

GEORGIA STATE BOARD OF PHARMACY
BOARD MEETING
November 18, 2009
Professional Licensing Boards
237 Coliseum Drive
Macon, GA 31217

The Georgia State Board of Pharmacy met on November 18, 2009, Professional Licensing Boards, 237 Coliseum Drive, Macon, GA 31217. Prior to convening the Board meeting, Randy Vaughn, Don Munday and Craig Fluck met with the Board to discuss the practical examination outsourcing, the bidding process and the status of the outsourcing. Questions were fielded by Mr. Vaughn from Board members and Rick Karsten from the Georgia Drugs and Narcotic Agency

Members Present:

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

Staff Present:

- Rick Allen, GDNA
- Rick Karsten, GDNA
- Anita Martin, Executive Director
- Janet Wray, Attorney General's Office
- Carol White, Board Support Specialist

Visitors:

- Scott Biddulph, Target
- Helen Sloat

Fred Barber established that a quorum was present, and called the meeting to order at 10:02 a.m.

Mr. Palmer moved, Ms. Gardner 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, Mr. Prather, Mr. Tatum, 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.

- B.A.L. – Ms. Gardner made a motion to approve applicant under a Public Consent Order. Mr. Wilson seconded the motion and the motion carried. Mr. Prather opposed.
- R.A.B. – RAB notified the Board on November 17, 2009 that she needs to reschedule.

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Rick Karsten, Georgia Drugs and Narcotics Agency Report:

- Mr. Rick Karsten, Mr. Rick Allen and Mr. Pat McPherson met with Trey Childers of the Governor's office and representatives of the Office of Planning and Budget on Georgia Drugs and Narcotics Agency budget issues and funding of the Prescription Drug Monitoring Program. Mr. Karsten provided information that was distributed at the meeting with Trey Childers. Mr. Karsten also discussed an increase in fees.
- Mr. Karsten discussed implementation of Pharmacy technician registration.
- Mr. Karsten and Mr. Prather talked about their attendance at the NABP meeting.
- Mr. Karsten made his official announcement of retirement from the Georgia Drugs and Narcotics Agency after 25 years of service. His retirement is effective March 2010.

Anita O. Martin, Executive Director's Report:

- Ms. Martin conducted a brief epiware training with the Board members.
- Ms. Martin presented a request from Charles Moye to lift probation from his 2004 Public Consent Order. Mr. Palmer made a motion to approve. Mr. Prather seconded the motion and it carried unanimously.
- Ms. Martin presented a request to lift no Pharmacist in Charge restriction from his Public Consent Order. Mr. Tatum made a motion to approve. Mr. Wilson seconded the motion and it carried unanimously.
- Ms. Martin presented a request from Mr. Kenneth Arthur to meet with the Board regarding returning to practice after his Voluntary Surrender. Mr. McPherson made a motion to approve Mr. Arthur's request to meet with the Board once a complete reinstatement application is on file. Mr. Prather seconded the motion and it carried unanimously.
- Ms. Martin presented the Board with Mr. Richard Brown's criminal conviction for vehicular homicide. The Board viewed as informational only.
- Ms. Martin presented the board with a request for reimbursement for flowers purchased for Penny Parker's retirement on behalf of the Pharmacy Board.
- Ms. Martin presented an e-mail to Ms. Gardner from Tim Poole of the Philadelphia College of Osteopathic Medicine School of Pharmacy. As directed by the Board, Ms. Martin will notify Mr. Poole that once the school has provisional accreditation status, the Board request that the school notify them and they will consider a meeting at that time.
- Ms. Martin presented the Board with a letter from Affinity Health Group. The Board states the practice as cited in their letter is not allowed by Georgia Law advises that they seek private legal counsel.
- Ms. Martin presented the Board with queries from Opioid Treatment Clinics about dispensing protocols. Ms. Martin will update the policies with the Opioid information from the October 2009 board meeting and post the updated form to the website.

