

GEORGIA BOARD OF PHARMACY
Board Meeting
2 Peachtree St., NW, 36th Floor
Atlanta, GA 30303
July 17, 2013
9:30 a.m.

The following Board members were present:

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

Staff present:

Tanja Battle, Executive Director
Rick Allen, GDNA
Janet Wray, Senior Assistant Attorney General
Brandi Howell, Licensure Analyst

Visitors:

Acie Harps
Jim Bartling
Hossein Hazrati
Kim Storey
Scott Biddulph
Melvin Smith
Ashley Cobb
Zach Tomberlin
Rimisha Patel

Chairperson McConnell established that a quorum was present and called the meeting to order at 9:35 a.m.

Ronnie Wallace 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, Tony Moye, Mike Faulk, Chris Jones, Pat McPherson, Laird Miller, Bill Prather and Ronnie Wallace.

Executive Session

Appearances

- A.L.H.
- H.H.
- K.S.

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

Open Session

Approval of Minutes

Ms. Battle commented that there was a rule petition for Peachford Behavioral Health System on last month's agenda that should not have been due to the fact that the petition had not been on the registry for at least 15 days. It will be considered at today's meeting and thus not reflected in last month's minutes. Tony Moye made a motion to approve the Public and Executive Session minutes for the June 5,

2013 full Board meeting and the Public Session minutes for the June 17, 2013 and July 3, 2013 Conference Calls. Chris Jones seconded and the Board voted unanimously in favor of the motion.

Ratifications

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

Tony Moyer stated that he would like for the Board to be notified about exam scores and areas of deficiencies.

Correspondence from Gordon Magee

The Board viewed correspondence that was for informational purposes only.

Petition for Rule Waiver – Peachford Behavioral Health System

Bill Prather made a motion to grant the rule waiver petition making note that, if anything changes, they will be required to comply with the physical requirements. Tony Moyer seconded and the Board voted unanimously in favor of the motion.

Georgia Drug and Narcotics Agency – Rick Allen

Tony Moyer stated that he would like to see a committee formed under Mr. Allen to come up with a rule that requires a copy of an ID be kept for class II and III drugs. Ms. Wray responded by stating that the Pharmacist should be checking the ID and noting it as there may be issues with identity fraud if a copy of the license is made.

Executive Director’s Report – Open Session

Transition: Ms. Battle provided an update on the transition. She commented on the benefits of hiring already trained staff that is knowledgeable about licensing and the computer system. Secondly, she discussed the computer conversion during which the system was down for only one week. Ms. Battle stated that, while license and renewal processing continues, online applications and renewals continue to be disrupted. This disruption has caused a delay in overall processing given that technicians and facilities are currently in renewal. She hopes that online functionality is restored in the near future.

Chairperson McConnell stated that the Board appreciates everything Ms. Battle has been doing. Bill Prather made a motion for Ms. Battle and her staff to receive a letter of commendation in appreciation of all of their hard work. Tony Moyer seconded and the Board voted unanimously in favor of the motion.

Donald Evan Kriest, RPH016886: The Board considered this correspondence presented by Ms. Battle. Ronnie Wallace made a motion that the Board suspend Donald Evan Kriest’s license to practice as a Pharmacist for failure to pay child support. His license number is RPH016886. Mr. Wallace further motioned that this suspension will cease upon receipt by the Board of a “Notice of Release” from the Department of Human Resources. Chris Jones seconded and the Board voted unanimously in favor of the motion.

At this time Ms. Battle introduced staff members Eric Lacefield, Taylor Hearn and Anil Foreman to the Board.

Board Rule 480-28-.03 Notification of Intent to Dispense. Amended.: Ms. Battle stated that the Executive Director for the Georgia Board of Nursing delivered a number of notifications relating to this particular rule. Ms. Battle nor Mr. Lacefield recalled ever receiving any of these notifications before. Ms. Wray responded that these notices would normally go to Mr. Allen. Mr. Allen stated that he would review the notices and get back to Ms. Battle.

