

GEORGIA BOARD OF PHARMACY
Board Meeting
2 Peachtree Street, NW, 5th Floor
Atlanta, GA 30303
December 13, 2017
9:00 a.m.

The following Board members were present:

Chris Jones, President
Bob Warnock, Vice-President
Vicki Arnold *(via conference call)*
Jim Bracewell
Mike Faulk
Lisa Harris
Laird Miller

Staff present:

Tanja Battle, Executive Director
Dennis Troughton, Director, GDNA
Ronnie Higgins, Deputy Director, GDNA
Margaret Brosh, Special Agent, GDNA
Janet Wray, Senior Assistant Attorney General
Max Changus, Assistant Attorney General
Kimberly Emm, Attorney
Brandi Howell, Business Support Analyst I

Visitors:

Helen Sloat, Hemophilia of GA, Kaiser Permanente
Stephen Georgeson, GRA
TJ Kaplan, JLM
Young Chang, Walgreens
Devin Kreel, CSG
Baylie Fry, Baker Hostetler
Tammy Mifflin, Apria
Diane Sanders, Kaiser Permanente
Jennifer Bellis, BSL
Lindsay Burckhalter, Publix
Angie Amado, GPhA
Hershika Patel, PCOM
Vince Obsitnik, GVMA
Lea Bonner, Mercer
Shea Ross-Smith, Kaiser Permanente
Keri Conley, GHA
Ed Rickert, OptionCare
Cindy M. Dyer, UGA
Mark M. Dyer, UGA
Alan Puckett, OptionCare
Cameron Brown, Wal-Mart
Laney Smith, UGA
Chris E. Falk
Sherine Bahna, Wholecare Rx
Tokes Adeleye

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

President Jones welcomed the visitors.

Public Hearing

President Jones called the public hearing to order at 9:06 a.m.

Chapter 480-7B Durable Medical Equipment Suppliers

Public comments were received from Tammy Mifflin, Apria Healthcare. Ms. Mifflin stated Apria is opposed to restricting DME licenses to only locations which are within GA. She added there is concern that the qualifications of out-of-state DME locations do not meet accepted recognized DME standards, do not undergo inspections, or hold equivalent licenses in the resident state. She stated that Apria supports compliance with the CMS Quality Standards and requests that Georgia adopt those standards as sufficient and without changes to the proposed rule 480-7B-.06(5) Delivery by Mail. She stated that Apria does not support adopting a list of equipment specifically prohibited from mail delivery since the CMS standards related to delivery are sufficient and technologies will progressively change. President Jones responded by stating the Board had contemplated a list but ultimately decided against it to eliminate the need for amending the rule each time the list was amended.

Mike Faulk made a motion to adopt Chapter 480-7B Durable Medical Equipment Suppliers. Bill Prather seconded and the Board voted unanimously in favor of the motion.

Written responses were received from Tammy Mifflin, Apria Healthcare.

Chapter 480-51 Interchangeable Biological Products

No comments or written responses were received.

Laird Miller made a motion to adopt Chapter 480-51 Interchangeable Biological Products. Mike Faulk seconded and the Board voted unanimously in favor of the motion.

Rule 480-7-.07 Credit for Returned Expired Drugs

No comments or written responses were received.

Jim Bracewell made a motion to adopt Rule 480-7-.07 Credit for Returned Expired Drugs. Mike Faulk seconded and the Board voted unanimously in favor of the motion.

The hearing adjourned at 9:09 a.m.

Open Session

Approval of Minutes

Laird Miller made a motion to approve the Public Session minutes from the November 8, 2017 meeting. Bill Prather seconded and the Board voted unanimously in favor of the motion.

Lisa Harris made a motion to approve the Executive Session minutes from the November 8, 2017 meeting. Mike Faulk seconded and the Board voted unanimously in favor of the motion.

Bill Prather made a motion to approve the minutes from the November 13, 2017 Conference Call. Lisa Harris seconded and the Board voted unanimously in favor of the motion.

Report of Licenses Issued

Mike Faulk made a motion to ratify the list of licenses issued. Lisa Harris seconded and the Board voted unanimously in favor of the motion.

Petition for Rule Waiver or Variance Request from Option Care, PHHH000013

Jim Bracewell made a motion to deny the request. Lisa Harris seconded and the Board voted unanimously in favor of the motion.

Petition for Rule Variance Petition from BHG Jackson Treatment Center

Mike Faulk made a motion to approve the rule variance petition. Bill Prather seconded and the Board voted unanimously in favor of the motion.

Petition for Rule Variance from BHG Stockbridge Treatment Center

Mike Faulk made a motion to approve the rule variance petition. Bill Prather seconded and the Board voted unanimously in favor of the motion.

