GEORGIA BOARD OF PHARMACY
Board Meeting
2 Peachtree Street, NW, 36th Floor
Atlanta, GA 30303
November 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
Lisa Harris *(arrived @ 9:32 a.m.)*
Laird Miller
Bill Prather

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
Cathy Dunton, Mercer University
Bryan N. Layman, River Edge
Jamie Diagostino, Elder Care
Megan Freeman, GSHP
Tyler Riddle, GAMES
April Hang, Peachtree
Jennifer Bellis, BSL Law
Keri Conley, GHA
Stacy Burke, Publix
Tammy Mifflin, Apria Healthcare
Diane Sanders, Kaiser Permanente
Cindy Shepherd, Pharmacy Assn
Cathalene Teahan
Amy Krieg, Georgia Hospital Association
Cecil Cordle, CVS Health
Young Chang, Walgreens
Amy Bixler, Walgreens
Jennu Philip, Walgreens
Greg Reybold, GPhA
TJ Kaplan, JLM
Stephen Georgeson, GRA
Julice Brago, GPhA
Elizabeth Newcomb, Frogue Clark/Eli Lilly
Holly Bates Snow, GA Bio
Helen Sloat, Hemophilia of GA/Kaiser Permanente
Dallas Donald, Donaco Medical Supply
Meredith Weaver, Match Rx
Teresa Whitton
Tony Thomas, UGA Pharmacy
James McNally

President Jones established that a quorum was present and called the meeting to order at 9:06 a.m.

President Jones welcomed the visitors.

Public Hearing

President Jones called the public hearing to order at 9:07 a.m.

Chapter 480-7B Durable Medical Equipment Suppliers

Public comments from Tyler Riddle, President, GAMES Board of Directors, were received. Mr. Riddle stated that written comments were submitted to the Board regarding these proposed rules. He stated that the points outlined in the written comments need to be considered in order for this process to be seamless. He added that he will not go through all of the points listed in the letter and will keep his statements short. He stated that he would just request that the Board look through the written comments and take expertise advice into account. He stated that GAMES is willing to work with the Board and would be happy to answer any questions it may have.

President Jones commented that one of the items Mr. Riddle brought up is to further define "manufacturers" and "wholesale distributors". Ms. Wray stated she had no comments on the definitions. She added that wholesale distributors and manufacturers are defined in the law, so the Board can look at that, but the exception in the Act talks about those that supply directly to consumers. She explained that most wholesalers and manufacturers do not supply to consumers, they supply to a pharmacy. They are not patient specific. She stated that she does not think the Board needs to add anything to the language in this section.

Next, the Board discussed the written comments provided by GAMES regarding 480-7B-.02. Ms. Wray stated that GAMES strongly disagrees with the Board providing a DME license to out of state manufacturers and wholesale distributers. Additionally, they suggested removing line (6) which states *"If located out of state, proof of a valid, unexpired license to operate as a DME supplier in the compliance with the laws and rules of the other state; and"* as they do not think one needs to show a valid unexpired license.

Ms. Wray commented that, based on her notes, there were other concerns about section (6) Exemption from Licensure Requirement. Specifically, section (a). She stated this information comes directly from the law; however, the Board can clarify, but the language seems to be pretty clear.

Ms. Wray commented that GAMES also objects to lines 9 and 11 under section (6) Exemption from Licensure Requirement, but the language in the rule comes directly from the law.

Ms. Wray stated in regards to section (2) of 480-7B-.06 Retention of Records, Safety Standards, Security, and Operations regarding continuing education, GAMES suggested education plans not be resubmitted to the Board annually as long as accreditation standards are met and there are adequate policies and procedures in place and that it just be made available to inspectors.

Ms. Wray stated that in regards to section (3) of 480-7B-.06 regarding background checks, GAMES is suggesting the background checks be limited to persons that have direct contact in the patient home. Ms. Wray said this would be a board decision.