Miscellaneous:

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- The Board request an item be placed on the December 2009 agenda to consider an increase in licensing fees.
- The FDA is authorizing the use of certain lots of Tamiflu for use beyond their labeled expiration dates. These lots have been tested through the federal government's Shelf-Life Extension Program (SLEP). Healthcare professionals should counsel patients to inform them that the medications they have been given are authorized for use based on scientific testing and analysis.

Mickey Tatum, Cognizant Board Member:

Complaint #B-29129 : The Cognizant member recommended renewal of licensing. Mr. McPherson made a motion to accept the cognizant's recommendation. Mr. Palmer seconded the motion and it carried unanimously.

Case Report #09-19 : The Cognizant member recommended the standard misfill #1 policy. Mr. Wilson made a motion to accept the cognizant's recommendation. Mr. McPherson seconded the motion and it carried unanimously.

Complaint #B-29128: The Cognizant member recommended renewal of Intern License. Mr. McPherson made a motion to accept the cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

Case Report #09-25: The Cognizant member recommended closing the case. Ms. Gardner made a motion to accept the cognizant's recommendation. Mr. McPherson seconded the motion and it carried unanimously.

Case Report #A09-17: The Cognizant member recommended a Private Consent Order requiring that he remain on prescribed drug therapy. He must provide personal quarterly reports (citing all the places where he worked), and submission of prescribing physician's quarterly reports. Mr. McPherson made a motion to accept the Cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Case #A09-29: The Cognizant member recommended a Public Consent Order with a \$1,000.00 fine and 1 year of probation. Mr. Wilson made a motion to accept the Cognizant's recommendation. Mr. McPherson seconded the motion and it carried unanimously.

GDNA Case #A-09-30: The Cognizant member recommended scheduling an Investigative Interview. Mr. Prather made a motion to accept the Cognizant's recommendation. Mr. Wilson seconded the motion and it carried unanimously.

GDNA Case #B-28800: The Cognizant member recommended closing the case as Pharmacist in this case is deceased. 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 #A-28936: The Cognizant member recommended issuing a Public Consent Order for the unlicensed Manufacturing, \$10,000.00 fine and three years of Probation. Mr. Prather made a motion to accept the Cognizant's recommendation. Mr. Wilson seconded the motion and it carried unanimously.

GDNA Case #B-28997: The Cognizant member recommended issuing a Public Consent Order with a \$2,500.00 fine and three years probation. Mr. McPherson made a motion to Accept the Cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Case #B-29040: The Cognizant member recommended closing the case. Mr. Prather made a motion to accept the Cognizant's recommendation. Mr. Wallace seconded The motion and it carried unanimously.

GDNA Case #B-29047: The Cognizant member recommended closing the case. Mr. Wilson made a motion to accept the Cognizant's recommendation. Mr. Prather seconded The motion and it carried unanimously.

GDNA Case # B-29080: 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 #B-29081: The Cognizant member recommended the Standard Misfill #1. Mr. Prather made a motion to accept the Cognizant's recommendation. Mr. Wilson seconded the motion and it carried unanimously.

GDNA Case #A-29122: The Cognizant member recommended issuing a Public Consent Order for the Pharmacy with 5 years of probation and a \$10,000.00 fine. The Cognizant member further recommended acceptance of the voluntary surrender on Pauline Bakiki's Voluntary Surrender. The Board also directed staff flagg her file If she attempts to reinstate. Mr. McPherson made a motion to accept the Cognizant's Recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Case #A-29133: The Cognizant member recommended denying the Wholesaler Licensure and closing the case. Mr. Wilson made a motion to accept the Cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Case #A-29134: The Cognizant member recommended denying the wholesaler Licensure and closing the cases. Mr. Prather made a motion to accept the Cognizant's recommendation. Mr. McPherson seconded the motion and it carried unanimously.