Petition for Rule Waiver from scPharmaceuticals Inc.,

Lisa Harris made a motion to approve the rule waiver petition. Mike Faulk seconded and the Board voted unanimously in favor of the motion.

Correspondence from R. David Pore, Hance Scarborough, LLP

The Board viewed this correspondence for informational purposes only.

Correspondence from Andrea Dietze, Lab Solutions

The Board considered this correspondence regarding the legality of Ms. Dietze reaching out to patients to extend her services for either pick up, drop off or contact with their prescriptions. Lisa Harris made a motion to direct staff to respond to Ms. Dietze by requesting additional information. Mike Faulk seconded and the Board voted unanimously in favor of the motion.

Correspondence from Laura Pone

The Board considered this correspondence asking whether or not Georgia requires out of state wholesalers report to the DSCSA database. Bob Warnock made a motion to direct staff to respond to Ms. Pone by stating that the Board suggests she refer to Rule 480-7-.03(10) for more information. Bill Prather seconded and the Board voted unanimously in favor of the motion.

Correspondence from Jackson T. Lindsey, Omega Pharmacy

The Board considered this correspondence asking if there is a rule addressing non-pertinent information, such as discount card information, being added to a prescription, both written and electronic. Bob Warnock made a motion to direct staff to respond to Mr. Lindsey by stating there is no rule or regulation addressing this matter. Laird Miller seconded and the Board voted unanimously in favor of the motion.

Correspondence from Andrew Hull

The Board considered this correspondence regarding a client being a virtual distributor of prescription medical devices. In Mr. Hull's correspondence he asks would the company require any form of licensure in Georgia, and if so, what particular license would be required. Laird Miller made a motion to direct staff to respond to Mr. Hull by stating that his client would need to obtain a wholesale distributor license if prescriptive devices or prescriptive drugs are being distributed. Jim Bracewell seconded and the Board voted unanimously in favor of the motion.

Correspondence from Paige Wildes

The Board considered this correspondence regarding the Board's Notice Regarding Standing Order for Prescription of Naloxone for Overdose Prevention. Specifically, Ms. Wildes works at a facility that has a Medication Assistance Program (MAT) and a counselor that will visit people's homes. Ms. Wildes asks how is she to put a label on the Narcan and the counselor keep the Narcan nasal spray on her in case she needs it when it says RX only. Jim Bracewell made a motion to direct staff to respond to Ms. Wildes by

stating that the counselor's name is whose name it should be in. Bill Prather seconded and the Board voted unanimously in favor of the motion.

Correspondence from Dr. Vince Obsitnik, Georgia Veterinary Medical Association

The Board considered this correspondence from Dr. Obsitnik, who was present at the meeting. Dr. Obsitnik thanked Mr. Miller, who met with GVMA several times. Dr. Obsitnik requested the Board consider the special needs of veterinarians and their patients to amend Rule 480-11-.02(f) to allow veterinarians to dispense compounded medications to their clients in urgent and emergency situations. Mr. Miller commented that they have a legitimate concern. Dosing is tricky enough and they need to be able to do it in a timely manner. Mr. Prather agreed with Mr. Miller. Director Troughton stated that he has read through the language. Mr. Miller commented that Director Troughton and Deputy Director Higgins have been very helpful and supportive and if they have gone so far to have gone through it, if they have some language they can present, send to Ms. Emm to put in the proper format and see if it can be presented to the Board at the January meeting to see if this matter can be addressed as a rule change. Dr. Obsitnik thanked the Board for its time.

Correspondence from Dr. Jessica Chen, JenCare Senior Medical Center

The Board considered this correspondence requesting the Board's opinion on the legality of home delivery of non-controlled medications to senior patients. Bill Prather made a motion to schedule Dr. Chen for an appearance with the Board to further discuss her request. Laird Miller seconded and the Board voted unanimously in favor of the motion.

Georgia Drugs and Narcotics Agency – Dennis Troughton

No report.

Attorney General's Report – Janet Wray

No report.

Executive Director's Report - Tanja Battle

Continuing Education Report: Report presented. Jim Bracewell made a motion to ratify the below named continuing education programs approved since the previous meeting. Laird Miller seconded and the Board voted unanimously in favor of the motion.

Date of Program	Hours	Sponsoring Group	Program Title	CE Code
11/30/2017	.5	Kaiser Permanente	Clinical Pharmacy Information Series	2017-0017
12/14/2017	1	Kaiser Permanente	Outpatient Antimicrobial Stewardship: Not All Bugs Need Drugs	2017-0018

Ms. Battle reported that the Board has been invited by the Department of Public Health to a Strategic Planning Meeting on Tuesday of next week. She stated representatives from GDNA will be there on both days as well and will report back to the Board. She stated she thinks it would be good to have a board representative present at the meeting. Ms. Wray concurred and indicated there were several issues that are related to the Opioid crisis, which would benefit from the Board's input.