Ms. Wray stated that the last item is section (5) Delivery by mail. She stated that they feel they are already covered by that under the law.

President Jones asked questions to Mr. Riddle about why GAMES was opposed to the Board licensing out of state DME providers. Mr. Riddle stated that in order for board to provide oversight there is fear that if the provider is located out of state, there would be an issue with inspections. President Jones stated that the Board has to rely on out-of-state inspections on a regular basis. He stated the Board's charge is to look at the health, and safety of citizens. He added that the Board will need to make changes to the proposed rule anyway, but the Board needs to make sure it gets it right. Mr. Bracewell commented that people shipping drugs in had no recourse. Otherwise, these people will ship in and Board will not be aware of it. President Jones added that he is also afraid if we restrict out-of-state people from doing business in GA, it restricts trade. Mr. Warnock asked Ms. Wray, to President Jones's point, if she could look at that and give the Board guidance on this? Specifically, do you have to be in Georgia in order to provide these products? Ms. Wray commented that is not what the law says. She stated the law says the Board may issue a license to an out-of-state facility that meets these requirements. President Jones responded by asking what if the Board finds a bad player in New Jersey. As of right now the Board has no authority. Ms. Wray stated the law allows you to issue a license.

The Board went back and discussed all proposed changes to Chapter 480-7B Durable Medical Equipment Suppliers. Ms. Wray stated if Medicare or Medicaid enrolled then they can get license in Georgia, but they have to have a license in their home state. She added that the law states the Board "may" issue a license to these entities and that these are the only out-of-state entities that may qualify for licensure.

In regards to section (2) of 480-7B-.06 Retention of Records, Safety Standards, Security, and Operations regarding continuing education, President Jones stated that he liked the suggestion of having it available upon inspection.

President Jones asked Mr. Riddle about section (3) of 480-7B-.06 regarding background checks. Mr. Riddle suggested the background checks be on delivery personnel who are actually interacting with patients. He suggested eliminating the burden of checks on billing staff and those doing insurance claims. He stated Medicare requires checks on those that have direct patient contact. Ms. Wray commented to Mr. Riddle that the language in the proposed rule states "*with direct contact with patients*", so that would fall in line with his suggestion.

The Board discussed section (5) Delivery by mail. Ms. Wray commented that GAMES would like this section eliminated. President Jones stated that is required by Medicare also. President Jones asked Mr. Riddle about retail sales logs. Mr. Miller discussed equipment to be assembled and training on how to properly use it. Mr. Riddle stated current guidelines require any item rented or already paid for has a billable code of its own and need to have proof of delivery. Additionally, Medicare says signed manifest would be proof of delivery. Mr. Warnock asked if there is any requirement about a trained person having to set it up. Mr. Riddle responded that the patient has to be instructed on proper set up. After further discussion, President Jones asked Mr. Riddle to send any suggested language on how they deal with delivery to Ms. Battle.

Written responses received from Teresa Tatum, GAMES.

The Board recommended tabling adoption of this rule.

Chapter 480-51 Interchangeable Biological Products

Public comments from Jennu Philip, Walgreens, were received. Mr. Philip made comments regarding section (1) and adding the word "proprietary" into the rule. He stated that the rule does not address the brands. He stated the statute is designed for pharmacies to substitute for a lower brand and generic. He stated there is no reference to lower brand products in rule. He said the statute separates out non-proprietary names. He added that if the intent is to match the statute, the Board is missing a piece. Ms.

Wray commented that what he was requesting was not supported by law. Additionally, Ms. Wray stated that the language in the law and rule match.

Mr. Philip commented on the language regarding "lowest retail priced". He stated when one is looking at biological products, it would be better to have "lower priced" products. He stated many are done behind the scenes and said a better term from a practical standpoint is "lower priced". President Jones clarified by stating lower priced to the patient. Mr. Miller responded that still does not clarify it. Mr. Changus commented that this language comes directly from the law.

