

GEORGIA STATE BOARD OF PHARMACY
BOARD MEETING
January 14, 2009
Mercer University – Atlanta
College of Pharmacy
3001 Mercer University Drive
Atlanta, Georgia 30310

The Georgia State Board of Pharmacy met on January 14, 2009, at Mercer University – Atlanta, College of Pharmacy, 3001 Mercer University Drive, Atlanta, GA 30310.

Members Present:

- Fred Barber
- Judy Gardner
- Pat McPherson
- Charles Palmer
- Bill Prather
- Mickey Tatum
- Ronnie Wallace
- Steve Wilson

Visitors:

- Dean Ted Matthews, Mercer University
- Jim Bartling, Mercer University
- Scott Biddulph, Target
- David Saef, CVS
- Ernie Perry, CVS
- Ron Harden, CVS

Staff Present:

- Janet Wray, Attorney General's Office
- Rick Karsten, GDNA
- Mike Karnbach, GDNA
- Anita O. Martin, Executive Director
- Carol White, Board Secretary
- Shannon Wilson, Intern

Fred Barber, Jr. established that a quorum was present, and called the meeting to order at 10:00 a.m.

Mr. Prather moved, Mr. Tatum 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, Ms. Gardner, Mr. McPherson, Mr. Palmer, Mr. Wallace, and Mr. Wilson.

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.

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APPOINTMENT (S)

- R.K.B. – Renewal applicant – w/felony criminal arraignment pending. Approved for renewal.
- J.R.W. – Refer to AG’s office for Private Consent Order.

Attorney General’s Report – Ms. Janet Wray

Ms. Wray provided an update to the Board on open cases in the Attorney General’s Office. Ms. Wray provided a Consent Order on Francis Nganga and Joe T. Ricketson for acceptance. Ms. Wray discussed Case #8 on the AG’s report and stated GDNA will have an agent contact the store about this issue. Ms. Wray provided a memo on Board Rule 480-10-15. The Board tabled the Board Rule 480-10-15 until the February meeting. The Board voted to accept the recommendations on the AG’s report. Motion Mr. Tatum, seconded Mr. Prather and motion carried unanimously.

Rick Karsten, Georgia Drugs and Narcotics Agency Report:

- Ronnie Wallace was sworn in as a GDNA agent and was awarded a GDNA badge.
- 6 GDNA agents will soon be deputized as federal agents.
- Using forfeiture monies to purchase cars for GDNA
- Provided Legislative update.
- Rick Karsten attended the pharmacy caucus meeting yesterday at the capital. PBM legislation is under consideration during this session. The Prescription Monitoring legislation (HB455) remains the same as last year. Provided a copy of the drug update. Also, provided a copy of the new legislation SB10.
- The GBI is currently conducting a GCIC audit at GDNA.

Anita O. Martin, Executive Director’s Report:

- Provided updated renewal numbers to the Board, 11,678 have renewed, 97 are on hold and 402 have not yet attempted renewal
- Revise the misfill directives to allow for the CE Broker on-line course.
- Will provide a list of the lapsed licensees to GDNA after 1-31-09.

Miscellaneous:

Dean Ted Matthews provided an update as to the status of Southern School of Pharmacy. A new facility is being utilized to conduct clinical drug trials. Renovations to the facilities are being made on campus. Dean Matthews updated the Pharmacy Board on Mercer’s new P.A. program that has graduated the first class. Dean Matthews stated Mercer is expanding other health sciences programs (SPLA, OT and PT). Dean Matthews states Mercer has seen a slight decrease in the number of applicant pools over the last three years, they have had 1800 applicants to apply for 145 positions for the last semester.

The PIC form will be revised to include rules and regulations regarding the responsibility and obligation of the PIC. The revised PIC form will be sent to the Board members for review and approval.

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Craig Fluck of the EDTU met with the Board to discuss the examination administration of 01-15-09. Mr. Fluck also provided the 2008 Examination Report.

