

GEORGIA STATE BOARD OF PHARMACY
BOARD MEETING
March 9, 2011
Professional Licensing Boards
237 Coliseum Drive
Macon, GA 31217

Members Present:

- Steve Wilson, President
- Bill Prather, Vice President
- Fred Barber
- Judy Gardner
- Al McConnell
- Tony Moye
- Ronnie Wallace

Members Absent:

- Pat McPherson

Staff Present:

- Rick Allen, GDNA
- Lisa Durden, Executive Director
- Graham Barron, Attorney General (Via Video Conference)
- Ellen Clifton, Board Support

Visitors:

- Donald Smith, Pineland Community Service Board
- Hal Henderson, Omnicare
- Okenna Oparah
- Scott Biddulph, Target
- Brian Robinson, Walgreens

Steve Wilson established that a quorum was present and called the meeting to order at 9:00 a.m.

*Judy Gardner made a motion, Ronnie Wallace seconded, and the Board voted unanimously 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 Bill Prather, Fred Barber, Al McConnell and Tony Moye.*

Executive Session

Attorney General's Report:

Attorney General, Graham Barron presented the following order for acceptance:

- B.W.S. - Private Consent Order

Ronnie Wallace made a motion, Tony Moye seconded and the Board voted unanimously to accept the private consent order.

Cognizant Report – Bill Prather, Cognizant Member:

GDNA #A11-05 – The Cognizant Member recommended accepting the signed Interim Consent Order.

GDNA #A11-07 – The Cognizant Member recommended a letter of concern be sent to the Pharmacist.

GDNA #A11-08 – The Cognizant Member recommended Public Consent Orders for both the Pharmacy and the Pharmacist with \$500.00 fine per 18 occasions ($\$500 \times 18 = \$9,000$) that unauthorized prescriptions were generated and filled.

GDNA #A29540 – The Board requested that GDNA get more information on the case.

Applications/Licensure:

1. J.R.W. – The Board made a recommendation to deny the request to lift the supervised practice restriction from the Private Consent Order.
2. F.E.G. – Pharmacist Reinstatement – The Board made a recommendation to approve the application.
3. X.Z. – The Board made a recommendation to approve one hour of intern credit for every 2 hours worked.
4. P.I. – The Board made a recommendation to table the issue and refer to Attorney General, Janet Wray.
5. A.R.H. – The Board made a recommendation to approve intern hours.
6. D.V.W. – Pharmacist Reciprocity - The Board made a recommendation to deny the application.
7. R.H.S. – The Board made a recommendation to table the issue until Michigan Board makes final ruling.
8. W.K.S. – Pharmacist Renewal - The Board made a recommendation to approve the application.
9. G.W.M. – The Board agreed to grant an appointment with the Board.
10. M.S. – The Board agreed to grant an appointment with the Board.
11. J.O.B. – The Board made a recommendation to deny release of application records.
12. J.A.S. – Pharmacist - The Board made a recommendation to deny the application.
13. K.R.H. – The Board agreed to grant an appointment with the Board.
14. E.E.G. – Pharmacist Reinstatement - The Board made a recommendation to approve the application.

- 15.U.A.U. – The Board made a recommendation to lift the PIC restriction from the Private Consent Order.
- 16.R.D.H. – The Board agreed to grant an appointment with the Board.
- 17.I.I. – Pharmacist - The Board made a recommendation to deny the application and the request to take the NAPLEX again.

At the conclusion of EXECUTIVE SESSION, the Board declared an **Open Session** to vote on the matters discussed in Executive Session and to conduct other Board business. Tony Moye made a motion to approve the recommendations made in Executive Session; Al McConnell seconded the motion. Voting in favor of the motion were Bill Prather, Judy Gardner, Fred Barber and Ronnie Wallace.

Appointments

1. Peter A. Grujich met with the Board to appeal the denial of his Pharmacist Reciprocity application. Ronnie Wallace made a motion to uphold Board's previous decision to deny the application, Al McConnell seconded and the Board voted in favor of the motion.
2. K.W.C. and his advocate met with the Board to discuss reinstatement of his pharmacy license. Judy Gardner made a motion to require that he undergo a mental and physical status examination by a Board approved provider and furnish results to the Board, and ask his current treatment provider apply for approval by the Board, and find a professionals group to join. Upon completion of these requirements, Board will reconsider reinstatement. Ronnie Wallace seconded the motion. The Board voted in favor of the motion.

Open Session

Tony Moye made a motion to approve the minutes as amended from the February 16, 2011 Board meeting; Al McConnell seconded the motion. The Board voted to approve the minutes.

The Board directed staff to ask Medvantix for a presentation on MedStart, an automated sample management system being used by physicians in a primary care setting.