Correspondence to the Georgia Composite Medical Board: Bill Prather stated that he would like for the Pharmacy Board to send a letter of appreciation to the Medical Board for their assistance with House Bill 132. Bill Prather made a motion to direct Ms. Battle to draft a letter of appreciation to the Georgia Composite Medical Board and send to Chairperson McConnell for signature. Tony Moyer seconded and the Board voted unanimously in favor of the motion.

Exam Scores: The Board discussed the Georgia practical exam and whether or not this exam score had an expiration date. After further discussion, the Board stated that there is nothing in the law or rule that makes these scores invalid after two years.

Roster Fee/State Agency: Ms. Battle stated that the office received a request for a roster from the Georgia Department of Public Health. The Department further requested our office waive the fee for such. The Board responded by stating that since the request comes from another state agency, the Board is willing to waive the fee.

Miscellaneous

2013 NABP/AACP District III Meeting: Mr. Allen asked if any of the Board members would be attending this meeting. Bill Prather responded by stating that the Board needed to take a stance on how it feels about NABP's initiatives concerning compounding pharmacies. Laird Miller stated that the Board needs to start attending the meetings and voice its positions on various issues that come up. Ms. Wray responded by stating that the law says the Board is the sole certifying body. Discussion ensued regarding pharmacists who hold licenses in multiple states being subject to inspections with the state inspectors. Bill Prather stated that this may be an issue to address via legislation. If another state wants to conduct inspections in Georgia, such representatives would have to first contact GDNA and schedule one of its agents to go with them. Mr. Prather further stated that the Board should come up with specific points to communicate to NABP. He asked Chairperson McConnell if it would be appropriate for a committee to be appointed to address this issue. Chairperson McConnell appointed Laird Miller and Bill Prather to work with Mr. Allen to come up with something by the next meeting.

Disposal of Unwanted Drugs: Bill Prather stated that he receives quite a few questions about how to dispose of unwanted pharmaceuticals. Bill Prather made a motion to direct Ms. Battle to include a link on the Board's website regarding the DEA's recommendation for disposal of unwanted drugs. Laird Miller seconded and the Board voted unanimously in favor of the motion.

Chris Jones made a motion and Laird Miller 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, Tony Moyer, Mike Faulk, Chris Jones, Pat McPherson, Laird Miller, Bill Prather and Ronnie Wallace.

Executive Session

Georgia Drugs and Narcotics Agency – Rick Allen

Cognizant's Report – Tony Moyer

- GDNA Case #T13-31
- GDNA Case #T13-41
- GDNA Case #T13-45
- GDNA Case #T13-46
- GDNA Case #A-30562

- GDNA Case #T-30714
- GDNA Case #A-30713
- GDNA Case #B-30727
- GDNA Case #A-30729
- GDNA Case #A-30738
- GDNA Case #B-30752
- GDNA Case #T-30761

Applications

- A.L.G.
- M.B.L.
- N.R.P.
- R.K.J.
- T.R.
- K.P.
- N.S.K.
- K.G.
- S.L.K.
- T.L.B.
- J.C.
- L.D.M.
- T.J.
- N.A.N.

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

Open Session

Laird Miller made a motion for the facility listed in GDNA Case #A-30562 to be placed on Inactive status. Tony Moye seconded and the Board voted unanimously in favor of the motion.

Tony Moye 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, Tony Moye, Mike Faulk, Chris Jones, Pat McPherson, Laird Miller, Bill Prather and Ronnie Wallace.

Executive Session

Attorney General’s Report – Janet Wray

Ms. Wray presented the following consent orders for acceptance:

- R.A.
- B.I.R.
- C.S.
- R.A.M.
- P.
- B.W.

Ms. Wray discussed the following cases:

- B.P.
- D.K. and H.B.P.
- M.T.
- P.P.

Applications

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

- C.C.
- P.M.
- P.M.
- E.P.

Correspondences/Requests

- A.J.H.
- C.R.H.
- S.C.
- E.M.C.
- C.A.N.
- C.T.I.
- D.S.
- M.S.
- C.C.
- T.R.C.
- L.B.H.
- R.S.B.

