

GEORGIA STATE BOARD OF PHARMACY
BOARD MEETING
May 11, 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
- Pat McPherson

Staff Present:

- Rick Allen, GDNA
- Lisa Durden, Executive Director
- Janet B. Wray, Senior Assistant Attorney General
- Ellen Clifton, Board Support

Visitors:

- Helen Sloat, Nelson Mullins/Kaiser
- Hal Henderson, Omnicare
- Scott Biddulph, Target
- James Russell Lee, Jr., LTC Pharmacy

Steve Wilson established that a quorum was present and called the meeting to order at 10:00 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, Pat McPherson and Tony Moye.*

Executive Session

Attorney General's Report:

Senior Assistant Attorney General, Janet B. Wray presented the following orders for acceptance:

- William Austin Atkins, Jr. - Public Consent Order
- Curl's Pharmacy Inc - Corp – Public Consent Order
- Dennis Mervin Barnes – Public Consent Order for License Renewal
- Rashida Carter – Public Consent Order for License Renewal
- Mark Shannon McKinney - Public Consent Order for License Renewal
- P.L.P. – Private Consent Order for Pharmacy Intern License

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

Cognizant Report – Bill Prather, Cognizant Member:

GDNA #A11-10 – The Cognizant Member recommended accepting the signed Private Interim Consent Order.

GDNA #A11-11 – The Cognizant Member recommended accepting the signed Private Interim Consent Order.

GDNA #A11-12 – The Cognizant Member recommended accepting the signed Voluntary Surrender for Severn T. Ritter, RPH015024.

GDNA #A11-13 – The Cognizant Member recommended a Public Consent Order with a \$25,000.00 fine.

GDNA #A11-14 – The Cognizant Member recommended a Private Consent Order with three years probation and require licensee to pass MPJE.

GDNA #A11-15 – The Cognizant Member recommended accepting the signed Private Interim Consent Order.

GDNA #A11-18 – The Cognizant Member recommended to require the intern to meet with the Board prior to being allowed to take the Georgia Practical exam, MPJE or NAPLEX.

GDNA #T-29626 – The Cognizant Member recommended that Board flag Pharmacy Technician registration if application is received so that the Board may review it.

GDNA #B-29632 – The Cognizant Member recommended closing the case – no violation.

GDNA #A-29640 – The Cognizant Member recommended that Board send a letter of intent to deny application for Wholesaler Pharmacy license.

GDNA #A-29642 – The Cognizant Member recommended scheduling an investigative interview.

GDNA #A-29643 – The Cognizant Member recommended scheduling an investigative interview.

GDNA #B-29657 – The Cognizant Member recommended closing the case and sharing investigative file with Arizona Board of Pharmacy.

GDNA #C-29730 – The Cognizant Member recommended that Board deny request for waiver.

Applications/Licensure:

1. Pharmacy Technician Applicants for review - The Board made a recommendation to approve all pharmacy technician applications presented to the Board.
2. B.P.B.F. – Reporting disciplinary action in Colorado – The Board viewed report as informational.
3. P.I. – Wholesaler Pharmacy Renewals - The Board made a recommendation to approve the renewal applications.
4. K.W.C. – Request regarding MPE - The Board made a recommendation to approve the request.
5. R.F.G. – Pharmacist Renewal - The Board made a recommendation to approve the application.
6. J.A.H. – Request regarding reinstatement - The Board agreed to grant an appointment with the Board.
7. M.B.G. – Pharmacist Renewal - The Board made a recommendation to approve the application.
8. I.I. – Appealing denial to take NAPLEX again - The Board directed staff to send a letter stating that applicant may appear before the Board.
9. G.R.R. – Notification of relocation to Tennessee - The Board made a recommendation to send licensee a letter instructing him to comply with Board’s order or surrender his license.
10. A.L.H.A.C. – Wholesaler Pharmacy Renewal - The Board made a recommendation to approve the application.
11. E.C.G. – Request for Board appearance - The Board agreed to grant an appointment with the Board.
12. M.B.G. – Pharmacist Reinstatement - The Board made a recommendation to approve the application.
13. R.M.C. – Request to terminate probation - The Board made a recommendation to lift Probation from the Private Consent Order.
14. C.B.C. – Pharmacist Reinstatement - The Board made a recommendation to approve the application.
15. Delisha Dujuan Borne – Pharmacist Intern - The Board made a recommendation to deny the application.
16. Mohammad N. Lotfi – Pharmacist - The Board made a recommendation to deny the application.
17. Yvette Anita King – Pharmacist - The Board made a recommendation to deny the application.
18. G.W. – Pharmacist Renewal - The Board made a recommendation to approve the application.

