.C.	Wholesaler Pharmacy	Approved for renewal
• B.H.C.	Wholesaler Pharmacy	Approved for renewal
• C.H.A.	Reverse Distributor Pharmacy	Approved for renewal

Correspondences/Requests

• O.C.I.	Notice of Discipline	No action
• M.D.C.	Notice of Discipline	No action
• B.E.T.P.	Notice of Discipline	No action
• N.C.A.	Correspondence	Refer to the Department of Law
• H.R.S.	Request regarding letter of concern	Approved request
• F.S.E.	Request for 4th attempt to retake MPJE	Approved request
• R.D.C.	Request for 4th attempt to retake MPJE	Approved request
• J.A.C.	Request for 4th attempt to retake MPJE	Approved request
• N.D.S.	Request for 6th attempt to retake NAPLEX	Denied request
• M.T.	Request for extension of application date	Approved for extension through 09/30/2023
• J.P.V.	Request for extension of intern license	Approved for extension through 12/31/2023
• H.M.C./I.C.P.	Request regarding two (2) active pharmacy licenses / Request for waiver of renewal fees	Board directed staff to notify facility to submit the appropriate application / Denied request for waiver of renewal fees.
• M.P.I.	Request regarding letter of concern	Board directed staff to notify individual that the letter of concern is non-disciplinary.
• G.H.	Request regarding change in security system	Board directed staff to notify facility that the Board does not review security systems; however, it will consider a request for a lockbox.

Mr. Brinson seconded, and the Board voted in favor of the motion, with the exception of Mr. Page, who recused himself from the vote regarding GDNA Case # B34720 and #B34701.

There being no further business to discuss, the meeting was adjourned at 12:36 p.m.

The next scheduled meeting of the Georgia Board of Pharmacy will be held on Wednesday, July 19, 2023, at 9:00 a.m. at 2 MLK Jr. Drive, SE, 11th Floor, East Tower, Atlanta, GA 30334.

Minutes recorded by Brandi Howell, Business Support Analyst I
Minutes edited by Eric Lacefield, Executive Director