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 Vicki Arnold, Jim Bracewell, Mike Faulk, Lisa Harris, Chris Jones, Laird Miller, Bill Prather and Bob Warnock.

Attorney General's Report – Janet Wray

Ms. Wray discussed the following case:

- C.L.

Ms. Wray presented the following consent orders for acceptance:

- W.P.
- C.V.S.P.
- S.M.
- P.H.P.

Mr. Changus discussed the following cases:

- D.L.
- P.P.S./J.C.

Appearance

- L.M.S.

Attorney General's Report – Janet Wray

Ms. Wray presented the following consent order for acceptance:

- D.S.P.

Appearances

- C.H.F.
- W.P.
- T.A.

Georgia Drugs and Narcotics Agency – Dennis Troughton

- Inspections
- GDNA Case #A-32246

Cognizant's Report – Bob Warnock

- GDNA Case # T-32309
- GDNA Case # T-32347
- GDNA Case # A-32352
- GDNA Case # B-32009
- GDNA Case # B-32111
- GDNA Case # B-32227
- GDNA Case # B-32168
- GDNA Case # B-32211
- GDNA Case # B-32239
- GDNA Case # B-32240
- GDNA Case # B-32263
- GDNA Case # A- 32280
- GDNA Case # B-32135
- GDNA Case # A-32364
- GDNA Case #B-32079

Cognizant's Report – Chris Jones

- GDNA Case #B-32232

Executive Director's Report – Tanja Battle

- U.P.S.S.C.S.I.
- S.P.
- C.B.P.
- H.C.R.I.
- C.W.C.

Applications

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

- R.L.
- D.B.L.
- B.M.Z.
- D.K.S.
- C.E.C.
- E.M.C.
- E.P.
- S.S.
- R.B.T.
- S.L.B.
- P.E.H.

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

Open Session

Ms. Emm updated the Board on edits/grammar corrections made to the application for Durable Medical Equipment. Mike Faulk made a motion to approve the application with the changes noted. Laird Miller seconded and the Board voted unanimously in favor of the motion.

Bill Prather made a motion for the Board to take the following actions:

Attorney General’s Report – Janet Wray

Ms. Wray discussed the following case:

- C.L. Close case and approve for reinstatement

Ms. Wray presented the following consent orders for acceptance:

- W.P. Private Consent Order accepted
- C.V.S.P. Public Consent Order accepted and letters of concern to L.D. and E.T.
- S.M. Private Interim Consent Order accepted
- P.H.P. Private Consent Order accepted

Mr. Changus discussed the following cases:

- D.L. Update provided
- P.P.S./J.C. Update provided

Appearance

- L.M.S. Pending Pharmacist Reinstatement Policy 3A

Attorney General’s Report – Janet Wray

Ms. Wray presented the following consent order for acceptance:

- D.S.P. Public Consent Order to be accepted and signed with express permission upon receipt of the original

Appearances

- C.H.F. Revoked Pharmacy Technician Uphold revocation
- W.P. Denied Retail Pharmacy Uphold denial
- T.A. Pending Pharmacist Reinstatement Policy 3A

Georgia Drugs and Narcotics Agency – Dennis Troughton

- Inspections
- GDNA Case #A-32246 Refer to the Department of Law

Cognizant’s Report – Bob Warnock

- GDNA Case # T-32309 Revoke Technician Registration
- GDNA Case # T-32347 Accept Voluntary Surrender
- GDNA Case # A-32352 Accept Private Interim Consent Order
- GDNA Case # B-32009 Close case
- GDNA Case # B-32111 Close case with no action
- GDNA Case # B-32227 Close case with no action
- GDNA Case # B-32168 Close case with no action
- GDNA Case # B-32211 Close case with no action
- GDNA Case # B-32239 Misfill Policy #1
- GDNA Case # B-32240 Close case with no action
- GDNA Case # B-32263 Close case with no action
- GDNA Case # A- 32280 Close case with a letter of concern
- GDNA Case # B-32135 Close case with a letter of concern
- GDNA Case # A-32364 Accept Private Interim Consent Order for Assessment
- GDNA Case #B-32079 Close case with a letter of concern

Cognizant’s Report – Chris Jones

- GDNA Case #B-32232 Close case with no action

Executive Director’s Report – Tanja Battle

- U.P.S.S.C.S.I. Open records request Request denied
- S.P. Open records request Request denied
- C.B.P. Open records request Request denied
- H.C.R.I. Open records request Request denied
- C.W.C. Request regarding reinstatement application and fee Approved request for \$200 renewal fee be credited towards reinstatement fee. Board directed staff to proceed with processing the application.