- 19.C.H. – Wholesaler Pharmacy Renewal - The Board made a recommendation to approve the application.
- 20.A.W.L. – Pharmacist Reinstatement - The Board made a recommendation to approve the application.
- 21.Arlie Ray Dick - Pharmacist Reinstatement - The Board made a recommendation to deny the application.
- 22.J.H.F. - Pharmacist Reinstatement - The Board made a recommendation to approve the application.
- 23.E.M. - Wholesaler Pharmacy - The Board made a recommendation to send a letter of intent to deny the application.
- 24.T.H.D.G.L.L.C. - Wholesaler Pharmacy - The Board made a recommendation to send a letter of intent to deny the application.
- 25.R.L.N. – Pharmacist Intern requesting extension of intern license - The Board made a recommendation to approve the request.
- 26.C.S.D.S.D. - Wholesaler Pharmacy Renewal - The Board made a recommendation to approve the application.
- 27.J.A.N. – Pharmacist - The Board made a recommendation to approve the application.
- 28.S.J.J. – Pharmacist - The Board made a recommendation to approve the application.
- 29.W.P. – Retail Pharmacy Renewal - The Board made a recommendation to approve the applications.
- 30.M.M.W. – Request to lift supervised practice restriction - The Board made a recommendation to lift the supervised practice restriction from the Private Consent Order.
- 31.C.L.H. – Request for Board appearance regarding reinstatement - The Board agreed to grant an appointment with the Board.
- 32.T.E.L. – Request for Board appearance regarding reinstatement - The Board agreed to grant an appointment with the Board.
- 33.W.H.C. – Pharmacist - The Board made a recommendation to approve the application.
- 34.C.D.L. – Wholesaler Pharmacy & Limited Chemical Wholesale Distributor Renewals - The Board made a recommendation to approve the applications.
- 35.M.I. – Wholesaler Pharmacy Renewals – The Board mad a recommendation to schedule and investigative interview.
- 36.P.C. – Retail Pharmacy Renewal - The Board made a recommendation to approve the application.
- 37.Pharmacist – Complaint regarding company’s remote prescription processing - The Board viewed as informational.
- 38.Pineland CSB – Treatment Facility application - The Board made a recommendation to approve the application.
- 39.A.J.R. – Pharmacist – Request regarding June 2, 2011 practical exam – The Board made a recommendation to approve applicant to take practical exam on June 2, 2011.
- 40.B.H.C. – Wholesaler Pharmacy & Manufacturing Pharmacy - The Board made a recommendation to approve the applications.
- 41.M.C. – Wholesaler Pharmacy - The Board made a recommendation to approve the applications.
- 42.P.S.I. - Manufacturing Pharmacy & Nuclear Pharmacy - The Board made a recommendation to approve the applications.

- 43.U.S.C.I. – Wholesaler Pharmacy - The Board made a recommendation to approve the application.
- 44.C.H. - Wholesaler Pharmacy - The Board made a recommendation to approve the application.
- 45.D.D.C. - Wholesaler Pharmacy - The Board made a recommendation to approve the application.

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. Pat McPherson made a motion to approve the recommendations made in Executive Session; Ronnie Wallace seconded the motion. Voting in favor of the motion were Bill Prather, Judy Gardner, Fred Barber, Al McConnell and Tony Moye.

Appointments

- 1. B.J.F. appeared before the Board to discuss reinstatement of his Pharmacist license. A motion was made by Judy Gardner to reinstate the license under a Private Consent Order; Tony Moye seconded the motion and the majority of the Board voted to reinstate the license under a Private Consent Order.
- 2. M.S. appeared before the Board to discuss reinstatement of her Pharmacist license. A motion was made by Ronnie Wallace to reinstate the license under a Private Consent Order; Tony Moye seconded the motion and the majority of the Board voted to reinstate the license under a Private Consent Order.
- 3. R.D.H. appeared before the Board to discuss reinstatement of his Pharmacist license. A motion was made by Judy Gardner to reinstate the license under a Public Consent Order; Bill Prather seconded the motion and the majority of the Board voted to reinstate the license under a Public Consent Order.

Open Session

Judy Gardner made a motion to approve the minutes as amended from the March 9, 2011 Board meeting; Al McConnell seconded the motion. The Board voted to approve the minutes.

Steve Wilson and Judy Gardner reported that they visited Philadelphia College of Pharmacy to observe accreditation of the school by ACPE.

Steve Wilson also reported that the testing subcommittee will continue to work on reviewing the practical examination.

Holly Trotter submitted a complaint regarding Pharmacy Technician registration fees. The Board viewed as informational.

Ruth Thompson of Technical College System of Georgia asked if students enrolled in a pharmacy technician program at a technical college are required to register before they are allowed to participate in internships. The Board directed staff to advise Ms. Thompson that students are required to register in order to be legal to perform pharmacy technician duties in a Pharmacy after June 30, 2011.

Mike Grindstaff submitted a petition that the Board acknowledge the Institute for the Certification of Pharmacy Technicians (ICPT) for Pharmacy Technician certification status. The Board directed staff to contact Mr. Grindstaff and ask him to make a presentation to the Board regarding ICPT.

Mara Osman of URAC submitted a request for Specialty Pharmacy Accreditation. The Board directed staff to schedule URAC for an appearance before the Board.

Jack H. McClanahan, Jr. submitted a request on behalf of Amanda Behringer for waiver of the requirement that a Pharmacy Technician must have a high school diploma or GED. Judy Gardner made a motion to grant the request for waiver, Bill Prather seconded the motion and the Board voted to grant the request for waiver.

