

**GEORGIA STATE BOARD OF PHARMACY
BOARD MEETING
November 12, 2008
Professional Licensing Boards
237 Coliseum Drive, Macon, GA**

The Georgia State Board of Pharmacy met on November 12, 2008, at the Office of the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217.

Members Present:

- Judy Gardner
- Pat McPherson arrived @ 10:50
- Charles W. Palmer
- William “Bill” Prather
- Mickey Tatum
- Steve Wilson

Visitors:

- Scott Biddulph, Target
- Helen Sloat, Nelson Mullins Riley & Scarborough LLP

Staff Present:

- Janet Wray, Attorney General’s Office
- Rick Karsten, Director, Georgia Drugs and Narcotics Agency
- Anita O. Martin, Executive Director
- Carol White, Board Secretary
- Craig Fluck, Exam

Judy Gardner established that a quorum was present, and called the meeting to order at 10:00 a.m.

Mr. Tatum moved, Mr. 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 review applications, deliberate on disciplinary matters, and to receive information on investigative reports. Voting in favor of the motion were those present who included Board Members, Mr. Palmer, Mr. Wilson, and Ms. Gardner.

At the conclusion of the EXECUTIVE SESSION, the Board declared an **Open Session** to vote on the matters discussed in Executive Session and to conduct other Board business.

APPOINTMENT (S)

- The Board met with Dorothy Ellison and advised Ms. Ellison that before the board will consider her further, she would need to have a Mental/Physical Evaluation conducted by a board approved evaluator and proceed according to the advice concerning reinstatement based upon their advice. After Ms. Ellison has completed this she would need to follow Policy 3A.
- R.T.C. – Cancelled as his advocate could not attend.

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- L.S. – Cancelled as his advocate could not attend.
- Charles Neely – L. Tolliver called and cancelled.

Janet Wray, Attorney General's Office:

Janet Wray provided an update to the Board on all open cases in the Attorney General's Office. Ms. Wray provided a reinstatement Consent Order on Jennifer A. Fletcher aka Jennifer A. Peel and Marion J. Strickland for acceptance. The Board voted to accept Ms. Fletcher/Peele Consent Order and Mr. Strickland's Consent Order upon receipt of a notarized signature page from Mr. Strickland. Ms. Wray discussed Reciprocity applicant J.W. from TN – Rescind action from last month to allow reciprocity as the law does not allow for reciprocity for an individual with disciplinary action in another state. Ms. Wray will notify Mr. J.W. that his options are to have the disciplinary action in TN resolved or to sit and pass the practical exam. A28432 – the Board authorized Ms. Wray to negotiate these orders as she find appropriate in her discretion.

Rick Karsten, Director, Georgia Drugs and Narcotics Agency Report:

- Met at the capital Monday about the prescription monitoring program legislation.
- There are currently 5 pharmacists in the Georgia legislature.
- Receiving calls from some corporate practice attorneys about OCGA 26-4-80(f) –.

Anita O. Martin, Executive Director's Report:

- Anita Martin provided renewal numbers to the Board. As of Monday afternoon, 373 people have renewed and 8 are currently on hold. Executive Director Lisa Durden has been assisting Ms. Martin with the CE Audits.
- Executive Order for Pat McPherson has been received.
- Can we begin administratively processing Nuclear Pharmacist applications? The Board approved.

Miscellaneous:

- Mr. Tatum has drafted information for the Board's review concerning excessive work hour and work load issues. Suggestions will be compiled from the Board members and brought back to the Board at the next Board meeting.

**Rick Karsten presented the following cases for Fred Barber, Cognizant Board Member:
GDNA Cases:**

GDNA Case #A28606: The Cognizant member recommended **accepting** a Private Interim Consent Order on J.F.P., Pharmacy Intern. Mr. Tatum made a motion to accept the cognizant's recommendation. Ms. Gardner seconded the motion and it carried unanimously.

GDNA Case #A08-39: The GDNA has offered interim consent order and voluntary surrender – awaiting receipt of the orders already sent. If not received with 30 days will refer to AG's office for a Summary Suspension. Mr. Tatum made a motion to accept the

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cognizant's recommendation. Mr. Wilson seconded the motion and it carried unanimously.

GDNA Case #A08-40: The Cognizant member recommended **scheduling** an Investigative Interview. Mr. Palmer made a motion to accept the cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Case #A08-41-: The Cognizant member recommended **scheduling** an Investigative Interview. Mr. Palmer made a motion to accept the cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Case #08-42: The Cognizant member recommended **scheduling** an Investigative Interview. Mr. Palmer made a motion to accept the cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Case #08-43: The Cognizant member recommended **scheduling** an Investigative Interview. Mr. Palmer made a motion to accept the cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Case #A08-44: The Cognizant member recommended **scheduling** an Investigative Interview. Mr. Palmer made a motion to accept the cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Case #B-28722: The Cognizant member recommended **closing** the case. Mr. Wilson made a motion to accept the cognizant's recommendation. Mr. Palmer seconded the motion and it carried unanimously.

