

GEORGIA BOARD OF PHARMACY
Board Meeting
Mercer University College of Pharmacy
3001 Mercer University Drive
Atlanta, GA 30341
March 8, 2017
9:00 a.m.

The following Board members were present:

Chris Jones, President
Bob Warnock, Vice-President
Vicki Arnold
Jim Bracewell
Mike Faulk (*departed @ 2:03 p.m.*)
Lisa Harris (*arrived @ 9:18 a.m.*)
Laird Miller
Bill Prather

Staff present:

Tanja Battle, Executive Director
Rick Allen, Director, GDNA
Janet Wray, Senior Assistant Attorney General
Max Changus, Assistant Attorney General
Brandi Howell, Business Support Analyst I

Visitors:

Shermmicka McKinney
Ted Salter
Richard S. Steele
Woody Roberts
James M. Jones
Jim Bartling
Robert Stitt
John Bird, University of FL
Greg Reybold, GPhA
Stephen Georgeson, GACDS
Joey Sturgeon, Silvergate
Mike King, Publix
Sonya Nelson, Walmart
Jeenu Philip, Walgreens
Young Chang, Walgreens
Drew Umberger, Cardinal Health
Laura Bannister, UGA
Lauren Singletary, UGA
Cecil Cordele, CVS Pharmacy
Brian Robinson, Walgreens
Akesha Edwards

President Jones established that a quorum was present and called the meeting to order at 9:00 a.m.

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

Executive Session

Appearances

- S.D.M.
- R.S.S.
- J.M.J.

Applications

- K.D.D.
- K.H.

Appearance

- R.A.S.

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

Open Session

President Jones welcomed the visitors.

President Jones presented Dean Mathews with a resolution adopted by the Board at its February 2017 meeting which states the following:

On this Wednesday, the eighth day of February, 2017, be it resolved by the State of Georgia Board of Pharmacy that

Whereas the pharmacy profession is founded on the merits of our professional education programs

And Whereas Mercer University College of Pharmacy under the exceptional leadership of Dean Hewitt W. "Ted" Matthews Ph.D. has established an exemplary model of modern pharmacy education in our state,

And Whereas Dean Mathews by his personal character, integrity and vision in his for forty-four years of service at Mercer University has brought national recognition to our state and to the Mercer College of Pharmacy as one of the premiere institutions of professional education in the State of Georgia.

Therefore, be it resolved that the Georgia State Board of Pharmacy does by unanimous vote hereby expresses our profound gratitude to Dr. Ted Mathews Dean of the Mercer University College of Pharmacy for a career of devotion and a job well done for the alumni of Mercer University College of Pharmacy and the citizens of Georgia.

Dean Mathews thanked the Board for its generosity in acknowledging him. Dean Mathews discussed Accreditation Council for Pharmacy Education (ACPE) standards, along with admissions and applicant pool and workforce issues.

Appearance by Michael Carroll, Bioscrip. Mr. Carroll thanked the Board for the opportunity to speak to its members. Mr. Carroll explained that Bioscrip recently sent letter to the Board regarding its request to utilize a cleanroom camera and provided the Board with information regarding its policies and procedures that are used at Bioscrip locations in other states. Following questions asked by the Board, it was requested that Mr. Carroll provide additional information regarding the facility locations.

Approval of Minutes

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

Bill Prather made a motion to approve the Executive Session minutes from the February 8, 2017 meeting. Vicki Arnold seconded and the Board voted unanimously in favor of the motion.

Report of Licenses Issued

Bob Warnock 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 from Bioverativ USA, LLC

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

Correspondence from Robert Brennan

The Board considered this correspondence regarding WellStar Paulding (PHH007939), WellStar Douglas (PHH004316), and WellStar North Fulton Hospitals (PHH007965). In his letter to the Board, Mr. Brennan asked whether or not the hospitals' current hospital pharmacy licenses allow them to service patients in hospital outpatient departments located on the hospitals' main campuses without the need for additional pharmacy licenses. Bob Warnock made a motion to direct staff to respond to Mr. Brennan by stating that a separate pharmacy license will not need to be obtained for this purpose. Vicki Arnold seconded and the Board voted unanimously in favor of the motion.

