

**GEORGIA STATE BOARD OF PHARMACY**  
**Board Meeting Minutes**  
**Professional Licensing Boards**  
**237 Coliseum Drive, Macon, GA**  
**November 14, 2012**  
**9:30 a.m.**

The Georgia State Board of Pharmacy met on November 14, 2012 for the purpose of conducting business.

**Board Members Present:**

Bill Prather, Chairperson  
Laird Miller  
Chris Jones  
Pat McPherson (arrived at 11:03am)  
Mike Faulk  
Ronnie Wallace  
Tony Moye

**Staff Present:**

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

Bill Prather established that a quorum was present and called the meeting to order at 9:31a.m.

**Open Session**

**9:30a.m. Permanent Rule Hearing: 480-34-.04 Synthetic Cannabinoids**

The Board held a public rule hearing on Rule 480-34-.04. No comments were presented to the Board prior to or at the hearing. Chairman Prather concluded the hearing.

Tony Moye made a motion, Ronnie Wallace seconded, and the Board voted unanimously to adopt the Permanent Rule.

**Approval of Minutes from the October 10, 2012 Board Meeting**

Ronnie Wallace made a motion to approve the minutes from the October 10, 2012 meeting, Tony Moye seconded and the Board voted unanimously in favor of the motion.

**Report of Licenses Issued October 1, 2012-November 7, 2012**

Laird Miller made a motion to ratify the list of licenses issued October 1, 2012- November 7, 2012, Tony Moye seconded and the Board voted unanimously in favor of the motion.

**2013 Board Meeting Dates**

Ronnie Wallace made a motion, Chris Jones seconded, and the Board voted unanimously to accept the 2013 Board Meeting Dates.

Ronnie Wallace made the motion, Chris Jones seconded, and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §43-1-19(h)(2), 43-11-47(h) 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 Bill Prather, Laird Miller, Chris Jones, Mike Faulk, Tony Moyer, and Ronnie Wallace. The Board entered into Executive Session.

### **Executive Session**

The Board discussed the following:

#### **Appointments**

9:45 a.m.	B. J. F.	Request to reinstate
10:00 a.m.	K. A. W.	Request to lift suspension-appeared with advocate
10:15 a.m.	R. I.	Request to reinstate-no advocate
10:30 a.m.	M. E. C.	Request to Reinstate-appeared with advocate

Bill Prather concluded Executive Session in which no votes were taken and declared the meeting in Open Session.

### **Open Session**

#### **Correspondence from Cathi Anderson: Physician Self Referral Research**

The Board considered this correspondence. Laird Miller will assist in drafting a response to Ms. LaSharn Hughes, Executive Director for the Composite Medical Board regarding Board's concerns with physicians directing prescriptions to pharmacies that are owned and controlled by the physician. The response should include a reference to O.C.G.A. § 43-1B and O.C.G.A § 26-4-130.

#### **Compounding Questions for Applications**

Tony Moyer made a motion, Mike Faulk seconded and the Board voted unanimously to add the following to the Pharmacy Application: Do you compound and do you do sterile compounding? This information would then be available to GDNA prior to conducting inspections.

Tony Moyer iterated that compounding pharmacies must have the proper equipment and that additional continuing education should be required. Mike Faulk was appointed by Chairman Prather to do a study on what the Pharmacy Board needs to do to ensure compounding is being done in a safe manner in Georgia. Additionally, the research should include information on transferring drugs into Georgia.

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

Rick Allen mentioned the upcoming NABP conference in Athens at UGA.

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

Janet Wray discussed the statistics of cases from 2011 and 2012. During this discussion, the Board addressed turnaround time for processing applications.

Tony Moyer made a motion, Pat McPherson seconded and the Board voted unanimously on accepting Reinstatement CO upon receipt of the signed CO order. Also, as part of that motion, the Board authorized the Board Chair to clarify its intent provider there was a need for such.

#### **Correspondence from Neil Johnson**

The Board considered email correspondence from Mr. Johnson. There appeared to be some confusion regarding the rule amendments. The Board indicated it would consider the emails as comments during the public hearing in December.

**Correspondence from Vincent Poteet**

The Board considered this correspondence and referred it to Rick Allen with GDNA for response.

**Correspondence from Ther-Rx**

The Board considered this correspondence and referred it to GDNA for further attention.

**Miscellaneous**

Tony Moye discussed the possible need for a rule change in relation to exam scores. Currently candidates must score at least 61 on any section with an average of 75. Mike Faulk and Tony Moye both expressed a desire to see a passing score of 70 be required in each section. The issue will be reconsidered at the December Board meeting.

Ronnie Wallace made the motion, Chris Jones seconded, and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §43-1-19(h)(2), 43-11-47(h) 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 Bill Prather, Laird Miller, Chris Jones, Pat McPherson, Mike Faulk, Tony Moye, and Ronnie Wallace. The Board entered into Executive Session.

