

GEORGIA STATE BOARD OF PHARMACY
BOARD MEETING
May 13, 2009
Professional Licensing Boards
237 Coliseum Drive
Macon, Georgia 31217

The Georgia State Board of Pharmacy met on May 13, 2009, Professional Licensing Board, 237 Coliseum Drive, Macon, Georgia 31217.

Members Present:

- Fred Barber
- Pat McPherson
- Charles Palmer
- Bill Prather
- Ronnie Wallace
- Steve Wilson

Staff Present:

- Janet Wray, Attorney General's Office
- Rick Karsten, GDNA
- Dennis Troughton, GDNA
- Anita O. Martin, Executive director
- Carol White, Board Secretary

Fred Barber, Jr. established that a quorum was present, and called the meeting to order at 10:11 a.m.

Mr. Prather moved, Mr. Palmer 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. Wilson, Mr. McPherson and Mr. Wallace.

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)

C.S. – Pharmacist Reinstatement Request – Mr. Wilson made a motion to approve with a standard impairment Private Consent Order with 1 year of probation, remain active in AA, and send copies of the Private Consent Order to AA sponsor and employer; require submission of quarterly reports. The Private Consent order will be accepted upon receipt. Mr. Wallace seconded the motion and it carried unanimously.

Dan F. Luce, Corporate Manager, Pharmacy Affairs and Brian Robinson of Walgreens met with the Board to discuss workload balancing from a common database. The Board asked

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Professional Licensing Boards
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Macon, Georgia 31217

that Rick Karsten from Georgia Drugs & Narcotics Agency do further research. The Board may consider drafting rules and regulations on utilization of this technology.

Rick Karsten, Georgia Drugs and Narcotics Agency Report:

- Spoke on the Prescription Drug Monitoring Program legislation – This legislation will be back during the 2010 session. The Board voted that they are still in support of this program. Georgia Drugs and Narcotics Agency is still working on the application and administration of the grant to fund this program.
- Provided an overview on a complaint received from a M.D. concerning a federal case involving a Georgia Drug and Narcotics Agency agent. The Board is named in the complaint.
- NABP annual Conference in Miami – Rick Allen and Rick Karsten will be in attendance. Mr. Wilson made a motion to designate Rick Karsten as the Delegate and Rick Allen as the Alternate Delegate to vote on behalf of the Board. Mr. Prather seconded the motion and it carried unanimously.
- Georgia Drugs and Narcotics Agency continues to update and upgrade their website.
- Georgia Drugs and Narcotics Agency continues to get calls about Medicaid and requests for refunds. The Board states that there is nothing that can be done from the Board's stand-point as this is part of the contractual agreement with Medicaid.
- Reported that the PBM bill was vetoed by the Governor.
- Georgia is the only state in the United States that does not regulate out of state pharmacies. This matter may need to be considered by the Georgia Pharmacy Association. Georgia law restricts mail-order pharmacies.
- The Georgia State Board of Pharmacy is on the agenda for a presentation at the GPHA meeting.

Anita O. Martin, Executive Director's Report:

- N.E. – Is listed below
- Request from James R. Wortham – Requesting an alternative to supervised practice per his consent order. Mr. Palmer seconded, Mr. Prather seconded and the board voted to deny the request. Advise Mr. Wortham that work as a technician will meet the requirement.
- Request from the Georgia Department of Human Resources to waive application fees for the emergency preparedness pharmacies. Mr. Wallace motioned, Mr. McPherson seconded and the board voted to approve the request.

GEORGIA STATE BOARD OF PHARMACY
BOARD MEETING
May 13, 2009
Professional Licensing Boards
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Miscellaneous

The Board advised staff that when reviewing reinstatement applications to look at the date the license expired rather than the date the person last practiced when reviewing under policy 3A.

Mr. Palmer reported on methadone clinic dispensing. He, Mr. Tatum and Agent Ronnie Higgins of Georgia Drugs and Narcotics are working on drafting a revision to the current rule.

Bill Prather, Cognizant Board Member:

GDNA Case #A09-11: The Cognizant member recommended accepting the Private Interim Consent Order. Mr. McPherson made a motion to accept the cognizant's recommendation. Mr. Wilson seconded the motion and it carried unanimously.

GDNA Case #A-28921: The Cognizant member recommended accepting the Private Interim Consent Order. Mr. McPherson made a motion to accept the cognizant's recommendation. Mr. Wilson seconded the motion and it carried unanimously.

GDNA Case # A-09-08: The Cognizant member recommended accepting the Private Interim Consent Order. Mr. Wilson made a motion to accept the cognizant's recommendation. Mr. McPherson seconded the motion and it carried unanimously.