Mark A. Lott submitted a request to terminate probation under a Public Consent Order. Bill Prather made a motion to approve the request, Fred Barber seconded the motion and the Board voted to terminate probation.

Nader El-Kareh submitted a request to terminate probation under a Public Consent Order. Al McConnell made a motion to approve the request, Tony Moye seconded the motion and the Board voted to terminate probation.

Steve Wilson stated that the Dean of the University of Georgia School of Pharmacy requested that the Attorney General speak with their Attorney General about the school requiring background checks on all students accepted into the school's pharmacy program.

The Board discussed the possibility of charging a fee to continuing education providers for approval of programs and agreed to reconsider at a later time if the number of requests increases.

The Board discussed HB405 and SB178, specifically, the placement of automated dispensing machines in nursing home facilities. The Board's concerns are as follows:

- Legally, only licensed personnel can administer medication. Medication aides are not licensed health care providers. (Board Rule 480-13-.07)
- The manner in which medication is obtained, stored, dispensed, delivered and accounted for is not overseen by a Georgia licensed Pharmacist.
- The health, safety and well-being of patients will not be protected as required by the Georgia Pharmacy Practice Act and Board Rules.

Ronnie Wallace made a motion to oppose HB405 and SB178, Tony Moye seconded the motion and the Board voted to oppose the bills.

The Board discussed HB457, SB180 and SB111, specifically, the use of remote order entry processing by hospitals when the hospital Pharmacy is open. The Board's concerns are as follows:

- As members of the healthcare team in a hospital, the Pharmacists need to be present in the facility to adequately address patient care.
- Accessing patient medical records remotely cannot protect the confidentiality of patient information.
- The Board would have no way of knowing whether the Pharmacists performing remote order entry are licensed in Georgia.
- The health, safety and well-being of patients will not be protected as required by the Georgia Pharmacy Practice Act and Board Rules.

Al McConnell made a motion to oppose HB457, SB180 and SB111, Tony Moye seconded the motion and the Board voted to oppose the bills.

The Board discussed SB36 and HB184. The Board wants Schedules II through V included in the bill.

The Board discussed HB437. The perception of the Board is that the tracking of sales of products containing ephedrine, pseudoephedrine and phenylpropanolamine would be administered by a national organization that does not communicate with DEA, GBI, GDNA or local law enforcement agencies. Bill Prather made a motion to oppose HB437, Ronnie Wallace seconded the motion and the Board voted to oppose the bill.

The Board discussed HB469. Bill Prather made a motion to support HB469, Judy Gardner seconded the motion and the Board voted to support the bill.

Executive Director's Report

Bill Prather made a motion to ratify the list of licenses (67) that were issued from February 1, 2011 through February 28, 2011; Al McConnell seconded the motion. The Board voted to ratify the 67 licenses issued.

Lisa Durden stated that we have the ORI # and an agreement with Cogents Systems to begin the background checks for the pharmacy technician applicants. The GBI has stated that the current language in the law only allows for a Georgia criminal background check, not an FBI check. We will begin registering technicians within the next week. An email notice will be sent to the pharmacists and pharmacies, placed on the website, and sent to the Georgia pharmacy associations.

GDNA Report:

Rick Allen reported on GDNA’s involvement in a drug bust in Metter, Georgia.

Miscellaneous:

Bill Prather reviewed the following continuing education providers and made the following recommendations for approval:

Program #	CE Provider	Program Title	Hours
2011-0003	John B Amos Cancer Center	Targeted Therapies for CLL: Emerging Insights for Treatment	0.5
2011-0004	Merck Oncology	Emend Single Day IV New Data and Formulation	0.8
2011-0005	AMAG Pharmaceuticals	AMAG Pharmaceuticals and Feraheme Introduction	0.5
2011-0008	Gaia Herbs, Brevard, NC	Medicines From the Earth	12
2011-0009	Allos Therapeutics	Overview of Peripheral T-Cell Lymphoma	0.5
2011-0010	National Association of Drug Diversion Investigators	Prescription Drug Abuse in Georgia (Multiple Topics)	8
2011-0011	GPhA Academy of Independent Pharmacy (AIP)	Revitalize Your Store from the Outside In	1.5
2011-0012	Dendreon Corporation	Provenge in Practice	0.5

The meeting adjourned at 1:30 p.m.

The next Pharmacy Board meeting will be Wednesday, May 11, 2011 at 10:00 a.m. at the Office of the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia.

 Steve Wilson, President
 The Georgia State Board of Pharmacy

 Date

 Lisa Durden, Executive Director
 The Georgia State Board of Pharmacy

 Date