Megan Jacobson submitted a request for approval to obtain pharmacy intern hours in a non-typical setting. Judy Gardner made a motion to approve one hour of credit for every two hours worked, Al McConnell seconded the motion and the Board voted to approve the request.

Sharon Dickerson of Absolute Care Medical Center & Pharmacy submitted a question concerning a physician dispensing medications at a satellite location that have been prepackaged by Pharmacy staff and placed in a locking cabinet. The Board directed staff to advise Ms. Dickerson that the scenario described in her letter is not supported by current Georgia Pharmacy laws and rules.

Michael H. Nix submitted a request to terminate probation under a Public Consent Order. Tony Moye made a motion to approve the request, Judy Gardner seconded the motion and the Board voted to terminate probation.

A request was submitted on behalf of Mark Spencer Pass to lift the supervised practice restriction under a Public Consent Order. Bill Prather made a motion to deny the request, Fred Barber seconded the motion and the Board voted to deny the request to lift the supervised practice restriction under Public Consent Order.

Dr. Leon Martin submitted a notice of intent to dispense medication.

Trans Alliance Med and Drugs submitted a request to terminate probation under a Public Consent Order. Judy Gardner made a motion to approve the request, Bill Prather seconded the motion and the Board voted to terminate probation.

Dmitri Belokon submitted questions regarding legal requirements for inter-pharmacy drug sales. The Board referred questions to GDNA.

Middle Georgia Correctional Complex requested exemption from the required Pharmacist to Pharmacy Technician ratio in the event of an unscheduled absence by a Pharmacist. Judy Gardner made a motion to deny the request for exemption, Bill Prather seconded the motion and the Board voted to deny the request.

Clinton Cain of Kroger submitted questions regarding the transfer of Pharmacy customer files from a closed Pharmacy to a Pharmacy in another state and the use of a vacuum tube system to transport prescriptions from a Pharmacy located in the middle of a store to a station in the store parking lot. The Board directed staff to advise Mr. Cain to follow Georgia Pharmacy laws and rules pertaining to the closing of a Pharmacy and that a vacuum tube delivery system between a Pharmacy in the middle of a store and the parking lot was not acceptable.

Dr. Denice Starley submitted a notice of intent to dispense medication.

David J. Shubeck submitted a request to terminate sanctions under a Public Consent Order. Judy Gardner made a motion to approve the request, Al McConnell seconded the motion and the majority of the Board voted to terminate sanctions under a Public Consent Order. Fred Barber opposed the motion.

Owens & Minor Healthcare Logistics, Inc. submitted a letter appealing the denial of two Wholesaler Pharmacy applications. Judy Gardner made a motion to overturn the Board's previous decision to deny the applications, Bill Prather seconded the motion and the Board voted to overturn the previous decision to deny the applications and approve them.

Medline Industries, Inc. submitted a letter appealing the denial of four Wholesaler Pharmacy applications and withdrawing a fifth Wholesaler Pharmacy application. Ronnie Wallace made a motion to overturn the Board's previous decisions to deny the four applications and also to accept the withdrawal of the fifth application, Bill Prather seconded the motion and the Board voted to overturn their previous decision to deny the four applications and to accept the withdrawal of the fifth application.

Jack J. Shepherd of Heart of Georgia Technical College submitted questions regarding students enrolled in a pharmacy technician program at a technical college and the Pharmacy Technician registration rules. The Board directed staff to advise Mr. Shepherd that students are required to register in order to be legal to perform pharmacy technician duties in a Pharmacy after June 30, 2011.

Joe Harris Morgan, Jr. signed a Voluntary Surrender of Pharmacist license. Ronnie Wallace made a motion to accept the Voluntary Surrender, Pat McPherson seconded and the Board voted to accept the Voluntary Surrender.

Executive Director's Report

Pat McPherson made a motion to ratify the list of licenses (1,102) that were issued from March 1, 2011 through April 30, 2011; Al McConnell seconded the motion. The Board voted to ratify the 1,102 licenses issued.

GDNA Report:

Rick Allen gave a report concerning GDNA staffing. He also reported that the NABP continuing education registration will only track ACPE continuing education. NABP is also planning to provide certification to pharmacies.

Miscellaneous:

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

Program #	CE Provider	Program Title	Hours
2011-0013	John B Amos Cancer Center	2011 Tumor Board Series	1.0
2011-0014	John B Amos Cancer Center	Advances in the Treatment of Glioblastoma (GBM)	1.0
2011-0015	John B Amos Cancer Center	Update on PNH - Testing the appropriate patient and treatment	1.0
2011-0016	John B Amos Cancer Center	Update on OncoTypeDX Gene Assay	1.0
2011-0017	Northside Hospital BMT Dept	Pharmacy Bone Marrow Transplant	4.0

The meeting adjourned at 4:00 p.m.

The next Pharmacy Board meeting will be Wednesday, June 1, 2011 at 9:00 a.m. at the University of Georgia College of Pharmacy, Green Street, Athens, Georgia.

 Steve Wilson, President
 The Georgia State Board of Pharmacy

 Date

 Lisa Durden, Executive Director
 The Georgia State Board of Pharmacy

 Date