Correspondence from Gregory K. Davis

The Board considered this request from Mr. Davis for an opinion. Bob Warnock made a motion to direct staff to respond by stating that according to O.C.G.A. § 16-13-27(8), "Dronabinol (synthetic) in sesame oil and encapsulated in a U.S. Food and Drug Administration approved drug product also known as Marinol" is a Schedule III controlled substance. Otherwise, please be advised that Georgia law mirrors FDA regulations. Lisa Harris seconded and the Board voted unanimously in favor of the motion.

Correspondence from Toni Bowen, Genoa

The Board considered this correspondence regarding crisis stabilization units ("CSU's"). Ms. Wray stated that the request is for the Board to consider license types for CSU's and that Genoa feels they fall under Rule 480-24-4. After further discussion, President Jones appointed Mr. Warnock and Mr. Faulk to draft a rule regarding such and present to the Board at a future meeting.

Correspondence from Thomas J. Fry, AeroCare Holdings, Inc.

The Board considered this correspondence requesting clarification of prescription faxes. In his correspondence, Mr. Fry asked if his system meets the criteria of O.C.G.A. § 26-4-80 for facsimile of an order from the practitioner to the pharmacy with no intervening person having access to the prescription drug order. The Board directed staff to respond to Mr. Fry by stating that, based on the information provided, the Board is unable to make a determination and as such, the Board is requesting a more detailed description of the process.

Correspondence from Felicia Young, Cardinal Health Regulatory Services

The Board considered this correspondence regarding licensure of foreign corporations and whether or not the Board will license a pharmaceutical company that is out of the country (no U.S. presence) and selling in the U.S. Lisa Harris made a motion to direct staff to respond by stating that the Board's rules and regulations would not allow for this to occur. Vicki Arnold seconded and the Board voted unanimously in favor of the motion.

Correspondence from Jennifer M. Hoppe, Joint Commission

The Board considered this correspondence regarding the Joint Commission's new Medication Compounding Certification program. Laird Miller made a motion to direct staff to respond by stating that the Board wishes to thank her for her correspondence and refer her to O.C.G.A. Code Sections 26-4-28(a)(19) and 26-4-28(a)(21) for more information. Bill Prather seconded and the Board voted unanimously in favor of the motion.

Correspondence from Deborah A. Hurley, Rite Aid Pharmacy

The Board considered this correspondence regarding a follow up to the approval previously issued by the Board to install a window in the pharmacy department. The Board directed staff to respond by thanking her for her correspondence and stating that the Board has been notified the facility received a favorable inspection.

Correspondence from Jonathan Webb

At its meeting in February, the Board discussed this correspondence regarding inter-facility sell/trade of prescription drugs and voted to respond to Mr. Webb by stating that it does not appear this is clearly authorized under Georgia law and the Board will continue to look into this matter for further study. After further discussion, the Board recommended tabling this matter to allow time for additional research.

Correspondence from Natalie Crawford

The Board considered this correspondence regarding HIV testing in pharmacies. Laird Miller made a motion to direct staff to respond to Ms. Crawford by referring her to O.C.G.A. Sections §§ 26-4-50 and 43-34-24 for more information regarding this matter. Bill Prather seconded and the Board voted unanimously in favor of the motion.

Correspondence from Margaret Geneau, Kuehne Nagel, Inc.

The Board considered this correspondence regarding distribution of OTC pseudoephedrine. Vicki Arnold made a motion to direct staff to respond by stating the wholesaler would need to be licensed in this state. Mike Faulk seconded and the Board voted unanimously in favor of the motion.

Correspondence from Nancy Smith

The Board considered this correspondence regarding the adhesive pediatric dosing stickers for emergency medications developed by Ms. Smith. Vicki Arnold made a motion to invite Ms. Smith for an appearance with the Board to further discuss this matter. Bill Prather seconded and the Board voted unanimously in favor of the motion.

Correspondence from Laurel Wala

The Board considered this correspondence requesting clarification as to whether or not a license would be needed for providing various telephone services such as refill reminders, concerns with drug interactions, and clinical management reviews to Georgia residents covered by Medicare or a Special Needs Plan. Bob Warnock made a motion to direct staff to respond by stating that a pharmacy technician would be able to handle refill reminders; however, any counseling or clinical management reviews would need to be handled by a Georgia licensed pharmacist. Lisa Harris seconded and the Board voted unanimously in favor of the motion.

Correspondence from Judith Van Wezel

The Board considered this correspondence asking if a pharmacist, independently, can send patients for blood work, for assessment purposes. Vicki Arnold made a motion to direct staff to respond by referring Ms. Van Wezel to O.C.G.A. § 43-34 for more information regarding this subject. Laird Miller seconded and the Board voted unanimously in favor of the motion.