Miscellaneous

- W.
- Prescription protocol

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

Open Session

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

Appearances

- A.L.H. Table pending receipt of additional information.
- H.H. Approve with private consent order
- K.S. Approve with private consent order

Georgia Drugs and Narcotics Agency – Rick Allen

Discussed the Prescription Drug Monitoring Program with the Board. The Board recommended releasing the list, to include confidential applications, to the following:

- All Georgia Sheriff Departments, including any Police Department located inside each county – All 159 counties
- Any Law Enforcement Agency – local, state or federal
- GBI
- GA State Patrol
- DEA Drug task forces in Georgia
- GBI Drug task forces in Georgia
- DEA
- Georgia State Senate
- Georgia State House

Georgia CJCC
HIDTA – Atlanta and National Office
Office of National Drug Control Policy
Office of National Drug Control Policy – NMPI
Bureau of Justice Administration
U.S. CDC
Georgia Prosecuting Attorney’s Council
U.S. House
U.S. Senate
U.S Attorney’s Office – Northern, Middle and Southern Districts
State Boards of Pharmacy in each of the other States, including D.C.
Prescription Drug Monitoring Programs in each of the other 48 states that operate a PDMP

Cognizant’s Report – Tony Moye

- GDNA Case #T13-31 Accept signed Voluntary Surrender
- GDNA Case #T13-41 Accept signed Voluntary Surrender
- GDNA Case #T13-45 Revoke technician registration
- GDNA Case #T13-46 Accept signed Voluntary Surrender
- GDNA Case #T-30714 Table pending receipt of additional information
- GDNA Case #A-30713 Private reprimand and fine
- GDNA Case #B-30727 Letter of Concern
- GDNA Case #A-30729 Private reprimand and fine
- GDNA Case #A-30738 Private reprimand and fine
- GDNA Case #B-30752 Close with no action
- GDNA Case #T-30761 Revoke technician registration; once application for intern license has been completed, require an OMPE

Applications

- A.L.G. Pharmacy Technician Approve for registration
- M.B.L. Pharmacy Technician Approve for registration
- N.R.P. Pharmacy Technician Approve for registration
- R.K.J. Pharmacy Technician Approve for registration
- T.R. Pharmacy Technician Approve for registration
- K.P. Pharmacy Technician Approve for registration
- N.S.K. Pharmacy Technician Approve for registration
- K.G. Pharmacy Technician Approve for registration
- S.L.K. Pharmacy Technician Approve for registration
- T.L.B. Pharmacy Technician Approve for registration
- J.C. Pharmacy Technician Approve for registration
- L.D.M. Pharmacy Technician Table pending receipt of additional information
- T.J. Pharmacy Technician Approve for registration
- N.A.N. Pharmacy Technician Approve for registration

Attorney General’s Report – Janet Wray

Ms. Wray presented the following consent orders for acceptance:

- R.A. Private Consent Order accepted
- B.I.R. Private Consent Order accepted
- C.S. Public Consent Order accepted
- R.A.M. Private Consent Order accepted

- P. Private Consent Order accepted
- B.W. Private Consent Order accepted

Ms. Wray discussed the following cases:

- B.P. Rescind referral and do not accept Consent Order. Reinstate license.
- D.K. / H.B.P. Conduct inspection and schedule for investigative interview
- M.T. Close case with Letter of Concern
- P.P. Schedule for investigative interview