EXECUTIVE SESSION

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1. Request from K.T. to suspend provision for after care from Private Consent Order– Ms. Gardner made a motion to deny. Mr. Palmer seconded the motion and it carried unanimously.
2. Request from G.A.M. to meet with the Board to review license. - Mr. Wallace made a motion to deny and refer to the Attorney General’s office for an Indefinite Suspension. If the Indefinite Suspension is not timely tendered, to file a Notice of Hearing. Mr. Prather seconded the motion and it carried unanimously.
3. Request from R.M.W. to lift supervised practice from Private Consent Order, docket number 2007-2536. Mr. Wilson made a motion to approve. Mr. Prather seconded the motion and it carried unanimously.

Applications/Licensure:

1. T.R.D. – Reinstatement Applicant. - Mr. Wilson made a motion to approve. Mr. Prather seconded the motion and it carried unanimously.
2. S.E.P– Pharmacy Intern – Mr. Prather made a motion to approve. Mr. Wilson seconded the motion and it carried unanimously.
3. A.M. – Reinstatement Applicant. - Mr. Prather made a motion to issue a Private Consent Order for the Facility with a \$5,000.00 fine for allowing Unlicensed Practice and issue a Private Consent Order to A.M. with a \$1,000.00 fine and 1 year of probation. Mr. Wallace seconded the motion and it carried unanimously.
4. G.W.W. – Reciprocity Applicant – Ms. Gardner made a motion to deny and inform the applicant that once his issues with the United States Department of Justice have been resolved then he can reapply to the Board. Mr. Palmer seconded the motion and it carried unanimously.
5. J.S.B. – Pharmacy Intern – Mr. Tatum made a motion to approve. Mr. McPherson seconded the motion and it carried unanimously.

Attorney General’s Executive Session: Ms. Janet Wray

- Ms. Wray provided information from Fulton County Superior Court upholding the Board’s decision on Rosemary Ofume.
- Ms. Wray provided an update on the cases in her office.
- Ms. Wray presented the Board with Consent Orders on J.A.S., L.A.W., S.K.J., J.M.C., D.M.H., Rite Aid Pharmacy #PHRE009258 and Phillip James #RPH015594. Mr. Palmer made a motion to approve the Consent Orders. Ms. Gardner seconded the motion and it carried unanimously.

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Draft of October 14, 2009 Board Meeting Minutes: Ms. Gardner made a motion to **approve** the Board Minutes. Mr. McPherson seconded the motion and it carried unanimously.

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

License Number	Name	License Type
PHI-014590	Lee, Yong Joon	Pharmacist Intern
PHI-014591	Shin , Nara	Pharmacist Intern
PHI-014592	Noh, Eul	Pharmacist Intern
PHI-014593	Patel, Mihirkumar Jayantbhai	Pharmacist Intern
PHI-014594	Derr, Adrienne Nicole	Pharmacist Intern
PHI-014595	Jung, Yu Jin	Pharmacist Intern
PHI-014596	Trotman, Tiffany Monique	Pharmacist Intern
PHI-014597	Weaver, Haley Susan	Pharmacist Intern
PHI-014598	McNeill, Brian Wayne	Pharmacist Intern
PHI-014599	Nguyen, An Thien	Pharmacist Intern
PHI-014600	Peccia, Stephanie Eva	Pharmacist Intern
PHI-014601	Bauer, Jason Scott	Pharmacist Intern
PHI-014602	Simonds, Sandra Elizabeth	Pharmacist Intern
PHI-014603	Murphy, Heather Marie	Pharmacist Intern
RPH025207	Bedenbaugh, Angela Varner	Pharmacist
RPH025208	Jacobs, Carmen Ann	Pharmacist
RPH025209	Cusick, Dayin Koopalum	Pharmacist
RPH025210	Raval, Amit	Pharmacist
RPH025211	Middleton, Gerald Scott	Pharmacist
RPH025212	Mansur, Maysaa Rashad Rahal	Pharmacist
RPH025213	D'Angio, Paul	Pharmacist
RPH025214	Woods, Brandi	Pharmacist
RPH025215	Shah, Megha K	Pharmacist
RPH025216	Byrd, William Bret	Pharmacist
RPH025217	Ly, Oanh Kieu	Pharmacist
RPH025218	Bachinger, Jennifer Lynn	Pharmacist
RPH025219	Pepe, Daniel Allen	Pharmacist
RPH025220	Leyden, Jiuna	Pharmacist
RPH025221	Szafran, Sara Anne	Pharmacist
RPH025222	Figuroa, Dimaris	Pharmacist
RPH025223	Delea, Deirdre Ellen	Pharmacist
RPH025224	Ihekwereme, Chymar Okorie	Pharmacist
RPH025225	d'Alba, Peter	Pharmacist
RPH025226	Turner, Bryan L	Pharmacist
RPH025227	Younglove, Emily Ann	Pharmacist
RPH025228	Jones, Erica DeShone	Pharmacist
RPH025229	Reilly, Joan Charlene	Pharmacist
RPH025230	Raghoonanan, Randy	Pharmacist

