

GEORGIA BOARD OF PHARMACY
Board Meeting
2 Peachtree Street, NW, 36th Floor
Atlanta, GA 30303
April 16, 2014
9:00 a.m.

The following Board members were present:

Al McConnell, Chairperson
Laird Miller, Vice-Chairperson
Jim Bracewell
Mike Faulk
Chris Jones
Tony Moye
Bill Prather
Bob Warnock

Staff present:

Tanja Battle, Executive Director
Rick Allen, GDNA
Janet Wray, Senior Assistant Attorney General
Brandi Howell, Business Operations Specialist

Visitors:

West Wells
Jim Bartling
Milton Bowling
Scott Biddulph, Target
Helen Sloat, Kaiser & Hemophilia of GA
Jennifer Layten, Publix
Melvin Smith, CVS
Hal Henderson
Nirmal Patel, Wal-Mart
Jimmy England, Walgreens
Brian Burdell, Walgreens
Ana Smith, Publix
John Sisto, ESI
Kiel Muserallo, Publix

Chairperson McConnell established that a quorum was present and called the meeting to order at 9:07 a.m.

Bill Prather made a motion and Jim Bracewell 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 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 Al McConnell, Laird Miller, Jim Bracewell, Mike Faulk, Chris Jones, Tony Moye, Bill Prather and Bob Warnock.

Executive Session

Appearance

- D.W.W.
- M.B.

Attorney General's Report – Janet Wray

Ms. Wray presented the following consent orders for acceptance:

- K.A.
- B.R.P.

Ms. Wray discussed the following case:

- F.P.

The Board received advice from Ms. Wray regarding a rule limiting drugs on a single prescription.

The Board received advice from Ms. Wray regarding oxygen distribution.

The Board received advice from Ms. Wray regarding diabetic shoes.

Georgia Drugs and Narcotics Agency – Rick Allen

Discussed latest PDMP reports.

Discussed printed vs. electronic daily reports.

No votes were taken in Executive Session. Chairperson McConnell declared the meeting back in Open Session.

Open Session

Approval of Minutes

Chris Jones made a motion to approve the Public Session minutes for the March 14, 2014 Conference Call and the Public and Executive Session minutes for the March 19, 2014 meeting as amended. Laird Miller seconded and the Board voted unanimously in favor of the motion.

Ratifications

Bill Prather made a motion to ratify the list of issued licenses. Chris Jones seconded and the Board voted unanimously in favor of the motion.

Correspondence from Jeff Lurey, GPhA Academy of Independent Pharmacy

The Board considered this correspondence regarding ABCOP Policy and Respiratory Therapist. Ms. Wray presented the Board with a memorandum from the Department of Law dated April 14, 2014 regarding authority of a pharmacy to distribute oxygen. Laird Miller made a motion to release the document to Mr. Lurey. Chris Jones seconded and the Board voted unanimously in favor of the motion.

Correspondence from James Lyle

The Board considered this correspondence and directed staff to respond to Mr. Lyle by stating that this matter is not under the Board's purview.

Correspondence from Beth Gorse, Wayne Memorial Hospital

The Board considered this correspondence and directed staff to respond to Ms. Gorse by requesting additional information.

Correspondence from Richard Murphy, RPH023726

The Board considered this correspondence regarding a terminal distributor license. The Board directed staff to respond to Mr. Murphy by stating that no such license exists in the state of Georgia.

Request for Production of Documents for Miriam Anderson, PHTC010172

Chris Jones made a motion to grant the request and release the application only for Ms. Anderson. Laird Miller seconded and the Board voted unanimously in favor of the motion.

Correspondence from Michele McMahon, Gwinnett, Newton and Rockdale Co. Health Department

The Board considered this correspondence from Ms. McMahon requesting a waiver of the fee for obtaining a roster of pharmacies. Tony Moyer made a motion to approve the request. Bob Warnock seconded and the Board voted unanimously in favor of the motion.

Georgia Drugs and Narcotics Agency – Rick Allen

No report.

Attorney General’s Report – Janet Wray

No report.

Executive Director’s Report – Tanja Battle

Ms. Battle reported that Researchers are now able to renew.