Mr. Philip discussed section (7)(a) regarding language stating "transmission, or other prevailing means…". He suggested inserting language regarding a pharmacy benefit system to provide clarity for anyone substituting biologics. He also suggested inserting language that there is compliance as long as one of these modalities is sufficient. Ms. Wray responded that notifying the Pharmacy Benefit Manager will not work. She stated the intent is to notify the prescriber, which is the physician. Mr. Philip responded that this is commonly done throughout the country. Mr. Wray responded that will not work in Georgia.

Mr. Warnock commented that portals will tell the physician before he orders the first time, this is the preferred drug. Mr. Miller stated that he is finding many times where the preferred drug does not have the lowest co-pay. Ms. Wray responded that she does not see where the Board can make the changes he recommended because it is not in the law.

Public comments were received from Holly Bates, AMGEN, GA Bio. Ms. Bates stated that she could probably shed some light on the intent of the law. She stated when they came together with this language, it was carefully crafted so that it mirrored the current statute. There were questions raised about what suffices as communication. She stated that she is not sure she understands the proprietary question being raised at this time. She does support the grammatical change suggested by Mr. Allen. Ms. Wray responded the intent is to notify the physician. She added that one thing the Board does not want to lose in the process is quality of care provided to patients and you do not want the provider not getting the notification. Ms. Bates stated the intent was the prescriber having access if there is an adverse event down the road, or if a drug is not working as intended, can track and trace. That is why the language is very vague. The idea is so the physician has access and that would check the box. Communication could be done by a myriad of means, but could be done within a certain period of time.

Written responses from C. Russell Allen, Georgia Bio were received. Mr. Allen made several grammatical suggestions to the Board.

The Board recommended tabling adoption of this rule.

Rule 480-7-.05 Reverse Distributors

No comments or written responses were received.

Laird Miller made a motion to adopt Rule 480-7-.05 Reverse Distributors. Bob Warnock seconded and the Board voted unanimously in favor of the motion.

Rule 480-13-.03 Personnel

Public comments from Megan Freeman, GSHP, were received. Ms. Freeman commented she would like to request clarification regarding section (3) Supervision. Her question to the Board was specifically concerning pharmacists that are faculty. President Jones responded that all activities that involve the pharmacy will fall under the Director of Pharmacy. He stated that this is more of what the Board is looking for. Mr. Faulk commented that she is asking about pharmacists employed by hospital, who report

to IT or other parts of the hospital. Ms. Wray commented that would be an issue. President Jones commented that it would be a personnel reporting problem. Ms. Wray read the definition of supervision. She stated the pharmaceutical duties should fall and operate under the Director of Pharmacy. Ms. Freeman responded that the reporting structure is different. President Jones responded that the Director of Pharmacy should be aware.

No written responses were received.

Bill Prather made a motion to adopt Rule 480-13-.03 Personnel. Laird Miller seconded and the Board voted unanimously in favor of the motion.

Rule 480-24-.08 Crisis Stabilization Unit (CSU) Emergency Drug Kits
No comments or written responses were received.

Mike Faulk made a motion to adopt Rule 480-24-.08 Crisis Stabilization Unit (CSU) Emergency Drug Kits. Bill Prather seconded and the Board voted unanimously in favor of the motion.

Rule 480-34-.12 Synthetic Fentanyl
No comments or written responses were received.

Jim Bracewell made a motion to adopt Rule 480-34-.12 Synthetic Fentanyl. Laird Miller seconded and the Board voted unanimously in favor of the motion.

The hearing adjourned at 10:15 a.m.

Open Session

Approval of Minutes
Jim Bracewell made a motion to approve the Public Session minutes from the October 11, 2017 meeting. Laird Miller seconded and the Board voted unanimously in favor of the motion.

Bill Prather made a motion to approve the Executive Session minutes from the October 11, 2017 meeting. Vicki Arnold seconded and the Board voted unanimously in favor of the motion.