PUBLIC HEARING – 1:00 P.M

Board Rule 480-31-.01

Spoke at public hearing – Ted Matthews on behalf of the deans of the three Georgia Pharmacy Schools; and Jeff Lurey of the GPHA Academy of Independent Pharmacies, Steve Georgeson of the Georgia Academy of Chain Drug Stores, Sharron Sherrer and Eddie Madden of the GPHA. Ms. Sherrer also shared an e-mail from the Georgia Chapter of ASCB.

Board Rule 480-27-.01(j)

Board Rule 480-27-.02(2)(a), (b), and (c)

Board Rule 480-27-.02(4)

Board Rule 480-27-.04(b)(6) and (7)

Spoke at public hearing – Bob Beckley of SureScripts who also provided written Response. Eddie Madden of GPHA and Jeff Lurey of the GPHA Academy of Independent Pharmacies.

Public comments were received from the Medical Association of Georgia on Proposed Rules 480-27-.04(b)(6) and (7).

Public comment was received from NCDPD on Proposed Rules 480-27.

Public comment was received from NACDS on Proposed Rules 480-31-.01

Public Comment was received from eRx Network on Proposed Rules 480-27-.02(2)(a) and (c)

The Public Hearing adjourned at 1:05 p.m.

The Board Meeting was reconvened at 1:53 p.m.

Mr. Randy Vaughn, Division Director – 2:30 P.M.

Mr. Vaughn discussed with the Board the upcoming changes to the examination administration and the role of the EDTU in that administration. Mr. Vaughn committed to support the June & August 2009 examinations. Mr. Barber appointed an examination review committee comprised of Judy Gardner, Charles Palmer and Steve Wilson to meet with Mr. Vaughn to discuss this issue.

Mickey Tatum, Cognizant Board Member:

GDNA Cases:

GDNA Case #A08-33: The Cognizant member recommended **closing** the case with a Letter of Concern. Mr. Wilson made a motion to accept the cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

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GDNA Case #A08-41: The Cognizant member recommended **closing** the case with a Letter of Concern. Mr. Wallace made a motion to accept the cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Case #A08-40: The Cognizant member recommended **closing** the case with a Letter of Concern. Mr. Wallace made a motion to accept the cognizant's Recommendation. Ms. Gardner seconded the motion and it carried unanimously.

GDNA Case #A08-43: The Cognizant member recommended **sending** a Public Consent Order with 3 year probation and a \$5000.00 fine. Mr. Wilson made a motion to accept the cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Case #A08-48: The Cognizant member recommended **sending** a Public Consent Order with 3 year probation and a \$5000.00 fine. Mr. Wilson 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 **sending** a Public Consent Order with 3 year probation and a \$5000.00 fine. Mr. Wilson made a motion to accept the cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Case #A08-42-: The Cognizant member recommended **sending** a Public Consent Order with 3 year probation and a \$5000.00 fine. Mr. Wilson made a motion to accept the cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Case #A08-39: The Cognizant member recommended **accepting** a Private Consent Order on L.G. Mr. Tatum made a motion to **accept** the cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Case #B-28591: The Cognizant member recommended **closing** the case with a Letter of Concern. Mr. Tatum made a motion to accept the cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Case #:B-28651: The Cognizant member recommended **accepting** misfill policy #1. Mr. Tatum made a motion to accept the cognizant's recommendation. Mr. Prater seconded the motion and it carried unanimously.

GDNA Case #A-28756: The Cognizant member recommended **closing** the case by voiding the intern license as subject is no longer a student. Mr. Tatum made a motion to accept the cognizant's recommendation. Mr. Wallace seconded the motion and it carried unanimously.

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Request from C.T.W. – Petition Board to lift limitation of supervised practice on Private Consent Order, Docketed 2007-2336 – Mr. Tatum made a motion to approve the request. Mr. Prather seconded the motion and it carried unanimously.

Request from E. Brian Watkins for R.E.O. to supplement online record: Mr. Tatum made a motion to approve to allow all docketed items related to this issue. Mr. Prather seconded the motion and it carried unanimously.