Applications

- | | | |
|----------------|------------------------|------------------------------------|
| • A.L.C. | Pharmacy Intern | Hours approved |
| • T.S.J. | Pharmacy Intern | Hours approved |
| • E.D.P. | Pharmacy Intern | Hours approved |
| • P.I.W. | Pharmacist | Approved application |
| • D.R.A. | Pharmacist | Approved application |
| • J.N.C. | Pharmacist Renewal | Approved with public consent order |
| • D.Y.K. | Nuclear Pharmacist | Approved application |
| • J.V.D. | Pharmacist Reciprocity | Approved application |
| • R.R. | Pharmacist Reciprocity | Denied application |
| • R.A.H. | Pharmacist Reciprocity | Approved application |
| • A.L.I. | Wholesaler Pharmacy | Approved application |
| • A.I.I. | Wholesaler Pharmacy | Approved application |
| • C.H. | Wholesaler Pharmacy | Approved renewal |
| • C.H. | Wholesaler Pharmacy | Approved renewal |
| • C.H. | Wholesaler Pharmacy | Approved renewal |
| • C.H. | Wholesaler Pharmacy | Approved renewal |
| • C.H. | Wholesaler Pharmacy | Approved renewal |
| • M.M.S.I. | Wholesaler Pharmacy | Approved renewal |
| • P.P.I.C. | Wholesaler Pharmacy | Approved renewal |
| • P. | Wholesaler Pharmacy | Approved renewal |
| • S.S. | Wholesaler Pharmacy | Approved application |
| • A.S.D.S.H.I. | Wholesaler Pharmacy | Approved renewal |
| • A.S.D.S.H.I. | Wholesaler Pharmacy | Approved renewal |
| • I.C.S. | Wholesaler Pharmacy | Approved renewal |
| • I.C.S.I. | Wholesaler Pharmacy | Approved renewal |
| • I.C.S.I. | Wholesaler Pharmacy | Approved renewal |
| • M.U.S.A.I. | Wholesaler Pharmacy | Approved renewal |
| • O.S. | Wholesaler Pharmacy | Approved renewal |
| • O.M. | Wholesaler Pharmacy | Approved renewal |
| • O.M. | Wholesaler Pharmacy | Approved renewal |
| • T.P.G.D. | Wholesaler Pharmacy | Approved renewal |
| • V.S. | Wholesaler Pharmacy | Approved renewal |
| • V.S. | Wholesaler Pharmacy | Approved renewal |
| • A.L.I. | Wholesaler Pharmacy | Approved renewal |
| • A.L.I. | Wholesaler Pharmacy | Approved renewal |
| • A.L.I. | Wholesaler Pharmacy | Approved renewal |
| • A.L.I. | Wholesaler Pharmacy | Approved renewal |
| • A.L.I. | Wholesaler Pharmacy | Approved renewal |

- A.L.I. Wholesaler Pharmacy Approved renewal
- A.L.I. Wholesaler Pharmacy Approved renewal
- C.C. Wholesaler Pharmacy Approved renewal
- C.C. Wholesaler Pharmacy Approved application
- P.M. RAMS Applicant Tabled pending receipt of additional information
- P.M. RAMS Applicant Tabled pending receipt of additional information
- E.P. Manufacturing Pharmacy Tabled pending receipt of additional information

Correspondences/Requests

- A.J.H. Request for an extension Approved request to extend application for 90 days
- C.R.H. Remote order entry Approved
- S.C. Remote order entry Tabled pending receipt of additional information
- E.M.C. Remote order entry Denied
- C.A.N. Request for appearance Denied request
- C.T.I. Request to lift probation Approved request
- D.S. Request for appearance Denied request
- M.S. Request to term probation Schedule for appearance with the Board
- T.R.C. Wholesaler Pharmacy Tabled pending receipt of additional information
- L.B.H. Remote order entry Denied
- R.S.B. Request to term probation Approved request

Miscellaneous

- W. No action taken
- Prescription protocol: Refer to the Attorney General's office for advice

The Board recommended establishing a new policy concerning unregistered pharmacy technicians that states that if a facility is inspected and there is an unregistered pharmacy technician, both the Pharmacist in Charge and the Pharmacy are subject to disciplinary action.

The Board recommended amending the current policy for administratively processing licenses to state that an applicant for a pharmacy technician registration that has a DUI over two years old and the applicant is no longer on probation can be administratively processed.

Chris Jones seconded and the Board voted unanimously in favor of the motion.

The next scheduled meeting of the Georgia Board of Pharmacy is scheduled for Wednesday, August 21, 2013, at 9:30 a.m. at South University School of Pharmacy located at 709 Mall Boulevard, Savannah, Georgia 31406.

The Board meeting adjourned at 3:49 p.m.

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