Jim Bracewell made a motion to approve the minutes from the October 12, 2017 Conference Call. Bob Warnock seconded and the Board voted unanimously in favor of the motion.

Report of Licenses Issued
Vicki Arnold made a motion to ratify the list of licenses issued. Bob Warnock seconded and the Board voted unanimously in favor of the motion.

Correspondence from Zach Ruege, Christ Community Health Systems
The Board considered this correspondence regarding lab ordering and having a collaborative practice agreement. Jim Bracewell made a motion to direct staff to refer Mr. Ruege to O.C.G.A. Sections §§ 26-4-50 and 43-34-24 and suggests he contact the Georgia Composite Medical Board for more information regarding this matter. Bill Prather seconded and the Board voted unanimously in favor of the motion.

Correspondence from William Russell Manley, Clinical Pharmacy Manager
The Board considered this correspondence asking if a medication can be compounded at the Main University campus and be delivered to the Summerville campus to be dispensed. Bob Warnock made a

motion to direct staff to respond by stating yes, if it is patient-specific. Jim Bracewell seconded and the Board voted unanimously in favor of the motion.

Correspondence from Anna Treudt, Joint Accreditation Coordinator, ACPE

The Board considered this correspondence regarding Interprofessional Continuing Education (IPCE) Credit Announcement. Bill Prather made a motion to request Ms. Treudt meet with the Board to present this information. Vicki Arnold seconded and the Board voted unanimously in favor of the motion.

Correspondence from Mike Galloway, MatchRX

The Board considered this correspondence requesting to meet with the Board. Jim Bracewell made a motion to schedule Mr. Galloway to for an appearance. Bill Prather seconded and the Board voted unanimously in favor of the motion.

Correspondence from LaSharn Hughes, Georgia Composite Medical Board

The Board considered this correspondence forwarded by Ms. Hughes on behalf of Brian Steiner, Health Policy Analyst, regarding requirements for oxygen concentrators in Georgia. Bill Prather made a motion to direct staff to respond to Mr. Steiner's questions as follows:

1. For face-to-face set-ups of oxygen concentrators, does Georgia require a respiratory therapist to set up oxygen concentrators or is a technician allowed to set it up in the home? *No. Durable Medical Equipment (DME) providers set this up.*
2. Does Georgia allow remote delivery of oxygen concentrators? (i.e. could the oxygen concentrator simply be delivered to the patient by postal service?) *No, because patient education has to happen at setup.*
3. Does Georgia have a requirement that a respiratory therapist is required to set up oxygen concentrators remotely? *No.*
4. Are there any state-specific guidelines that pertain to the set-up of oxygen concentrators in the home? These could be requirements for a home safety evaluation, backup requirements, etc. *There are no state laws, only federal guidelines.*
5. Are there any ambulatory requirements? (e.g. a 6 minute walk test) *DME providers go over trip and fall risk hazards.*

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

Correspondence from Latricia D. Andrews, PHTC015519

The Board considered this correspondence from Ms. Andrews requesting the Board change her Public Consent Order, Docket Number, 2016-0024 to Private. Bill Prather made a motion to deny the request. Mike Faulk seconded and the Board voted unanimously in favor of the motion.

Correspondence from Dr. Robert Bougard, PETNET

The Board considered this correspondence regarding an example of a compounding sheet and label that had been submitted by Dr. Bougard. Bob Warnock made a motion to direct staff to respond by stating that the information submitted does comply with Board rules and regulations regarding electronic record keeping. Bill Prather seconded and the Board voted unanimously in favor of the motion.

Correspondence from Nicole Lowery

The Board considered this correspondence regarding emergency drug kits. Mike Faulk made a motion to direct staff to respond by referring Ms. Lowery to Rule 480-24-.07 for more information. Lisa Harris seconded and the Board voted unanimously in favor of the motion.