Applications

- Mariecka R. Gladney Pharmacy Technician Approved for registration
- S.K. Pharmacy Technician Table pending receipt of additional information
- Kristen L. Gamble Pharmacy Technician Approved for registration
- Avery M. Shows Pharmacy Technician Approved for registration
- Najad A. Haji Pharmacy Technician Approved for registration
- William A. Fernandez Pharmacy Technician Approved for registration
- Kelley R. Calhoun Pharmacy Technician Approved for registration
- Anitra T. Williams Pharmacy Technician Approved for registration
- Kiera L. Cliatt Pharmacy Technician Approved for registration
- B.A. Sheferaw Pharmacist Intern Approved application
- Nnamdi C. Ndudikwa Pharmacist Intern Approved application
- Raymond P. Haley Pharmacist Intern Approved application
- Vivian N. Anaeto Pharmacist Intern Approved application

• C.M.L.	Pharmacist Reciprocity	Approved to sit for the exam
• K.E.M.	Pharmacist Reciprocity	Approved to sit for the exam
• M.D.C.	Pharmacist Examination	Approved to sit for the exam
• J.C.B.	Pharmacist Reciprocity	Approved to sit for the exam
• Michelle B. Aslami	Pharmacist Certification of DTM	Approved application
• A.R.W.P.	Notice of discipline	No action taken
• F.M.C.P.S.I.	Notice of discipline	No action taken
• B.S.P.S.I.	Notice of discipline	No action taken
• B.C.F.	Notice of discipline	No action taken
• H.S.T.P.	Notice of discipline	No action taken
• W.M.S.	Notice of discipline	No action taken
• H.H.G.I.	Notice of discipline	No action taken
• T.P.S.I.	Notice of discipline	No action taken
• A.C.R.O.P.S.	Notice of discipline	No action taken
• F.R.	Notice of discipline	No action taken
• G.P.	Notice of discipline	No action taken
• T.M.C.	Notice of discipline	No action taken
• P.I.	Notice of discipline	No action taken
• A.D.S.	Request to take MPJE a 4 th attempt	Approved request
• H.G.C.	Request to take MPJE a 4 th attempt	Approved request
• K.M.L.	Request to take MPJE a 4 th attempt	Approved request
• C.J.H.	Request to take MPJE a 4 th attempt	Approved request
• V.R.J.	Request to take NAPLEX a 4 th attempt	Request denied
• B.C.	Request regarding licensure by reciprocity	Board directed staff to respond by stating in order to be considered for licensure by reciprocity, additional documentation from NABP would need to be submitted.
• R.L.	Request regarding licensure by reciprocity	Board directed staff to respond by stating in order to be considered for licensure by reciprocity, additional documentation from NABP would need to be submitted.
• D.B.L.	Request regarding reinstatement	Board directed staff to respond by sending individual information on Board Policy 3A
• B.M.Z.	Appearance request	Approved request
• D.K.S.	Request to terminate probation	Approved request
• C.E.C.	Request to terminate probation	Approved request
• E.M.C.	Remote Order Entry	Approved request
• E.P.	Request regarding exporting	Table pending receipt of additional information
• S.S.	Request for early release from probation	Approved request
• R.B.T.	Request to take NAPLEX a 4 th attempt and MPJE a 5 th attempt	Request denied for additional attempt to take the NAPLEX; request to take additional attempt at MPJE approved
• S.L.B.	Request to take MPJE a 4 th attempt	Approved request

- P.E.H. Request regarding treatment facility Approved request

Vicki Arnold seconded and the Board voted unanimously in favor of the motion.

President Jones stated that the Board needs to nominate officers for the upcoming year. Jim Bracewell made a motion for Bill Prather to serve as Cognizant and Vice-President. Lisa Harris seconded and the Board voted unanimously in favor of the motion.

Bill Prather made a motion to nominate Chris Jones as President. Lisa Harris seconded and the Board voted unanimously in favor of the motion.

There being no further business to discuss, the meeting was adjourned at 3:50 p.m.

The next meeting of the Georgia Board of Pharmacy is scheduled for Wednesday, January 10, 2018 at 9:00 a.m. at South University College of Pharmacy at 709 Mall Blvd, Savannah, GA 31406.

Minutes recorded by Brandi Howell, Business Support Analyst I
Minutes edited by Tanja D. Battle, Executive Director