

**GEORGIA STATE BOARD OF PHARMACY**  
**Board Meeting Minutes**  
**Professional Licensing Boards**  
**237 Coliseum Drive, Macon, GA**  
**February 13, 2013**  
**9:30 a.m.**

The Georgia State Board of Pharmacy met on February 13, 2013 for the purpose of conducting business.

**Board Members Present:**

Al McConnell, Chairperson  
Bill Prather  
Ronnie Wallace  
Tony Moye  
Laird Miller  
Mike Faulk  
Chris Jones  
Pat McPherson

**Staff Present:**

Rick Allen, GDNA  
Janet Wray, Senior Assistant Attorney General  
Tanja D. Battle, Executive Director  
Tamara Elliott, Board Support Specialist

**Visitors**

Scott Biddulph  
Hal Henderson  
Jimmy England  
Greg Primuth  
Vigay Petel  
Benjamin Thomason  
Jayne Mahboubi  
Aylisa Hicks  
Josh Belinfante

Al McConnell established that a quorum was present and called the meeting to order at 9:38a.m.

**Open Session**

**9:30a.m. Pharmacy Rule Hearing:**

Rule 480-10-.19 Use of Automated and/or Robotic Pharmacy Systems

Comments:

Jimmy England and Hal Henderson both inquired as to clarification of terminology.  
Neither had objection to the rule.

Bill Prather indicated that clarification could be provided via a rule amendment after further consideration, but suggested proceeding with the rule as posted.

Bill Prather made a motion to adopt the rule as posted, Mike Faulk seconded and the Board voted unanimously in favor of the motion.

#### **Approval of Minutes from the January 9, 2013 Board Meeting**

Mike Faulk made a motion to approve the minutes from the January 9, 2013 meeting. Chris Jones seconded and the Board vote unanimously in favor of the motion.

#### **Report of Licenses Issued January 1, 2013-February 1, 2013**

Pat McPherson made a motion to ratify the Report of Licenses issued January 1, 2013-February 1, 2013. Ronnie Wallace seconded and the Board voted unanimously in favor of the motion.

#### **House Bill 57 Synthetic Cannabinoids**

The Board received a copy of the bill as information.

#### **Correspondence from Jan Kimbro: Hospital's Policy and Procedure for Remote Order Entry for Phoebe Putney Memorial Hospital**

Chris Jones made a motion to approve the submission, Pat McPherson seconded and the Board voted unanimously in favor of the motion.

#### **Correspondence from Robert A. Purcell: Board Review to engage in Remote Order Entry**

Chris Jones made a motion to approve the submission, Pat McPherson seconded and the Board voted unanimously in favor of the motion.

#### **Correspondence from Cathy Maynard-Parker**

PointClickCare asked that the Board provide direction regarding long term care that is different than hospital care where a physician rounds/visits daily and is able to transmit his or her own orders. In long term care, CMS only requires a visit from the physician every 60 days so the physician is dependent upon the nurse to take orders over the phone. They further indicate they still obtain the wet signature on the telephone/verbal order of the physician and that all physicians' written orders are faxed to the pharmacy for review by the pharmacist. There was discussion about the DEA finalizing rule amendments regarding such. Rick Allen stated that once the DEA finalizes its rules then the Board of Pharmacy would amend its rules accordingly. Janet Wray stated that the Board needs to discuss further before issuing a position; Al McConnell suggested working with Rick Allen to bring back a recommendation at the March meeting. Tony Moye made a motion to table current response, Bill Prather seconded and the Board voted unanimously in favor of the motion.

#### **Correspondence from Josh Belinfante: Centralized Order Entry**

Chris Jones made a motion to approve the submission, Pat McPherson seconded and the Board voted unanimously in favor of the motion.

#### **Correspondence from Bill Brannen-Remote Order Entry Draft Policies and Procedures**

Chris Jones made a motion to approve the submission, Pat McPherson seconded and the Board voted unanimously in favor of the motion.

Bill Prather made the motion, Pat McPherson 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 Al McConnell, Bill Prather, Ronnie Wallace, Tony Moye, Laird Miller, Mike Faulk, Chris Jones and Pat McPherson.