GDNA Case #B-28908: The Cognizant member recommended closing the case. Mr. Wilson made a motion to accept the cognizant's recommendation. Mr. McPherson seconded the motion and it carried unanimously.

GDNA Case #28909: The Cognizant member recommended closing the case. Mr. Palmer made a motion to accept the cognizant's recommendation. Mr. Wilson seconded the motion and it carried unanimously.

GDNA Case # A-28915: The Cognizant member recommended the made a motion to issue a Public Consent Order with 1 year probation for the pharmacy and a Public Order with \$1000.00 fine for the Pharmacist. Mr. Wilson made a motion to accept the cognizant's recommendation. Mr. McPherson seconded the motion and it carried unanimously.

GDNA Case #A-28926: The Cognizant member recommended closing the case with a strong Letter of Concern. Mr. McPherson made a motion to accept the cognizant's recommendation. Mr. Palmer seconded the motion and it carried unanimously.

GDNA Case #A-28938: The Cognizant member recommended made a motion to issue a Private reprimand with a \$500.00 fine and not probation. Mr. McPherson made a motion to accept the cognizant's recommendation. Mr. Wilson seconded the motion and it carried unanimously.

GEORGIA STATE BOARD OF PHARMACY
BOARD MEETING
May 13, 2009
Professional Licensing Boards
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GDNA Case #B-28900: 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.

GNDA Case # B-28793: The Cognizant member recommended closing the case. Mr. McPherson the made a motion to accept the cognizant's recommendation. Mr. Wilson seconded the motion and it carried unanimously.

GNDA Case #A-28742: The Cognizant member recommended closing the case. Mr. McPherson made a motion to accept the cognizant's recommendation. Mr. Wilson seconded the motion and it carried unanimously.

GNDA Case #28621: 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.

GNDA Case #B-28598: The Cognizant member recommended to refer the case to the Medical Board. Mr. McPherson made a motion to accept the cognizant's recommendation. Mr. Wilson seconded the motion and it carried unanimously.

GNDA Case# A-28945: The Cognizant member recommended for Georgia Drugs and Narcotics Agency to research as to what other states are doing. Mr. Wilson made a motion to accept the cognizant's recommendation. Mr. McPherson seconded the motion and it carried unanimously.

EXECUTIVE SESSION

Applications/Licensure:

1. A.H.S. – Pharmacist applicant by reciprocity. - Mr. Prather made a motion to approve. Mr. McPherson seconded the motion and it carried unanimously.
2. M.A.Q.D. – Pharmacist reinstatement applicant, last actively practiced in 2002, no period of unlicensed practice.
Mr. Prather made a motion to reinstate under policy 3A since license expired. Mr. Palmer seconded the motion and it carried unanimously.
3. R.K.O. – Pharmacist reinstatement applicant. Mr. Prather made a motion to reinstate under a Private Consent Order with a \$500.00 fine, accepted upon receipt. Mr. Palmer seconded the motion and it carried unanimously.
4. A-2629 – Mr. Palmer made a motion to renew with a Letter of Concern. Mr. Prather seconded the motion and it carried unanimously.
5. S-2518 – Mr. Prather made a motion to schedule for an investigative interview. Mr. McPherson seconded the motion and it carried unanimously.
6. M-0876 – Mr. Prather made a motion to schedule for an investigative interview. Mr. Palmer seconded the motion and it carried unanimously.
7. U.A.U. – Pharmacist applicant. Mr. Palmer made a motion to approve to sit for the exam and schedule an interview in July 2009 with applicant and advocate. Mr. Prather seconded the motion and it carried unanimously.