GDNA Case #B-28706-: The Cognizant member recommended the standard misfill #2 board directive. Mr. Tatum made a motion to **accept** the cognizant's recommendation. Ms. Gardner seconded the motion and it carried unanimously.

GDNA Case #A-28728: The Cognizant member recommended **closing** the case with a Letter of Concern. Mr. Tatum made a motion to accept the cognizant's recommendation. Mr. Wilson seconded the motion and it carried unanimously.

Bill Prather Committee Report:

EXECUTIVE ITEMS:

Draft of October 22, 2008 Board Meeting Minutes: Mr. Tatum made a motion to **approve** the Board Minutes as amended. Mr. Prater seconded the motion and it carried unanimously.

Consider a vote to post revision to Board Rule 480-24-.04 Drug Distribution: Amended. Mr. Tatum made a motion to **approve** to post as amended. Mr. Prather seconded the motion and it carried unanimously.

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Request for information from UGA Vet Hospital re: waiver of USP797 standards:

- a. The Board will refer to Vet Board and inform that someone at UGA needs to research UPS standards and advise further on this matter.

Reinstatement request from James L. Wilson, PHRE010787: The Board states James L. Wilson needs to submit an application for reinstatement and provide all documentation. Upon receipt of this information, the Board will consider further.

Correspondence from Betty Garner re: flu vaccine administration: The Board viewed the information.

Correspondence from Perry Polisinelli of United Pharmacy Partners, Inc.: Send no legal letter.

Correspondence from Scott Biddulph of Target re: Board Rule 480-22:

- a. Refer to OCGA 43-34-26.2(d) for APRN's and 43-34-103(e)(3) for PA's.
- b. Judy Gardner will revise the rules and will provide back to the Board for consideration for a vote to post amendments.
- c. E-mail the information that Rick Allen provided to Judy Gardner at work

Request from Leroy Tolliver request to lift supervision requirement re: Tommy C.

Harrison: Mr. Tatum made a motion to approve request to lift supervision requirement from Tommy C. Harrison's Public Consent Order. Mr. Prather seconded the motion and it carried unanimously.

Request from Daniel A. Smith to lift probation: Mr. Tatum made a motion to lift probation requirement from Daniel A. Smith's Public Consent Order. Mr. Prather seconded the motion and it carried unanimously.

Review reinstatement application submitted by C.C.S.: Mr. Palmer made a motion to deny C.C.S. reinstatement application request. Mr. Prather seconded the motion and it carried unanimously.

Review letter from Dr. Angela Brown, Family Behavioral Care re: T.T. reinstatement request: Must meet the conditions of the initial consent order and Board will reconsider once those conditions have been met.

Review request from J.A.H. re: lifting of suspension order: Mr. Wilson made a motion to deny J.A.H.'s request lifting suspension order. Mr. Tatum seconded the motion and it carried unanimously.

Review request from K.B.T. re: lifting supervision requirement from consent order: Mr. Tatum made a motion to deny K.B.T.'s request lifting supervision requirement from consent order. Mr. Prather seconded the motion and it carried unanimously.

Application submitted by C.S.O. – Nuclear Pharmacist Applicant: Mr. Tatum made a motion to approve C.S.O.'s Nuclear Pharmacist application. Mr. Wilson seconded the motion and it carried unanimously.

Application submitted by W.D.M.: Mr. Tatum made a motion to approve W.D.M.'s Pharmacist Intern application. Mr. Prather seconded the motion and it carried unanimously.

Application submitted by C.S.O.: Mr. Palmer made a motion to approve Nuclear Pharmacist applicant. Mr. Prather seconded the motion and it carried unanimously.

Application submitted by W.D.M.: Mr. Wilson made a motion to approve W.D.M.' intern application. Mr. Tatum seconded the motion and it carried unanimously.

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Review request for an earlier appointment from Reciprocity Applicant Y.A.K.: Mr. Tatum made a motion to deny Y.A.K.'s request for an earlier appointment from Reciprocity applicant. Mr. Prather seconded the motion and it carried unanimously.

Craig Fluck – Testing and Exam Unit: Worked with the Board on the validity of the practical examination content.

Consider request from Leroy Tolliver re: Tommy C. Harrison – Public Consent Order 2005-1172: Mr. Prather made a motion to approve. Mr. Tatum seconded the motion and it carried unanimously.

Consider request from Daniel Smith to terminate probation on consent order 2003-0328: Mr. Tatum made a motion to approve. Mr. Prather seconded the motion and it carried unanimously.

Review request to lift probation terms from Consent Order submitted: Mr. Palmer made a motion to **approve request**. Mr. Wilson the motion and it carried unanimously.

There being no further business, the meeting adjourned at 2:10 p.m.

Pat McPherson, President

**Minutes Prepared By: Carol White, Board Secretary
Reviewed/Edited By: Anita O. Martin, Executive Director**

Minutes approved by the Board at its December 10, 2008 Board meeting.