Georgia Drugs and Narcotics Agency – Rick Allen

Legislative update provided.

Attorney General’s Report Open Session –Janet Wray

No report.

Executive Director’s Report Open Session – Tanja Battle

Continuing Education Report: Ms. Battle reported that no additional programs have been approved for this time period.

Renewals: Ms. Battle reported that preparation is underway for online renewals for all facilities, minus researchers.

Correspondence from Andrea Brown: The Board considered this correspondence regarding a request for a waiver of Rule 480-15-.02. According to the Board’s records, Ms. Brown was granted a waiver of this requirement in August 2011. The Board directed staff to respond to Ms. Brown by stating that it has not been waiving this requirement for current applicants and that she would be required to meet all requirements of the rule at this juncture. Additionally, because of legally set time parameters, the Board cannot vote on her petition until its next meeting after which she will receive an official response.

Rescheduling of the practical examination: Bill Prather made a motion to for the Board to amend its pharmacist application to state the following:

An applicant needing to cancel or reschedule his/her appointment to take the practical examination must notify the Board of such in writing at least 10 days prior to his/her scheduled date. With proper notice, the Board will schedule an applicant one additional time; thereafter, an applicant will be required to submit a re-examination application and pay an additional fee.

As part of the motion, the following language would be added on the application: *Please understand that you are not guaranteed a slot for the next scheduled exam as candidates will be scheduled in the order in which applications or requests for re-examination are received.*

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

Jim Bracewell made a motion and Bob Warnock 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.

Executive Session

Georgia Drugs and Narcotics Agency – Rick Allen

- PDMP update

Appearance

- A.E.E.

Cognizant’s Report – Bob Warnock

- GDNA Case # A-17-02
- GDNA Case # A-32049

- GDNA Case # A-31960
- GDNA Case # A-32054
- GDNA Case # B-31714
- GDNA Case # B-31720
- GDNA Case # B-31843
- GDNA Case # B-31857
- GDNA Case # B-31764
- GDNA Case # B-31506
- GDNA Case # B-32061
- GDNA Case # B-31950

Attorney General's Report – Janet Wray

Ms. Wray discussed the following cases:

- J.W.
- W.M.T.
- T.A.M.
- D.K.
- E.L./G.C.P.I.
- T.H.
- P.P.S.
- K.M.
- W.S.
- R.L.

Ms. Wray presented the following consent orders:

- K.S.
- B.D.R.
- C.E.F.

Mr. Changus discussed the following case:

- C.D.C.C./R.L.C./S.E.W./C.A.Z.

Applications

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

- S.L.B.
- T.M.B.
- R.A.I.P.

Correspondences/Requests

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

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

Open Session

Bob Warnock made a motion for the Board to take the following actions:

Appearances

- | | | |
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| • S.D.M. | Revoked Pharmacy Technician | No action taken |
| • R.S.S. | Pharmacist Reactivation | Refer to the Attorney General’s office |
| • J.M.J. | Request to discuss reinstatement | Refer to the Attorney General’s office |

Applications

- | | | |
|----------|------------------------|--------------------|
| • K.D.D. | Pharmacist Reciprocity | Denied application |
| • K.H. | Pharmacist Reciprocity | Denied application |

Appearance

- | | | |
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| • R.A.S. | Request to discuss reinstatement | Table pending receipt of additional information |
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Georgia Drugs and Narcotics Agency – Rick Allen

- PDMP update

Appearance

- A.E.E. Pharmacist Reactivation Table pending receipt of additional information

Cognizant’s Report – Bob Warnock

- GDNA Case # A-17-02 Accept Private Interim Consent Order
- GDNA Case # A-32049 Refer to the Attorney General’s office
- GDNA Case # A-31960 Refer to the Attorney General’s office
- GDNA Case # A-32054 Manufacturing Pharmacy Application-Refer to the Attorney General’s office / Approve Wholesaler Pharmacy Application
- GDNA Case # B-31714 Close with no action
- GDNA Case # B-31720 Close with no action
- GDNA Case # B-31843 Misfill Policy #1
- GDNA Case # B-31857 Close with letter of concern
- GDNA Case # B-31764 Close with no action
- GDNA Case # B-31506 Close with no action
- GDNA Case # B-32061 Close with letter of concern
- GDNA Case # B-31950 Misfill Policy #1