GEORGIA STATE BOARD OF PHARMACY
BOARD MEETING
May 13, 2009
Professional Licensing Boards
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8. N.J.D. – Pharmacist applicant. Mr. McPherson made a motion to approve. Mr. Prather seconded the motion and it carried unanimously.
9. T.M.G. – Pharmacist applicant. Mr. McPherson made a motion to approve. Mr. Wilson seconded the motion and it carried unanimously.
10. E.O. – Pharmacist Reinstatement Applicant. Mr. Prather made a motion to proceed as proposed in the previously proposed Consent Order. Mr. Wilson seconded the motion and it carried unanimously.
11. C-0917- Mr. Prather made a motion to schedule for an investigative interview. Mr. McPherson seconded the motion and it carried unanimously.
12. C-1042- Mr. Prather made a motion to schedule for an investigative interview. Mr. McPherson seconded the motion and it carried unanimously.
13. M-2136 – Mr. Prather made a motion to schedule an investigative interview. Mr. McPherson seconded the motion and it carried unanimously.
14. R.M.C. – Pharmacy Applicant. Mr. Prather made a motion to approve. Mr. Wallace seconded the motion and it carried unanimously.
15. P.M.D. – Pharmacy Applicant – Mr. Prather made a motion to approve. Mr. McPherson seconded the motion and it carried unanimously.
16. B-2431- Mr. Prather made a motion to schedule an investigative interview. Mr. McPherson seconded the motion and it carried unanimously.
17. B-2378- Mr. Prather made a motion to schedule an investigative interview. Mr. McPherson seconded the motion and it carried unanimously.
18. B-2350- Mr. Prather made a motion to schedule an investigative interview. Mr. McPherson seconded the motion and it carried unanimously.
19. B-2365- Mr. Prather made a motion to schedule an investigative interview. Mr. McPherson seconded the motion and it carried unanimously.
20. B-0171 – Mr. Prather made a motion to schedule an investigative interview. Mr. McPherson seconded the motion and it carried unanimously.
21. B-0925 – Mr. Prather made a motion to schedule an investigative interview. Mr. McPherson seconded the motion and it carried unanimously.
22. B-215 – Mr. Prather made a motion to schedule an investigative interview. Mr. McPherson seconded the motion and it carried unanimously.
23. B-1754- Mr. Prather made a motion to schedule an investigative interview. Mr. McPherson seconded the motion and it carried unanimously.
24. B-2271 – Mr. Prather made a motion to schedule an investigative interview. Mr. McPherson seconded the motion and it carried unanimously.
25. M-294 & M-2801 – Mr. McPherson made a motion to renew with a Letter of Concern. Mr. Wilson seconded the motion and it carried unanimously.
26. B.K.D. – Pharmacy Applicant – Mr. McPherson made a motion to approve. Mr. Wilson seconded the motion and it carried unanimously.
27. B-2211 – Mr. Prather made a motion to schedule an investigative interview. Mr. McPherson seconded the motion and it carried unanimously.
28. B-2112 – Mr. Prather made a motion to schedule an investigative interview. Mr. McPherson seconded the motion and it carried unanimously.
29. S-0954 – Mr. Prather made a motion to schedule an investigative interview. Mr. McPherson seconded the motion and it carried unanimously.

GEORGIA STATE BOARD OF PHARMACY
BOARD MEETING
May 13, 2009
Professional Licensing Boards
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30. S-2517 – Mr. Prather made a motion to schedule an investigative interview. Mr. McPherson seconded the motion and it carried unanimously.
31. S-2651 – Mr. Prather made a motion to schedule an investigative interview. Mr. McPherson seconded the motion and it carried unanimously.
32. M.E.B. – Pharmacy Applicant – Mr. Prather made a motion to approve. Mr. McPherson seconded the motion and it carried unanimously.
33. C.D.W. – Pharmacy Applicant – Mr. Wilson made a motion to approve. Mr. Prather seconded the motion and it carried unanimously.
34. J.B.M. – Pharmacy Applicant – Mr. Prather made a motion to approve to sit for the exam. Mr. McPherson seconded the motion and it carried unanimously.

Public Hearing

The Hearing for Board Rule 480-24-.04 Drug Distribution was held. Called to order at 1:01 and adjourned at 1:02. No public comments were received concerning this proposed rule amendment.

Draft of April 15, 2009 Board Meeting Minutes: Approved. Mr. Wilson made a motion to **approve** the Board Minutes as amended. Mr. Palmer seconded the motion and it carried unanimously.

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

License Number	Name	License
PHHH000044	Providence Pharmacy Inc	Home Health Pharm
PHI-014142	Norman, Logan Van	Pharmacis
PHI-014143	Richard, Ashley Anne	Pharmacis
PHI-014144	Beaty, Rachel Suzanne	Pharmacis
PHI-014145	Morris, Taronique Devivia	Pharmacis
PHI-014146	Watkins, Janean Dionne	Pharmacis
PHI-014147	Ogunsakin, Temitope Olulola	Pharmacis
PHI-014148	Parham, Asia M	Pharmacis
PHI-014149	Patel, Maya Natvar	Pharmacis
PHI-014150	Palmier, Megan Emily	Pharmacis
PHI-014151	Bartels, Hewis Boamah	Pharmacis
PHI-014152	Budraj, Deopaul	Pharmacis
PHI-014153	Igamba, Moses	Pharmacis
RPH022373	Patel, Ashish Indra	Nuclear Ph
RPH024731	Kos, Richard Michael	Pharm
RPH024732	Okafor, Chinedum Uzoma	Pharm
RPH024733	Russell, Rita Sue	Pharm