Correspondence from Nicholas J. Gentile, ASHP
The Board viewed this correspondence for informational purposes only.

Correspondence from Jeffery L. Koch, Jr.
The Board considered this correspondence from a licensed non-resident pharmacy wanting to service an assisted living facility located close to one of the skilled nursing homes it services. Before providing services to this facility, Mr. Koch is wanting to check and see if the repacking of the mail order medications can or cannot be done. Lisa Harris made a motion to refer Mr. Koch back to his home state rules and regulations on repackaging. Mike Faulk 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. Mike Faulk seconded and the Board voted unanimously in favor of the motion.

Date of Program	Hours	Sponsoring Group	Program Title	CE Code
11/09/17	1	Kaiser Permanente	Cystic Fibrosis and Gene Modifying Therapies	2017-0015
10/26/17	0.5	Kaiser Permanente	Clinical Pharmacy Information Series	2017-0016

Application for Durable Medical Equipment: Ms. Battle reported that she emailed the application for everyone to review. She requested the Board set a fee and approve the application. Vicki Arnold made a motion to set the application fee to $750 and approve the application with the discussed changes. Bob Warnock seconded and the Board voted unanimously in favor of the motion.

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

RULE 480-7-.07 CREDIT FOR RETURNED EXPIRED DRUGS
(1) Effective with all drug orders placed on or after July 1, 2002, all wholesale drug distributors shall make adequate provisions for the return of outdated prescription drugs, both full and partial containers, for up to six months after the labeled expiration date for prompt full credit or replacement.
(2) Wholesale drug distributors shall establish a written policy consistent with O.C.G.A. Section 26-4-115(c) providing for the return of outdated prescription drugs sold to a client by such wholesale drug distributor. Such policy may include a procedure for the drugs to be returned to the drug manufacturer, may include a requirement that the drugs be returned in the original containers in which it was purchased, and may include the use of a reverse drug distributor. Said policy shall be available to the Board or its agents upon request.
(3) The Board has determined the following listed drugs will be exempt from the requirements of this provision as they are essential to health care treatment and have an expiration date of less than one year from the date such drug is manufactured:
(a) Influenza Vaccines

~~(3)~~ (4) In order to be eligible for full credit or replacement, the drug must be received by the wholesale drug distributor, or if not the wholesale drug distributor, its agent designated in its return policy, no later than the sixth month from the labeled expiration date. A signed delivery receipt shall constitute evidence of the drugs having been returned.
~~(4)~~ (5) Prompt full credit to the purchaser shall occur within sixty days from the date the return drugs were received by the wholesale drug distributor or its designated agent. If the wholesale drug distributor determines that the drugs were not returned within six months of the labeled expiration date, or were not returned consistent with the written return policy, then the wholesale drug distributor shall notify said purchaser in writing within thirty (30) days of the receipt of the drugs of its intent not to give full credit or replacement. Wholesale drug distributors shall maintain documentation supporting its refusal to give full credit or replacement for a period of two (2) years. Such documentation shall be available to the Board or its agent upon request.
(a)"Full credit" shall be defined to include a cash refund or credit with the drug wholesale distributor for the purchase price of the drug as established by drug invoice less a reasonable fee for handling of the returned drugs. A reasonable fee shall not be more than 7% of the total invoice price of the returned drugs.
~~(5)~~ (6) In lieu of full credit, a wholesale drug distributor may elect to replace the drug. Said replacement drug must be a drug of like value mutually agreed upon by the wholesale drug distributor and the original drug purchaser. Said replacement drug must be sent to the original drug purchaser within sixty (60) days from the date of return.
~~(6)~~ (7) Wholesale drug distributors shall maintain records of all credits and replacements made under this rule for a period of two (2) years and such record shall be made available to the Board or its agent upon request.
~~(7)~~ (8) The submission of drugs by a purchaser licensed by the Board in State of Georgia for refund or credit to a wholesale drug distributor pursuant to O.C.G.A. Section 26-4-115 and this rule when said drugs are in a container other than the one in which it was purchased, when said drugs were not purchased from that wholesale drug distributor, or when the drugs were purchased for a pharmacy or facility outside the State Of Georgia shall constitute fraudulent and unprofessional conduct and may subject the purchaser to disciplinary action by the Board.
~~(8)~~ (9) The return of drugs under this rule shall also be consistent with all other applicable Federal, State, and local laws and regulations.