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RPH025231	Terpin, Jeffrey Joseph	Pharmacist
RPH025232	Johnson, Martha Pullium	Pharmacist
PHRS000592	Dallas Police Department	Researcher Pharmacy
PHRE009621	Old Norcross Road Pharmacy	Retail Pharmacy
PHRE009622	Ruby Healthmart Pharmacy	Retail Pharmacy
PHRE009623	Pharmacy of Palmetto Health Council, Inc	Retail Pharmacy
PHRE009624	Food Lion Pharmacy #2166	Retail Pharmacy
PHRE009625	CVS Pharmacy #3086	Retail Pharmacy
PHRE009626	CVS Pharmacy #8976	Retail Pharmacy
PHRE009627	Harlem Pharmacy	Retail Pharmacy
PHRE009628	Save MORx Drugs	Retail Pharmacy
PHWH002936	CPTMed, Inc	Wholesaler Pharmacy
PHWH002938	Cardinal Health 414, LLC	Wholesaler Pharmacy
PHWH002939	Sigma-Tau Pharmaceuticals, Inc	Wholesaler Pharmacy
PHWH002940	Smith Welding Products, Inc	Wholesaler Pharmacy
PHWH002941	Patterson Logistics Services, Inc	Wholesaler Pharmacy
PHWH002942	Patterson Logistics Services Inc	Wholesaler Pharmacy

Request from Albert Pate for lifting of the Pharmacist in Charge limitation provision from license per Public Consent Order, docket # 2004-1654. Mr. Wilson made a motion to approve. Mr. Prather seconded the motion and it carried unanimously.

Discussion of continued need of Daily Prescription Logs (per Board's request). Mr. Wilson queried if a need still exists to maintain daily prescription logs for all prescription medications. Mr. Allen of the Georgia Drugs and Narcotics Agency advised the Board that a hard copy of a prescription log is beneficial to the drug agents. The Board viewed as informational.

Correspondence from Stacey Barksdale Price, Bound Tree Medical. The Board will schedule a meeting to discuss this issue at the December 2009 Board meeting.

Correspondence from Laura Bland re: Emergency Antiviral Pharmacist Protocol Update. Mr. Palmer made a motion to post an amendment to Board Rule 480-3-.03. Ms. Gardner seconded the motion and it carried unanimously.

Correspondence from David Hasha, Beacon Legal Support re: Allowed fees for copies of a patient's records. The Board states it does not have the legal authority to made a determination on fees.

Correspondence from Rebecca Rabbitt re: Recognition of ExCPT certified pharmacy technicians. The Board staff will request Ms. Rabbitt to send a copy of the curriculum for the Board to review. The Board will notify Ms. Rabbitt if the Board wants to meet once the information has been reviewed.

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Request from Doug Derry, PETNET Solutions for an appearance at the Board meeting on 12-16-09 or 1-13-10. The Board states they need more specifics on the request as to the nature of their appearance. The Board states if they want an interpretation of the laws and rules, they need to seek private legal counsel.

There being no further business, the meeting adjourned at 3:30 p.m.

Fred Barber, Jr., President

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