**Executive Session**

The Board discussed the following:

**Applications:**

1. A.H.J.-Pharmacy Technician
2. A.N.-Pharmacy Technician
3. A.P.-Pharmacy Technician
4. A.G. W.-Pharmacist Certification
5. B.L.S.-Pharmacist Intern
6. B.M.T-Pharmacist Intern
7. B.T.V.-Pharmacist Technician
8. B.K.L.-Pharmacy Technician
9. C.D.B-Pharmacist Intern
10. C.A.S.-Pharmacist Intern
11. C.S.S.-Pharmacy Intern
12. D.W.A.-Pharmacy Technician
13. D.J.G-Pharmacy Technician
14. D.Y.-Pharmacy Technician
15. DMC.-Wholesale Application
16. F.R.-Pharmacy Technician
17. G.N.A.-Pharmacist Intern
18. G.A.M.-Pharmacist
19. G.A.S.-Pharmacist
20. G.M.M.-Pharmacy Technician
21. H.H.S.-Pharmacist Certification
22. J.H.-Pharmacist
23. J.T.-Pharmacy Technician
24. J.B.M.-Pharmacist

25. J.T.F.-Pharmacy Technician
26. J.B.W.-Pharmacist Intern
27. J.B.-Pharmacy Technician
28. J.L.R.-Pharmacist
29. K.R.-Pharmacy Technician
30. L.G.-Pharmacy Technician
31. L.H.III-Pharmacy Technician
32. M.A.M-Pharmacy Technician
33. M.A.T.-Pharmacy Technician
34. M.E.M.-Pharmacy Technician
35. M.V.E.-Pharmacist
36. M.A.W.-Pharmacist Reinstatement
37. M.J.-Pharmacist
38. M.K-Pharmacist Applicant
39. M.L.-Pharmacist
40. N.L.-Pharmacy Technician
41. N.L.W.-Pharmacist Reciprocity
42. PM-Pharmacist
43. R.M.L.-Pharmacist
44. R.G.-Pharmacy Technician
45. R.M.M.-Pharmacist
46. S.D.S.-Applicant
47. S.K.M.-Pharmacy Technician
48. S.W.-Pharmacy Technician
49. S.A.H.-Pharmacist Reciprocity
50. S.D.C.-Pharmacy Technician
51. T.J.M.-Pharmacy Technician
52. T.P.A.-Pharmacy Technician
53. T.W.M.-Pharmacist Intern
54. T.K.-Pharmacist
55. UPS-Application
56. W.M.W.-Pharmacist
57. W.Y.L-Pharmacist
58. W.T.M.-Pharmacist
59. N.J.W.-Pharmacy Technician
60. C.P.

**Cognizant Report – Tony Moyer**

- GDNA Case #A-30204
- GDNA Case #T12-52
- GDNA Case #A12-55
- GDNA Case #T12-62
- GDNA Case #A12-66
- GDNA Case #T12-67
- GDNA Case #A12-68
- GDNA Case #A-29977
- GDNA Case #B-29988
- GDNA Case #A-30314
- GDNA Case #B-30354
- GDNA Case #B-30399
- GDNA Case #T-30447
- GDNA Case #A-30490

GDNA Case #T-30496

GDNA Case #B-30504

GDNA Case #A-30523

**Consent Orders**

J. D. - Private Consent Order for Reinstatement

R. G.-Private Consent Order for Reinstatement

J. V. J.-Private Consent Order for Reinstatement

D. M. T. - Private Consent Order for Reinstatement

Gary Pendexter-Public Consent Order

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

Rick Allen provided updates on two ongoing issues.

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

**Consent Orders**

J. D. - Private Consent Order for Reinstatement

R. G.-Private Consent Order for Reinstatement

J. V. J.-Private Consent Order for Reinstatement

D. M. T. - Private Consent Order for Reinstatement

G. P.-Public Consent Order

**Cases to Discuss**

C. S.-Pharmacy Technician Applicant

B. B. P.-Pharmacist

**OPEN SESSION**

**VOTE:**

**Applications:**

Pat McPherson made a motion to accept the recommendations based on discussions in Executive Session as follows:

1. A.H.J.-Pharmacy Technician-Deny
2. A.N.-Pharmacy Technician-Deny
3. A.P.-Pharmacy Technician-Approve
4. A.G. W.-Pharmacist Certification-Deny (applicant does not correspond with our GA rules)
5. B.L.S.-Pharmacist Intern-Approve
6. B.M.T-Pharmacist Intern-Approve
7. B.T.V.-Pharmacist Technician-Approve
8. B.K.L.-Pharmacy Technician-Approve
9. C.D.B-Pharmacist Intern-Approve
10. C.A.S.-Pharmacist Intern-Approve
11. C.S.S.-Pharmacy Intern-Deny
12. D.W.A.-Pharmacy Technician-Approve
13. D.J.G-Pharmacy Technician-Approve
14. D.Y.-Pharmacy Technician-Requires No Action
15. DMC.-Wholesale Application-Approve
16. F.R.-Pharmacy Technician-Approve