**Executive Session**

The Board held the following:

**Appointments:**

- 10:00 a.m. H.W. Pharmacist
- 10:15 a.m. K. M. Pharmacy Technician-No Show
- 10:30 a.m. B.M.T. Pharmacist
- 10:45 a.m. A.J.H. Pharmacist Reinstatement

Al McConnell concluded Executive Session, in which no votes were taken, and declared the meeting back in Open Session.

**Open Session**

**11:00a.m. Lori Duke of UGA Rule Waiver Request**

Ms. Duke provided clarification of their request for a rule waiver. UGA is interested in allowing UGA students/interns to be able to administer vaccines. Ms. Janet Wray stated that they will need to submit a rule waiver petition in accordance with Title 50-13-9.1. The rule waiver petition will need to demonstrate a substantial hardship and an alternative means by which the requirement of the rule can be met. Ms. Battle directed Ms. Dukes on the name of the form required for the waiver request and where it could be located.

Bill Prather made the motion, Ronnie Wallace 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 Al McConnell, Bill Prather, Ronnie Wallace, Tony Moye, Laird Miller, Mike Faulk, Chris Jones and Pat McPherson.

**Executive Session**

The Board discussed the following:  
Correspondence from H.C. C.

Al McConnell concluded Executive Session, in which no votes were taken, and declared the meeting back in Open Session.

**Open Session**

**Correspondence from Grady White-Schedule II Prescriptions**

Staff was directed to refer Mr. White to Rule 480-5-.03.

**Correspondence from David Leitch of Kroger-Pharmacy Lockboxes**

Ronnie Wallace made a motion to approve the submission, Bill Prather seconded and the Board voted unanimously in favor of the motion.

**Correspondence from Jimmy England: Walgreens Floater Pharmacist Key Policy**

Rick Allen discussed an issue with the policy. Laird Miller made a motion to table for resubmission, Tony Moye seconded and the Board voted unanimously in favor of the motion.

**Georgia NAPLEX MPJE MOU 7-1-13 TO 6-30-2014**

The Board was presented with a copy of the Memorandum of Understanding from NAPLEX as information. Ms. Battle will sign and return it to NAPLEX.

Rick Allen brought up the MPJE Item Development workshop on March 21-22. After brief discussion, Laird Miller made a motion to nominate Chris Jones as Board's Representative. Bill Prather seconded, and the Board voted unanimously in favor of the motion.

### **Max Staples Rule Waiver Request: 480.3.03 CE Requirement**

Ronnie Wallace made a motion to grant the request based upon completion of 30 hours of CE courses by December 31, 2013. Bill Prather seconded and the Board voted unanimously in favor of the motion. Also, as part of that motion, staff was directed to emphasize that the 30 hours of CE could not count towards the continuing education requirement for the next biennium.

### **Correspondence from Nancy Pierro-Request for Exemption from Dangerous Drugs List**

Rick Allen indicated that this matter has already been addressed. Board has received the correspondence as information.

### **Josh Belinfante Submitted a letter to board discussing Remote Order Entry issues**

Mr. Belinfante presented a second letter to Board in which he was asking for confirmation regarding his understanding of the rule regarding such. The Board acknowledged that his understanding was correct.

### **Georgia Drugs and Narcotics Agency - Rick Allen**

Legislative update:

HB57: Synthetic Cannabinoids – Passed House, in Senate HHS Committee  
HB132: Pharmacy Board autonomy – on House Floor, Recommitted to House  
HB178: Pain Clinic Registration – Passed House HHS, sent to Rules (2-11-13)  
HB209: Security Paper fix – Passed House HHS, sent to Rules (2-11-13)  
HB213: Accreditation by BOP – in House Reg Ind (2-11-13)  
HB302: Drug Update, introduced 2-12-13, to House HHS  
SB132: Security Paper Fix – introduced 2-11-13, to Senate HHS  
SB133: Housekeeping for OCGA 16-13 – introduced 2-11-13, to Senate HHS  
SB134: PMP fix re. out of state physicians – introduced 2-11-13, to Senate HHS

Chairman McConnell appointed Pat McPherson and Bill Prather to work on HB 132 during the current legislative session.

### **Attorney General's Open Session - Janet Wray**

#### **Executive Director's Open Session - Ms. Tanja D. Battle**

Ms. Battle discussed a late renewal period for pharmacy technicians as renewal notices were being prepared for the June 2013 expiration date.