Miscellaneous

NABP Requirements for Intern/Extern Hours: The Board viewed correspondence that was for informational purposes only.

Rule 480-2-.03 Experience Requirements: Bill Prather made a motion to post Rule 480-2-.03 Experience Requirements. Chris Jones seconded and the Board voted unanimously in favor of the motion.

480-2-.03 Experience Requirements.

Applicants applying for licensure by examination must complete 1500 hours of pharmacy internship or its equivalent as provided by the Board.

(1) Pharmacy Internship Licenses.

(a) Applicants shall file an application with the Board for pharmacy internship registration and pay the registration fee. The pharmacy intern license must be issued before experience begins.

(b) The following persons may register as pharmacy interns:

1. Any student who is currently enrolled in a generally recognized school or college of pharmacy approved by A.C.P.E., or a newly created school or college of pharmacy which has been granted either precandidate or candidate status by A.C.P.E. provided that proof of enrollment in a school or college of pharmacy is submitted to the Board.

2. Any graduate of a generally recognized school or college of pharmacy approved by A.C.P.E. for the purpose of obtaining the practical experience for licensure as a pharmacist; and

3. Any individual who has established educational equivalency by obtaining a Foreign Pharmacy Graduate Examination Committee (FPGEC) certificate for the purpose of obtaining practical experience for licensure as a pharmacist.

(c) Licenses shall be valid for five (5) years or until such intern is expelled, suspended, dismissed or withdraws from an approved school, becomes licensed as a pharmacist, or has taken and failed the Board examination for the third time, whichever comes first. Intern licenses may be renewed at the discretion of the Board.

1. Individuals who have established educational equivalency by meeting the requirements of Rule 480-2-.02 must obtain 1500 hours of practical pharmacy experience under the instruction of a licensed pharmacist. The minimum number of internship hours that will be accepted is twenty (20) hours worked in any week. The maximum number of internship hours worked that will be accepted is fifty (50) hours worked in any week.

2. Individuals who are attending a school or college of pharmacy approved by the A.C.P.E. shall show proof of instruction by a licensed pharmacist, and that such 1500 hours were acquired after enrollment at an accredited school or college of pharmacy provided that:

- (i) For B.S. candidates, 480 hours of the 1500 hours requirement may be acquired concurrent with college attendance and clinical pharmacy programs or demonstration projects, which have ~~v~~been approved by the Board.
- (ii) For Pharm. D. candidates, 1000 hours of the 1500 hours requirement may be acquired concurrent with college attendance in clinical pharmacy programs or concurrent with college attendance in clinical pharmacy programs or demonstration projects, which have been approved by the Board.
- (2) The minimum number of internship hours that will be accepted is twenty (20) hours worked in any week. The maximum number of internship hours that will be accepted is fifty (50) hours worked in any week.
- (3) Except as otherwise provided, internship hours may only be accrued during the times in which an intern's school or college of pharmacy is not in session.
- (4) Each school or college of pharmacy must submit, on an annual basis, for the Board's approval, a summary of course and experiences, as well as the internship credit hours for each course and experience, which are to be used for the 480 hours for the B.S. program and 1000 hours for the Pharm. D. program. Each school of pharmacy must also submit for Board approval, on an annual basis a list of preceptors in the internship programs. The Board reserves the right to approve or disapprove any individual courses or experience programs.
- (d) Other Qualifying Experience:
 - (a) Any intern wishing to obtain internship credit for work in a research and /or industrial program must first submit a request for approval of the program to the Board along with an outline of the program from the individual who will supervise the intern in this program. If approved by the Board, the maximum number of hours that will be awarded is one (1) hour of credit for every two (2) hours worked, not to exceed a maximum of 200 hours credit. An intern will not be granted approval or credit for participation in more than one research/industrial program.
 - (b) At the discretion of the Board, credit may be given for serving in the Armed Services and working under the direct supervision of a registered pharmacist. Documentation of experience must be signed by a registered pharmacist.
 - (c) The Board may give internship credit to an applicant that has demonstrated to the satisfaction of the Board that such applicant has experience in the practice of pharmacy that meets or exceeds the minimum internship requirements.