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

CHAPTER 480-51: INTERCHANGEABLE BIOLOGICAL PRODUCTS

480-51-.01 Definitions.
(1) "Biological product" means a biological product as defined in subsection (i) of section 351 of the Public Health Service Act, 42 U.S.C. Section 262.
(2) “Interchangeable biological product” means a biological product that the federal Food and Drug Administration has determined meets the standards set forth in subsection (k)(4) of 42 U.S.C. 262 or has been deemed therapeutically equivalent by the federal Food and Drug Administration.

480-51-.02 Substituting Interchangeable Biological Products.
(1) If a practitioner of the healing arts prescribes a biological product by its nonproprietary name, the pharmacist may substitute the biological product with an interchangeable biological product, but shall dispense the lowest retail-priced interchangeable biological product, which is in stock.
(2) Substitutions as provided in this rule are authorized for the express purpose of making available to the consumer the lowest retail priced interchangeable biological product which is in stock.
(3) Whenever a substitution is made:

(a) The pharmacist shall record on the original prescription the fact that there has been a substitution and the identity of the dispensed interchangeable biological product and its manufacturer. Such prescription shall be maintained for two years and shall be available for inspection by the board or its representative.
(b) The pharmacist shall affix to the prescription label or container or an auxiliary label, the name of the interchangeable biological product, with an explanation of "interchangeable biological product for (insert name of prescribed biological product)" or similar language to indicate substitution has occurred, unless the prescribing practitioner indicated that the name of the biological product may not appear upon the prescription label.
1. This labeling requirement does not apply to biological products dispensed for in-patient hospital services, to hospital-administered biological products for outpatients, or to biological products in specialty packaging for dosing purposes. This labeling requirement does apply to hospital retail pharmacies and to any biological products dispensed by a hospital for a patient's use or administration at home.
(4) The substitution of any biological product by a registered pharmacist pursuant to this rule section does not constitute the practice of medicine.
(5) A patient for whom a prescription biological product order is intended may instruct a pharmacist not to substitute an interchangeable biological product in lieu of a prescribed biological product.
(6) A practitioner of the healing arts may instruct the pharmacist not to substitute an interchangeable biological product in lieu of a prescribed biological product by including the words “brand necessary” in the body of the prescription.
(a) When a prescription is a hard copy biological product order, such indication of brand necessary must be in the practitioner’s own handwriting and shall not be printed, applied by rubber stamp, or any such similar means.
(b) When the prescription is an electronic prescription drug or biological product order, the words “brand necessary” are not required to be in the practitioner’s own handwriting and may be included on the prescription in any manner or by any method.
(c) When a practitioner has designated “brand necessary” on an electronic biological product order, an interchangeable biological product shall not be substituted without the practitioner’s express consent, which shall be documented by the pharmacist on the prescription and by the practitioner in the patient’s medical record.
(7) Within forty-eight (48) hours, excluding weekends and holidays, following the dispensing of a biological product, the dispensing pharmacist or the pharmacist’s designee shall communicate to the prescriber the specific product provided to the patient, including the name of the biological product and the manufacturer.
(a) The communication shall be conveyed by making an entry into an interoperable electronic medical records system or through electronic prescribing technology or a pharmacy record that is electronically accessible by the prescriber. Otherwise, the pharmacist shall communicate the biological product dispensed to the prescriber by using facsimile, telephone, electronic transmission, or other prevailing means, provided that communication shall not be required where:
1. There is no interchangeable biological product approved by the federal Food and Drug Administration for the prescribed product; or
2. A refill prescription is not changed from the product dispensed on the prior filling of the prescription.
(8) A link for the current list of all biological products determined by the federal Food and Drug Administration to be interchangeable with a specific biological products is available on the Board’s website.