The Board discussed amending rule 480-2-.04 as follows.

#### **480-2-.04 Examinations.**

- (1) For licensure, an individual must successfully pass the NAPLEX, a jurisprudence examination approved by the Board and a practical examination approved by the Board.
  - (a) An individual is not eligible to take the examinations for licensure until such individual has graduated from an approved college or school of pharmacy and has completed all internship requirements.
- (2) The NAPLEX examination is made available throughout the year, with the jurisprudence and practical portions of the examinations being given at specified times.

Applications must be in the Board office in accordance with the deadlines established by the Board.

(a) Candidates for a Georgia license are required to make a minimum grade of 75 on the NAPLEX examination. Applicants are also required to obtain a minimum score of 75 on the Georgia Practical examination, and a minimum score of 75 on the jurisprudence examination. A score of less than ~~60~~ 70 on any section of the Georgia practical examination invalidates all the scores from that administration of the Georgia Practical examination; and

(3) The Board will provide reasonable accommodation to a qualified applicant with a disability in accordance with the Americans with Disabilities Act (ADA). The request for an accommodation by an individual with a disability must be made in writing and received in the Board's office by the application deadline along with appropriate documentation, as indicated in the Request for Disability Accommodation Guidelines.

Tony Moye made a motion to post the rule as amended. Laird Miller seconded and the Board voted in favor of the motion.

Bill Prather made a motion to accept Economic Impact Statement. Chris Jones seconded and the Board voted in favor of the motion.

Rule 480-2-.05 was discussed. At this juncture, no changes are recommended.

### **Miscellaneous**

Tony Moye reported on a meeting he attended in Chicago and discussed the following:

The state of New York wants to compare its practical exam with that of Georgia. Janet Wray cautioned the Board regarding releasing such due to the confidentiality of examination information addressed in Georgia law. If New York law does not mirror that of Georgia's as it relates to such, it could mean that the examination information, if shared, could be disclosed by New York.

He further reported that some states are going to require continuing education for pharmacy technicians.

Bill Prather made the motion, Ronnie Wallace 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 Al McConnell, Bill Prather, Ronnie Wallace, Tony Moye, Laird Miller, Mike Faulk, Chris Jones and Pat McPherson.

### **Executive Session**

The Board discussed the following:

1. Notification of Disciplinary Action  
The Board accepted this as information.
2. Correspondence from J. R. W.  
The Board indicated it need additional information to make a determination.

### **Cognizant Report – Al McConnell**

- GDNA Case #T30670
- GDNA Case #A13-07

- GDNA Case #A13-08
- GDNA Case #T13-06
- GDNA Case #T13-10
- GDNA Case #T12-75
- GDNA Case #B30149
- GDNA Case #A30556
- GDNA Case #T12-76
- GDNA Case #B29733
- GDNA Case #B29716
- GDNA Case #B29420
- GDNA Case #B29476
- GDNA Case #B29497
- GDNA Case #B29647
- GDNA Cases #D-30510

**Attorney General's Report - Janet Wray**

- D.M.
- M.E.I.
- P.M.
- A.D.M.
- J.M.C.

**Applications**

- |               |                                    |
|---------------|------------------------------------|
| 1. A.P.U.     | Pharmacy Technician                |
| 2. B.B.H.     | Pharmacy Technician                |
| 3. C.D.M.     | Pharmacy Technician                |
| 4. C.T.L.     | Pharmacy Technician                |
| 5. C.N.P.     | Pharmacy Technician                |
| 6. D.M.       | Pharmacy Technician                |
| 7. D.P.       | Pharmacy Technician                |
| 8. D.K.C.     | Pharmacy Technician                |
| 9. J.K.T.     | Pharmacy Technician                |
| 10. R.C.C     | Pharmacy Technician                |
| 11. R.W.R.    | Pharmacy Technician                |
| 12. R.J.B.    | Pharmacy Technician                |
| 13. S.D.S.    | Pharmacy Technician                |
| 14. S.A.B.    | Pharmacy Technician                |
| 15. V.G.      | Pharmacy Technician                |
| 16. Z.X.W.    | Pharmacy Technician                |
| 17. A.P.      | Wholesale Pharmacy                 |
| 18. C.A.P.S.  | Wholesale Pharmacy                 |
| 19. A.R.A.M.S | Remote Automated Medication System |
| 20. R.I.      | Pharmacist Reinstatement           |
| 21. A.B.R.    | Request to Terminate Probation     |
| 22. A.J.B.    | Request to Terminate Probation     |
| 23. C.D.M.    | Request to Terminate Probation     |
| 24. C.B.      | Request to Terminate Probation     |
| 25. C.F.      | Request to Terminate Probation     |
| 26. D.A.R.    | Request to Terminate Probation     |
| 27. S.R.      | Request to Terminate Probation     |
| 28. B.Y.C.    | Pharmacist Renewal                 |