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RPH024734	Wright, Margaret C	Pharm
RPH024735	Humber, Kristy Michelle	Pharm
RPH024736	Mallard, Kendrick Ka'Juan	Pharm
RPH024737	Swiger, Eunity Kim	Pharm
RPH024738	Proctor, Lorena El-Bader	Pharm
RPH024739	Sinclair, Susan Lynn	Pharm
PHRS000572	Emory University - Yerkes National Primate Research Center	Researcher
PHRS000573	Emory University School of Medicine, Div of Cardiology	Researcher
PHRS000574	Emory University School of Medicine Dept of Biomedical Engineering	Researcher
PHRE009575	LTC Scriptsrx LLC	Retail Ph
PHRE009576	Walgreens #12533	Retail Ph
PHRE009577	Walgreens #11102	Retail Ph
PHWH002836	Jacobus Pharmaceutical Company Inc.	Wholesaler
PHWH002843	K-art X-ray Supply Co	Wholesaler
PHWH002844	Ivesco Holdings LLC	Wholesaler
PHWH002845	Antigen Laboratories Inc	Wholesaler
PHWH002846	Pharmco LLC	Wholesaler
PHWH002847	Airgas South, Inc.	Wholesaler
PHWH002848	Nexus Pharmaceuticals Inc	Wholesaler
PHWH002849	ALK-Abello Inc	Wholesaler
PHWH002850	Nex Air, LLC.	Wholesaler
PHWH002851	Barrier Therapeutics Inc	Wholesaler

Consideration of Board Rule 480-24-.04 – Mr. Wilson made a motion to adopt Board Rule 480-24-.04. Mr. Palmer seconded the motion and it carried unanimously.

Request from Leroy Toliver for Charles Neely requesting an appearance with the Board regarding his Voluntary Surrender. Mr. Prather made a motion to deny the request. Mr. Wallace seconded the motion and it carried unanimously.

Rule Waiver request from Laura Brady Sullivan granting waiver from fee and paperwork of Reinstatement due to not receiving reminder notice. Mr. McPherson made a motion to deny the request. Mr. Prather seconded the motion and it carried unanimously.

Request from Samuel K. Henley to move Public Consent Order to Private Consent Order and remove from Pharmacy Board Web-Site. Table decision until the Executive Director can check with the IT staff on this request. Once decision has been reached, request will be taken back to the Board to develop a policy for the issues of this type.

GEORGIA STATE BOARD OF PHARMACY
BOARD MEETING
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Request from Albert L. Pate to lift supervised practice from Public Consent Order, Docket #2004-1654. Mr. Wilson made a motion to approve the request. Mr. Palmer seconded the motion and it carried unanimously.

Request from Gary Randolph Johnson petitioning the Board for release of probation from Licensure on his Public Consent Order, Docket # 2007-1253. Mr. Prather made a motion to approve the request. Mr. McPherson seconded the motion and it carried unanimously.

Correspondence from Christopher Connell. The Board viewed as informational.

Request from Nancy Smith, Fannin Regional Hospital – Sleep Lab - Mr. Prather made a motion to notify Ms. Smith that the dispensing is allowed as long as the medications are legally prescribed. Mr. Palmer seconded the motion and it carried unanimously.

Correspondence from Karen Schwartz – Mr. Palmer made a motion this is not a legal issue, this is an insurance/reimbursement issue and the Board does not find it appropriate to meet at this time. Mr. Prather seconded the motion and it carried unanimously.

Attorney General’s Executive Session- Ms. Janet Wray

- Ms. Wray spoke with the Board regarding K.M., Y.H. and RA #11764 – Mr. Wilson motioned, Mr. McPherson seconded and the board voted to close with a letter of concern; there is a professional obligation on behalf of the pharmacist and pharmacy about noting in a patient’s record that there is diminished capacity.
- Reinstatement applicant – E.O. – The second draft reinstatement order is acceptable to the Board. Ms. Wray will send the order and the Board will accept upon receipt.

Executive Director’s Executive Session – Ms. Anita Martin

- Notify applicant, N.E., that the Board has reconsidered setting a specific time for a meeting concerning reinstatement. Further advise that when his treatment team feels that he is ready to meet with the Board, he can petition the Board at that time.
- Mr. Tatum motioned, Mr. Wilson seconded and the Board voted to accept consent orders on:
 1. Stevie Newsome
 2. Koreana Pharmacy and Gifts II
 3. James D. Wheeler
 4. Yoo Pharmacy
 5. N.N.O.
 6. R.M.W.
 7. L.D.S.
 8. L.W.A.
 9. J.R.G.

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There being no further business, the meeting adjourned at 3:15 p.m.

Fred Barber, Jr., President

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

Minutes approved by the Board at its June 3, 2009 Board meeting.

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