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

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

Pharmacists In Puerto Rico - Impacted Licensees: Ms. Battle reported that the board office has been receiving numerous inquiries from pharmacists in Puerto Rico regarding whether or not there is anything the Board would do about relocating impacted licensees, even if temporary. Ms. Wray commented that the individual can apply for temporary pharmacist licensure until he/she can take the examination. That will only give them a license for a limited period of time.

Jim Bracewell made a motion and Bill Prather 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

Appearance

- T.L.W.

Attorney General's Report – Janet Wray

Ms. Wray presented the following consent orders:

- R.A.D.
- G.M.B.
- G.
- W.S.

Mr. Changus discussed the following case:

- P.P.S.

Executive Director's Report – Tanja Battle

- GDNA Case #T-32251

Appearances

- T.M.T.
- J.P.M.

Georgia Drugs and Narcotics Agency – Dennis Troughton

- Inspections
- Staffing update

Applications

- E.P.S.
- M.R.K.
- J.S.P.
- M.R.G.
- M.N.T.

- M.S.D.
- O.N.C.
- C.R.B.
- R.T.K.
- P.D.U.
- R.L.
- S.M.S.
- S.R.B.

Cognizant's Report – Bob Warnock

- GDNA Case # T-32271
- GDNA Case # T-32289
- GDNA Case # A-32308
- GDNA Case # B-32265
- GDNA Case # B-32079
- GDNA Case # A-32281
- GDNA Case # B-31905
- GDNA Case # B-32237
- GDNA Case # B-32059
- GDNA Case # B-32164
- GDNA Case # B-32056
- GDNA Case # B-32261
- GDNA Case # B-32307
- GDNA Case # B-32316

Cognizant's Report – Chris Jones

- GDNA Case #A-32232
- GDNA Case #B-32232

Correspondences/Requests

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

- K.C.P.
- M.H.P.
- U.C.P.
- S.C.A.P.
- M.C.H.
- W.M.H.
- E.H.S.
- U.H.
- P.I.C.I.

Miscellaneous
- O.P.L.

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

Open Session

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

Appearance
- T.L.W. Denied Pharmacy Technician Overturn denial and approve for registration

Attorney General's Report – Janet Wray
Ms. Wray presented the following consent orders:
- R.A.D. Private Consent Order accepted
- George M. Bird, III. Public Consent Order accepted
- Guerbert, LLC Public Consent Order accepted
- W.S. Public Consent Order to be accepted and signed with express permission upon receipt of the original

Mr. Changus discussed the following case:
- P.P.S. Update provided

Executive Director's Report – Tanja Battle
- GDNA Case #T-32251 Schedule investigative interview and revoke technician registration

Appearances
- T.M.T. Pending Pharmacist Intern Approved application
- J.P.M. Pending Pharmacist Reciprocity Approved to sit for the exam

Georgia Drugs and Narcotics Agency – Dennis Troughton
- Inspections
- Staffing update

Applications
- E.P.S. Pharmacy Technician Denied registration
- Matthew R. Kempf Pharmacy Technician Approved for registration
- Javier S. Pascual Pharmacy Technician Approved for registration

• M.R.G.	Pharmacy Technician	Table pending receipt of additional information
• Musa N. Touray	Pharmacy Technician	Approved for registration
• Mustapha Dumbuya	Pharmacy Technician	Approved for registration
• Oliver N. Carrero	Pharmacy Technician	Approved for registration
• C.R.B.	Pharmacist Reciprocity	Approved to sit for the exam
• R.T.K.	Pharmacist Reciprocity	Approved to sit for the exam
• Patrick D. Umberger	Nuclear Pharmacist	Approved application
• R.L.	Temporary Pharmacist	Denied application
• Samantha M. Smith	Temporary Pharmacist	Approved application
• Samuel R. Buchanon	Pharmacist Intern	Approved application