29. C.L.S.	Pharmacist Renewal
30. C.W.A	Pharmacist Renewal
31. C.A.P.	Pharmacist Renewal
32. D.P.L.	Pharmacist Renewal
33. D.L.A.	Pharmacist Renewal
34. J.S.G.	Pharmacist Renewal
35. J.B.	Pharmacist Renewal
36. O.F.O.	Pharmacist Renewal
37. P.M.G.	Pharmacist Renewal
38. R.D.D.	Pharmacist Renewal
39. R.E.L.	Pharmacist Renewal
40. T.S.R.	Pharmacist Renewal
41. T.R.K.	Pharmacist Renewal
42. C.M.L.	Pharmacist Certification of DTM
43. C.L.C.	Pharmacist Certification of DTM
44. E.M.S.	Pharmacist Certification of DTM
45. E.T.B.	Pharmacist Certification of DTM
46. J.E.	Pharmacist Certification of DTM
47. L.M.P.	Pharmacist Certification of DTM
48. C.T.D.	Pharmacist Intern
49. K.B.N.	Pharmacist Intern
50. M.V.D.	Pharmacist Intern Extension
51. P.M.B.	Request to take MPJE Exam
52. G.L.H.	Appearance Request
53. H.H.	Appearance Request
54. J.H.	Appearance Request
55. B.C.	Pharmacist Self Report
56. D.Y.C.	Pharmacist Self Report
57. J.T.	Request to Lift Supervision Requirement
58. M.J.S.	Request to Life PIC

Al McConnell concluded Executive Session, in which no votes were taken, and declared Open Session.

<b>OPEN SESSION</b>
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**VOTE:**

**Appointments:**

10:15 a.m.      K. M. Pharmacy Technician              No Show

10:30 a.m.      B.M.T. Pharmacist

Bill Prather made a motion to approve with a private order, Laird Miller seconded and the Board voted unanimously in favor of the motion.

10:45 a.m.      A.J.H. Pharmacist Reinstatement

Bill Prather made a motion for an OMPE and reconsider reinstatement under Policy 3a upon receipt of results if deemed appropriate. Laird Miller seconded and the Board voted unanimously in favor of the motion.

**Correspondence from H.C. C.**

Bill Prather made a motion to approve license renewal, Ronnie Wallace seconded and the Board voted unanimously in favor of the motion.

Bill Prather made a motion to accept the following recommendations. Laird Miller seconded and the Board voted unanimously in favor of the motion.

**Cognizant Report – Al McConnell**

- GDNA Case #T30670           Accept Voluntary Surrender
- GDNA Case #A13-07        Accept Signed Private Interim Consent Order
- GDNA Case #A13-08        Accept Interim Consent Order
- GDNA Case #T13-06        Accept voluntary Surrender
- GDNA Case #T13-10        Revoke License
- GDNA Case #T12-75        Close with No Action
- GDNA Case #B30149        Close with No Action
- GDNA Case #A30556        Close with No Action
- GDNA Case #T12-76        Public Consent Order, 5 years probation, 50,000 fine, Restriction: cannot fill Oxycontin
- GDNA Case #B29733        Send letter of concern
- GDNA Case #B29716        Close with No Action
- GDNA Case #B29420        Close with No Action
- GDNA Case #B29476        Close with No Action
- GDNA Case #B29497        Close with No Action
- GDNA Case #B29647        Close with No Action
- GDNA Cases #D-30510      Board recommends sending a letter of concern to each practice warning against purchasing misbranded drugs from unlicensed wholesalers and compounders.