Attorney General’s Report – Janet Wray

Ms. Wray discussed the following cases:

- J.W. Close case
- W.M.T. Close case
- T.A.M. Close case
- D.K. Verify original referral was for pharmacist and pharmacy
- E.L./G.C.P.I. Accept counterproposal
- T.H. Update provided
- P.P.S. Update provided
- K.M. Schedule for investigative interview
- W.S. Update provided
- R.L. Update provided

Ms. Wray presented the following consent orders:

- Kanili Shoemaker Unnotarized Public Consent Order accepted
- B.D.R. Public Consent Order to be accepted and signed with express permission upon receipt of the original
- C.E.F. Private Consent Order accepted

Mr. Changus discussed the following case:

- C.D.C.C./R.L.C./S.E.W./C.A.Z. Amend disposition regarding C.A.Z.

Applications

- Tamika D. Hogan Pharmacy Technician Approved for registration
- Michael L. Chaney Pharmacy Technician Approved for registration
- B.V.P. Pharmacy Technician Table pending receipt of additional information

- Traekwon M. Ward Pharmacy Technician Approved for registration
- Gabriella D. Donne Pharmacy Technician Approved for registration
- T.D.Y. Pharmacy Technician Table to allow additional time for review
- Raj K. Kammar Pharmacy Technician Approved for registration
- Z.G. Denied Pharmacy Tech Refer to the Attorney General's office
- S.H.S. Pharmacist Intern Table pending receipt of additional information
- A.K.E. Pharmacist Reinstatement Table pending receipt of additional information
- T.K.C. Pharmacist Reinstatement Refer to the Attorney General's office
- Andrea Y. Perriguet Nuclear Pharmacist Approved application
- Daniel R. Friedman Nuclear Pharmacist Approved application
- J.J.C. Pharmacist Renewal Approved renewal with a letter stating the Board is not waiving its right to take disciplinary action should the final disposition of the individual's criminal case result in a conviction
- Adanna C. Oragwu Pharmacist Cert of DTM Approved application
- Joseph R. Walker Pharmacist Cert of DTM Approved application
- Sylvia L. Best Pharmacist Cert of DTM Approved application
- Tachanda M. Bryant Pharmacist Cert of DTM Approved application
- R.A.I.P. Retail Pharmacy Approved application and issue the license with the condition that traditional pharmacy practice will only be allowed at this time and the Board will not consider the innovative pharmacy experience until after scheduled appearance.

Correspondences/Requests

- C.H.B.H./C.H.T.C. Remote Order Entry Approve pending receipt of additional information
- B.K.L. Req regarding Medication Errors Course Approved request
- L.K. Appearance request Approved request
- R.C. Correspondence regarding practical examination Board directed staff to respond by stating it thanks individual for the comments and will take this matter under advisement
- M.S.P. Req to terminate probation Board directed staff to respond by stating the licensee will need to submit the petition on his own behalf
- J.L.J. Req to lift PIC restriction Approved request
- P.E.H. Req regarding evaluation Approved request
- J.W.C. Req to terminate consent order Schedule individual to meet with the Board
- R.U.K. Req to lift supervised practice restriction Approved request
- P.D.U. Req to take NAPLEX a 4th time Denied request
- T.I.N. Req to take MPJE a 5th time Approved request

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| • O.I.A. | Req regarding renewal | Denied request |
| • G. | Correspondence | The Board viewed this correspondence for informational purposes only |
| • A.H.L. | Notice of discipline | No action |
| • C.V.S.S. | Notice of discipline | No action |
| • A.C.C.A. | Notice of discipline | No action |
| • W.P. | Regarding desk audit | No action |
| • X.P. | Notice of discipline | No action |
| • A.S.P. | Voluntary recall | No action |
| • A.B. | Correspondence regarding reciprocity | Board directed staff to check with NABP |
| • J.F.C. | Appearance request | Approved request |
| • C.P. | Notice of discipline | No action |
| • D.S.P.D. | Notice of discipline | No action |

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

There being no further business to discuss, the meeting was adjourned at 5:10 p.m.

The next meeting of the Georgia Board of Pharmacy is scheduled for Wednesday, April 12, 2017 at 9:00 a.m. at Georgia Baptist College of Nursing-Mercer University, 3001 Mercer University Drive, Room 137, Atlanta, GA 30341.

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