17. G.N.A.-Pharmacist Intern-Approve
18. G.A.M.-Pharmacist-Schedule for Appearance
19. G.A.S.-Pharmacist-Approve
20. G.M.M.-Pharmacy Technician-Approve
21. H.H.S.-Pharmacist Certification-Deny
22. J.H.-Pharmacist-Approve with Interim CO
23. J.T.-Pharmacy Technician-Deny
24. J.B.M.-Pharmacist-Approve
25. J.T.F.-Pharmacy Technician
26. J.B.W.-Pharmacist Intern-Approve
27. J.B.-Pharmacy Technician-Approve
28. J.L.R.-Pharmacist-Approve-Approve
29. K.R.-Pharmacy Technician-Approve
30. L.G.-Pharmacy Technician-Approve
31. L.H.III-Pharmacy Technician
32. M.A.M-Pharmacy Technician-Approve
33. M.A.T.-Pharmacy Technician-Approve
34. M.E.M.-Pharmacy Technician-Approve
35. M.V.E.-Pharmacist-Approve
36. M.A.W.-Pharmacist Reinstatement
37. M.J.-Pharmacist-Deny
38. M.K-Pharmacist Applicant-Deny
39. M.L.-Pharmacist-Approve
40. N.L.-Pharmacy Technician-Approve
41. N.L.W.-Pharmacist Reciprocity-Approve based on favorable report for treatment program
42. PM-Pharmacist-Schedule for Appearance
43. R.M.L.-Pharmacist-Approve
44. R.G.-Pharmacy Technician-Schedule for II
45. R.M.M.-Pharmacist-Approve
46. S.D.S.-Applicant Technician-Deny
47. S.K.M.-Pharmacy Technician
48. S.W.-Pharmacy Technician
49. S.A.H.-Pharmacist Reciprocity
50. S.D.C.-Pharmacy Technician
51. T.J.M.-Pharmacy Technician
52. T.P.A.-Pharmacy Technician
53. T.W.M.-Pharmacist Intern-Approve
54. T.K.-Pharmacist-Deny
55. UPS-Application-Approve
56. W.M.W.-Pharmacist-Deny
57. W.Y.L-Pharmacist-Approve
58. W.T.M.-Pharmacist
59. N.J.W.-Pharmacy Technician-Approve

Mike Faulk seconded them motion and the Board voted in favor of the motion.

**Cognizant Report – Tony Moye**

Ronnie Wallace voted to accept the recommendations based on discussion in Executive Session as follows:

GDNA Case #A-30204-Private CO

GDNA Case #T12-52-Accept Signed Voluntary Surrender  
GDNA Case #A12-55- Close with a letter of concern  
GDNA Case #T12-62-Accept Signed Voluntary Surrender  
GDNA Case #A12-66-Accept Signed Private Interim Consent Order  
GDNA Case #T12-67-Accept Signed Voluntary Surrender  
GDNA Case #A12-68-Accept Signed Private Interim Consent Order  
GDNA Case #A-29977-Close with letter of concern  
GDNA Case #B-29988-Close with no violation  
GDNA Case #A-30314-Schedule for Appearance  
GDNA Case #B-30354-Close with no violation  
GDNA Case #B-30399-Close with no violation  
GDNA Case #T-30447-Revoke technician registration  
GDNA Case #A-30490-Fine and probation  
GDNA Case #T-30496-Revoke technician registration  
GDNA Case #B-30504-Close with no violation  
GDNA Case #A-30523-Private CO and fine

Pat McPherson seconded, and the Board voted in favor of the motion.

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

Ronnie Wallace voted to accept the following recommendation, Laird Miller seconded and the Board voted in favor of the motion.

J. D. – accept Private Consent Order for Reinstatement  
R. G.-accept Private Consent Order for Reinstatement  
J. V. J.-accept Private Consent Order for Reinstatement  
D. M. T. – accept Private Consent Order for Reinstatement

Ronnie Wallace voted to accept the following recommendations based on discussions in Executive Session, Pat McPherson seconded and the Board voted in favor of the motion.

G. P.-Public Consent Order to be accepted upon receipt  
C. S.-Pharmacy Technician Applicant-Approve  
B. B. P.-Pharmacist-Accept Private CO under receipt

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

Ronnie Wallace made a motion to approve Sonny Mays retaining his weapons after retiring, Chris Jones seconded and the Board voted unanimously in favor of the motion.

**Executive Director's Report - Ms. Tanja D. Battle**

Tanja Battle announced that 31% of Pharmacy Population has renewed.

Also, as a follow up to a question regarding a rule regarding out-of-state attorneys, Ms. Battle reported that there was no such rule for the Secretary of State's office. Ms. Wray indicated the Board could address this or not take any action. Chairman Prather stated that the Board could consider such but that it had not been a recurring issue.

Chairman Prather thanked the staff of GDNA, the Secretary of State's Office and the Attorney General's Office.

No more business was discussed and the meeting adjourned at 3:36 p.m.

The next Pharmacy Board meeting will be on Wednesday, December 12, 2012 at 9:30 a.m. at the Office of the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217.