**Attorney General’s Report - Janet Wray**

- D.M.                   Close No Action
- M.E.I.                 Close No Action
- P.M.                  Must take MPJE
- A.D.M.                Deny Attorney’s Request
- J.M.C.                 Close No Action

Mike Faulk left Board Meeting at 5:11pm

**Applications**

- |            |                     |         |
|------------|---------------------|---------|
| 1. A.P.U.  | Pharmacy Technician | Approve |
| 2. B.B.H.  | Pharmacy Technician | Approve |
| 3. C.D.M.  | Pharmacy Technician | Approve |
| 4. C.T.L.  | Pharmacy Technician | Approve |
| 5. C.N.P.  | Pharmacy Technician | Approve |
| 6. D.M.    | Pharmacy Technician | Approve |
| 7. D.P.    | Pharmacy Technician | Approve |
| 8. D.K.C.  | Pharmacy Technician | Approve |
| 9. J.K.T.  | Pharmacy Technician | Approve |
| 10. R.C.C  | Pharmacy Technician | Approve |
| 11. R.W.R. | Pharmacy Technician | Approve |
| 12. R.J.B. | Pharmacy Technician | Approve |
| 13. S.D.S. | Pharmacy Technician | Approve |
| 14. S.A.B. | Pharmacy Technician | Approve |
| 15. V.G.   | Pharmacy Technician | Deny    |
| 16. Z.X.W. | Pharmacy Technician | Approve |
| 17. A.P.   | Wholesale Pharmacy  | Approve |

18. C.A.P.S.	Wholesale Pharmacy	Deny Manufacturer; Table Wholesale
19. A.R.A.M.S	Remote Auto Medication System	Refer to GA Pharmacist Rules
20. R.I.	Pharmacist Reinstatement	Table for more information
21. A.B.R.	Request to Terminate Probation	Deny
22. A.J.B.	Request to Terminate Probation	Approve
23. C.D.M.	Request to Terminate Probation	Approve
24. C.B.	Request to Terminate Probation	Approve
25. C.F.	Request to Terminate Probation	Approve
26. D.A.R.	Request to Terminate Probation	Approve
27. S.R.	Request to Terminate Probation	Deny
28. B.Y.C.	Pharmacist Renewal	Approve
29. C.L.S.	Pharmacist Renewal	Table & Request OMPE
30. C.W.A	Pharmacist Renewal	Approve
31. C.A.P.	Pharmacist Renewal	Approve
32. D.P.L.	Pharmacist Renewal	Approve
33. D.L.A.	Pharmacist Renewal	Approve
34. J.S.G.	Pharmacist Renewal	Approve
35. J.B.	Pharmacist Renewal	Approve
36. O.F.O.	Pharmacist Renewal	Deny
37. P.M.G.	Pharmacist Renewal	Approve
38. R.D.D.	Pharmacist Renewal	Table & Request Court Documents
39. R.E.L.	Pharmacist Renewal	Table & Request OMPE
40. T.S.R.	Pharmacist Renewal	Renew & Reserve
41. T.R.K.	Pharmacist Renewal	Approve
42. C.M.L.	Pharmacist Certification of DTM	Conditionally Approve
43. C.L.C.	Pharmacist Certification of DTM	Conditionally Approve
44. E.M.S.	Pharmacist Certification of DTM	Conditionally Approve
45. E.T.B.	Pharmacist Certification of DTM	Conditionally Approve
46. J.E.	Pharmacist Certification of DTM	Conditionally Approve
47. L.M.P.	Pharmacist Certification of DTM	Conditionally Approve
48. C.T.D.	Pharmacist Intern	Approve
49. K.B.N.	Pharmacist Intern	Approve
50. M.V.D.	Pharmacist Intern Extension	Approve
51. P.M.B.	Request to take MPJE Exam	Approve
52. G.L.H.	Appearance Request	Approve ; Schedule for August 2013
53. H.H.	Appearance Request	Approve ; Schedule for August 2013
54. J.H.	Appearance Request	Approve
55. B.C.	Pharmacist Self Report	No Action
56. D.Y.C.	Pharmacist Self Report	No Action
57. J.T.	Request to Lift Supervision Req.	Approve
58. M.J.S.	Request to Lift PIC	Approve

No more business was discussed and the meeting adjourned 5:20 p.m.

The next Pharmacy Board meeting will be on Wednesday, March 13, 2013 at 9:30 a.m. at the Office of Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217.