A motion was made by Chris Jones, seconded by Jim Bracewell, and the Board voted that the formulation and adoption of these amendments do not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the relevant code sections.

In the same motion, the Board voted 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§ 50-13-9 16 4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominant in the field of pharmacy.

PDMP Program: Bill Prather made a motion to pass the following resolution:

WHEREAS, the Georgia Board of Pharmacy recognizes that there is a prescription drug abuse problem in the state of Georgia;

WHEREAS, the Georgia Board of Pharmacy believes that the Prescription Drug Monitoring Program provides a tool for licensed prescribing practitioners and pharmacists to monitor the amount and frequency of prescription drug use; and

WHEREAS, physicians, dentists, and other prescribing practitioners in the State of Georgia and the pharmacists filling those prescriptions are increasingly using and relying on the Prescription Drug Monitoring Program to avoid duplication of prescription medication and abuse of prescribed medications.

IT IS HEREBY RESOLVED by the Georgia State Board of Pharmacy that continued funding of the Prescription Drug Monitoring Program is essential to the State's continued efforts to combat prescription drug abuse.

Jim Bracewell seconded and the Board voted unanimously in favor of the motion.

Bill Prather made a motion and Chris Jones 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 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 Al McConnell, Laird Miller, Jim Bracewell, Mike Faulk, Chris Jones, Tony Moye, Bill Prather and Bob Warnock.

Executive Session

Applications

- T.D.G.
- J.D.P.
- M.J.K.
- M.A.D.
- C.G.F.
- O.A.P.

Cognizant's Report – Laird Miller

- GDNA Case #T-31048
- GDNA Case #T-31076
- GDNA Case #T-31075
- GDNA Case #T-31015
- GDNA Case #A13-59
- GDNA Case #A14-06
- GDNA Case #A14-11
- GDNA Case #B-31002
- GDNA Case #B-31070
- GDNA Case #B-30885
- GDNA Case #B-31017
- GDNA Case #B-31057
- GDNA Case #A-31066
- GDNA Case #B-30938
- GDNA Case #A-30951A
- GDNA Case #A-30951B
- GDNA Case #A-30951C
- GDNA Case #A-30947A
- GDNA Case #A-30947B
- GDNA Case #A-30947C
- GDNA Case #A-30947D

Applications

- A.J.J.
- C.T.M.
- D.V.N.
- J.A.B.
- P.L.P.
- R.J.D.
- W.N.S.
- A.G.D.
- D.Q.N.
- K.H.H.
- B.H.L.
- H.I.T.I.
- P.P.C.
- T.L.
- M.M.
- A.P.
- A.N.L.
- T.J.W.

Correspondences/Requests

- M.E.
- C.M.
- P.U.N.
- E.O.
- J.L.

Executive Director's Report – Tanja Battle

- June Examination

No votes were taken in Executive Session. Chairperson McConnell declared the meeting back in Open Session.

Open Session

Chris Jones made a motion to approve all recommendations based on deliberations in Executive Session as follows:

Appearance

- D.W.W. Approve with private consent order
- M.B. Approve with private consent order

Attorney General's Report – Janet Wray

Ms. Wray presented the following consent orders for acceptance:

- K.A. Private Consent Order accepted
- B.R.P. Private Consent Order to be accepted and signed with express permission upon receipt of the original.

Ms. Wray discussed the following case:

- F.P. Close case with no action

The Board received advice from Ms. Wray regarding a rule limiting drugs on a single prescription. No action taken.

The Board received advice from Ms. Wray regarding oxygen distribution. No action taken.

The Board received advice from Ms. Wray regarding diabetic shoes. No action taken.

Georgia Drugs and Narcotics Agency – Rick Allen

Discussed latest PDMP reports. No action taken.

Discussed printed vs. electronic daily reports. The Board will work on amending the current rule to allow electronic daily reports.