Request from Katherine Palatianos on Private Consent Order on C.M.J.: Mr. Tatum made a motion to approve to provide copies of certified copies of consent orders and compliance information to Mr. Jones to provide to Ms. Palatianos. Mr. Prather seconded the motion and it carried unanimously.

Request from M.W.H. to terminate probation –. Mr. Tatum made a motion to **approve.** Mr. Prather seconded the motion and it carried unanimously.

Draft of December 10, 2008 Board Meeting Minutes: Approved as amended. Mr. Prather made a motion to **approve** the Board Minutes as amended. Mr. Tatum seconded the motion and it carried unanimously.

Request from Toliver & Gainer, LLP petition for lifting of work hour restriction on Clifford D. Dodgen, License No. RPH017219, Public Consent Order, Docket #2006-1558: Mr. Prather made a motion to approve to lift work hour restriction. Mr. Palmer seconded the motion and it carried unanimously.

Proposed adoption on Rule 481-31-.01 – Patient Counseling: Mr. Tatum made a motion to adopt Rule 481-31-.01. Mr. Prather seconded the motion and the Board voted to adopt. Mr. McPherson and Mr. Wallace voted in opposition.

Proposed adoption on Proposed Amendments to Rules:

Rule 480-27-.01(j)-Definitions

Rule 480-27-.02(a),(b), and (c) and 480-27-.02(4) – Prescription Drug Order Requirements

Rule 480-27-.04(b)(6) and (7) – Use of Facsimile Machine or other Electronic Means to Transmit or Receive Prescription Drug: Mr. Prather made a motion to adopt Rule 480-27-.01(j), 480-27-.02(a),(b), and (c) and 480-27-.02(4) and 480-27-.04(b)(6) and (7). Mr. Tatum seconded the motion and it carried unanimously.

Correspondence concerning Board Policy #3(A) – Ms. Gardner made a motion to approve revision. Mr. Tatum seconded the motion and it carried unanimously.

CE Rule Waiver Request from Everett Beal – PRH007561: Mr. Wilson made a motion to deny. Mr. McPherson seconded the motion and it carried unanimously.

Request from Papatya Tankut/CVS Pharmacy, Inc. that CVS Pharmacy has executed Certification of Compliance on Public Consent Order docketed 2007-1774: Mr. McPherson

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made a motion to issue a docketed letter of Compliance to CVS. Mr. Wilson seconded the motion and it carried unanimously.

Request from Gary Gene Smith re: return to practice from Voluntary Surrender: Ms. Gardner made a motion to schedule an appointment with the Board. Mr. McPherson seconded the motion and it carried unanimously.

Newly Licensed Pharmacists: Mr. Tatum made a motion to **approve** the newly licensed Pharmacists. Mr. Prather seconded the motion and it carried unanimously.

License Number	Name	License Type
PHI-014100	Roberts, Tina Maria	Pharmacist Intern
PHI-014101	Wheatley, Kyle Jason	Pharmacist Intern
RPH024644	Patel, Hiren K	Pharmacist
RPH024645	Conroy, Susan	Pharmacist
RPH024646	Jones, Ranarda Mishea	Pharmacist
RPH024647	Patel, Minejkumar Jayantibhai	Pharmacist
RPH024648	Manning, Ray Ellis	Pharmacist
RPH024649	White, Janee Lynette	Pharmacist
RPH024650	Roberts, Casandra L	Pharmacist
RPH024651	Tande, Kathleen Marie	Pharmacist
RPH024652	Miller, Sharon Melvarita	Pharmacist
RPH024653	Gilbreath, Marsha Nell	Pharmacist
PHRE009539	Publix Pharmacy #1217	Retail Pharmacy
PHRE009543	Ingles Pharmacy #65	Retail Pharmacy
PHRE009544	Walgreens #11791	Retail Pharmacy
PHRE009545	Walgreens #12319	Retail Pharmacy
PHRE009546	Precision Compounding Pharmacy	Retail Pharmacy
PHWH002767	Glenwood, LLC	Wholesaler Pharmacy
PHWH002768	River City Pharmaceutical Distribution, Inc	Wholesaler Pharmacy
PHWH002769	Tri-anim Health Services, Inc	Wholesaler Pharmacy
PHWH002770	Focus Health Group	Wholesaler Pharmacy
PHWH002771	Lannett Company, Inc	Wholesaler Pharmacy
PHWH002772	Smith Drug Company, Div J M Smith Corporation	Wholesaler Pharmacy