Cognizant's Report – Bob Warnock

• GDNA Case # T-32271	Revoke Technician Registration
• GDNA Case # T-32289	Accept Voluntary Surrender of Technician Registration
• GDNA Case # A-32308	Accept Voluntary Surrender of Pharmacist License
• GDNA Case # B-32265	Close case with a letter of concern
• GDNA Case # B-32079	Close case and flag file if individual attempts to apply for reinstatement
• GDNA Case # A-32281	Send letter of concern to pharmacy. Request a representative from corporate office meet with the Board.
• GDNA Case # B-31905	Close case with no action
• GDNA Case # B-32237	Close case with no action
• GDNA Case # B-32059	Close case with no action
• GDNA Case # B-32164	Misfill Policy #1
• GDNA Case # B-32056	Close case with no action
• GDNA Case # B-32261	Close case with no action
• GDNA Case # B-32307	Accept Private Interim Consent Order for Assessment
• GDNA Case # B-32316	Accept Private Consent Order

Cognizant's Report – Chris Jones

• GDNA Case #A-32232	Refer to the Department of Law
• GDNA Case #B-32232	Tabled

Correspondences/Requests

• B.R.	Notice of Discipline	No action taken
• D.C.R.I.P.C.A.	Notice of Discipline	No action taken
• E.P.C.	Notice of Discipline	No action taken
• P.I.	Notice of Discipline	Tabled pending receipt of additional information
• T.M.C.	Notice of Discipline	No action taken
• W.P.N.	Notice of Discipline	Schedule to meet with the Board
• A.P.S.P.	Notice of Discipline	No action taken
• S.V.P.	Notice of Discipline	No action taken
• J.N.C.	Request to lift no PIC provision	Table request until individual's scheduled appearance
• J.M.T.	Request to terminate probation	Approved request
• M.R.B.	Notice of Discipline	No action taken

• J.W.S.	Appearance request	Request approved
• S.L.M.	Correspondence	Refer to Department of Law
• T.K.C.	Appearance request	Request approved
• E.J.A.	Appealing the Board's denial regarding request to take NAPLEX a 4th attempt	Denial upheld
• H.K.J.	Request to take MPJE a 4th attempt	Approved request
• L.H.	Request to take MPJE a 4th attempt	Approved request
• Y.H.	Appealing the Board's denial regarding request to take MPJE a 7th attempt	Denial upheld
• K.C.P.	Request to extend application	Request approved
• M.H.P.	Request regarding reinstatement	Request denied
• U.C.P.	Request to remove sanctions	Request denied
• S.C.A.P.	Voluntary recall information	Non action taken
• M.C.H.	Remote Order Entry	Approved
• W.M.H.	Remote Order Entry	Approved
• E.H.S.	Remote Order Entry	Approved
• U.H.	Remote Order Entry	Approved
• P.I.C.I.	Correspondence	Table pending receipt of additional information

Miscellaneous

O.P.L.	Non-Resident Pharmacy	Refer to the Department of Law

Mike Faulk seconded and the Board voted, with the exception of Bob Warnock, who recused himself from the vote regarding GDNA Case #A-32232 and GDNA Case #B-32232, in favor of the motion.

The Board recommended scheduling a conference call on Monday, November 13th at 11:00 a.m. to discuss Rule 480-7B Durable Medical Equipment Suppliers.

There being no further business to discuss, the meeting was adjourned at 3:33 p.m.

The next meeting of the Georgia Board of Pharmacy is scheduled for Wednesday, December 13, 2017 at 9:00 a.m. at the Department of Community Health's office located at 2 Peachtree Street, N.W., 5th Floor, Atlanta, GA 30303.

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