Applications

- | | | |
|---------------------|---------------------|---|
| • T.D.G. | Pharmacy Technician | Denial overturned and approved registration |
| • J.D.P. | Pharmacy Technician | Denial overturned and approved registration |
| • Monique A. Dubose | Pharmacy Technician | Approved registration |
| • M.A.D. | Pharmacy Technician | Denied registration |
| • C.G.F. | Pharmacy Technician | Table pending receipt of additional information |
| • O.A.P. | Pharmacy Technician | Table pending receipt of additional information |

Cognizant’s Report – Laird Miller

- GDNA Case #T-31048 Revoke technician registration
- GDNA Case #T-31076 Accept Voluntary Surrender
- GDNA Case #T-31075 Accept Voluntary Surrender
- GDNA Case #T-31015 Accept Voluntary Surrender
- GDNA Case #A13-59 Accept Voluntary Surrender
- GDNA Case #A14-06 Accept Voluntary Surrender
- GDNA Case #A14-11 Accept Private Interim Consent Order
- GDNA Case #B-31002 Close with no action
- GDNA Case #B-31070 Close with no action
- GDNA Case #B-30885 Close with no action
- GDNA Case #B-31017 Close with no action
- GDNA Case #B-31057 Close with no action
- GDNA Case #A-31066 Refer to the Attorney General’s office for discipline
- GDNA Case #B-30938 Close with no action
- GDNA Case #A-30951A Table pending receipt of additional information
- GDNA Case #A-30951B Table pending receipt of additional information
- GDNA Case #A-30951C Table pending receipt of additional information
- GDNA Case #A-30947A Table pending receipt of additional information
- GDNA Case #A-30947B Table pending receipt of additional information
- GDNA Case #A-30947C Table pending receipt of additional information
- GDNA Case #A-30947D Table pending receipt of additional information

Applications

- | | | |
|--------------------------------|----------------------------|---|
| • Alex J. Juggassar | Pharmacist | Approved application |
| • C.T.M. | Pharmacist | Schedule for an appearance with the Board |
| • Dan V. Nguyen | Pharmacist Reciprocity | Approved application |
| • Jason A. Bonner | Pharmacist | Approved application |
| • P.L.P. | Pharmacist | Schedule for an appearance with the Board |
| • Rachel J. Garcia | Pharmacist | Approved application |
| • Whitney N. Shirley | Pharmacist | Approved application |
| • Adam G. DeCarolis | Pharmacist | Approved application |
| • D.Q.N. | Pharmacist Intern | Hours approved |
| • K.H.H. | Pharmacist Intern | Hours approved |
| • Bayer Healthcare | Wholesaler Pharmacy | Approved application |
| • Healix Infusin Therapy, Inc. | Wholesaler Pharmacy | Approved application |
| • P.P.C. | Wholesaler Pharmacy | Refer to the Attorney General's office for discipline |
| • TheraCom, LLC | Wholesaler Pharmacy | Approved application |
| • M.M. | Pharm Certification of DTM | Table pending receipt of additional information |
| • A.P. | Pharm Certification of DTM | Table pending receipt of additional information |
| • A.N.L. | Pharm Certification of DTM | Table pending receipt of additional information |
| • T.J.W. | Pharm Certification of DTM | Denied application and refer to Georgia Composite Medical Board |

Correspondences/Requests

- | | | |
|----------|---|---|
| • M.E. | Correspondence | Request denied |
| • C.M. | Request to lift supervision restriction | Approved request |
| • P.U.N. | Extension request | Approved request |
| • E.O. | Request to term probation | Request will be approved as of June 24, 2015 |
| • J.L. | Correspondence | Directed staff to send a response referring to the appropriate code section |

Executive Director's Report – Tanja Battle

- June Examination No action taken

Bob Warnock seconded and the Board voted in favor of the motion, with the exception of Laird Miller, who recused himself from the vote regarding M.B.

The next scheduled meeting of the Georgia Board of Pharmacy is scheduled for Wednesday, May 14, 2014, at 9:00 a.m. at Department of Community Health's office located at 2 Peachtree Street, N.W., 36th Floor, Atlanta, GA 30303.

The Board meeting adjourned at 3:10 p.m.

Minutes recorded by Brandi P. Howell, Business Operations Specialist
Minutes edited by Tanja D. Battle, Executive Director