Renewal Applicant – J.M.: Mr. Tatum made a motion to **deny** applicant’s request for renewal. Mr. Prather seconded the motion and it carried unanimously.

Reinstatement Applicant last actively practiced 2002 – G.M.R.: Mr. Tatum made a motion to **approve** G.M.R.’s reinstatement once she meets the conditions of the policy. Mr. Prather seconded the motion and it carried unanimously.

Renewal Applicant – T.J. – Mr. Tatum made a motion to **approve** renewal application. Mr. Prather seconded the motion and it carried unanimously.

Renewal Applicant – S.P.N. – Ms. Gardner made a motion to **approve** renewal application. Mr. Tatum seconded the motion and it carried unanimously.

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Renewal Applicant – C.J.N. - Mr. Tatum made a motion to **approve** renewal application. Mr. Prather seconded the motion and it carried unanimously.

Renewal Applicant – D.B. – Mr. Tatum made a motion to **approve** renewal application under the same terms as Alabama’s probation. Mr. Prather seconded the motion and it carried unanimously.

Reinstatement Applicant, last actively practiced over 4 years K.H.B. – Mr. Tatum made a motion to **approve** renewal application once she meets the conditions of the policy. Mr. Prather seconded the motion and it carried unanimously.

Reinstatement Applicant – J.L.W. – Mr. Prather made a motion to **schedule** an appointment with J.L.W. Mr. Tatum seconded the motion and it carried unanimously.

Reinstatement Applicant – C.B.C. – Mr. Prather voted to **deny** reinstatement applicant requesting requirement reconsideration.. Ms. Gardner seconded the motion and it carried unanimously.

Renewal Applicant – A.N.A. – Mr. Prather made a motion to **schedule** an appointment with A.N.A. Mr. Tatum seconded the motion and it carried unanimously.

Pharmacist Applicant by Reciprocity, J.C. – Ms. Gardner made a motion to **approve** J.C.’s application by reciprocity. Mr. Wilson seconded the motion and it carried unanimously.

Renewal Applicant – C.J. – Mr. Prather made a motion to renew application under a Public Consent Order. Mr. Tatum seconded the motion and it carried unanimously.

Renewal Applicant – G.P. – Mr. Wilson made a motion to **approve** application. Mr. Tatum seconded the motion and it carried unanimously.

Renewal Applicant – W.M. – Mr. Wilson made a motion to **require** applicant to undergo an evaluation by a board approved addictionologist. Upon receipt of the evaluation, schedule W.M. for an investigative interview. Mr. Prather seconded the motion and it carried unanimously.

Renewal Applicant – P.C. – Mr. Wilson made a motion to **approve** applicant. Mr. Prather seconded the motion and it carried unanimously.

Renewal Applicant – D.O. – Mr. Tatum made a motion to approve applicant. Mr. Prather seconded the motion and it carried unanimously.

Renewal Applicant – J.G. - Mr. Prather made a motion to **approve** but send a letter that if convicted of a felony the Board can still seek disciplinary action. Mr. Tatum seconded the motion and it carried unanimously.

Renewal Applicant – R.T.M.- Mr. Tatum made a motion to **approve** the renewal applicant. Mr. Prather seconded the motion and it carried unanimously.

Renewal Applicant – S.T.P. – Mr. Tatum made a motion to **approve** the applicant. Mr. Prather seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned at 4:10 p.m.

Fred Barber, Jr., President

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

Minutes approved by the Board at its February 11, 2009 Board meeting.