

President Bill Mixon called the meeting to order at 9:00 am with Board Members Carol Yates Day, L. Stan Haywood, Robert A. Graves, and Robert J. McLaughlin present. Gene Minto was absent from the meeting. Also present were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Director of Investigations Josh Kohler, Associate Director of Investigations Krystal Brashears, Director of Operations Kristin Moore, and Director of Licensing Deborah Stump. Present as visitors were: Valanda Nelson, NCPRN; Jennifer Niles; NCPRN; Heidi Barefoot, Target; David Moody, Mutual Drug; Jenna Huggins, Mutual Drug; Brent Slaughter, Mutual Drug; Christine Davis, Cardinal Health; Andy Bowman, Campell Univ./NCBOP; Stephanie Bullock, Pharmacia; RPh. Lakshmi Deppika Neeli; Pam Smith, Care Services, LLC; Kevin Mahaffey, Cardinal Health; Mona Farghaly, Rite Aid/UF Student; Brad Johnson, BCIPS; Tomson George, Walgreens; Marc Scheidig, CVS Health; Brian Bache, CVS Health; Blake King, WakeMed; Valerie Barlow, WakeMed; Matthew Efird, PharmD on Demand; Manalli Patel, Campbell Univ.; Stephen Jones, Campbell Univ.; Coy Privette, Roadrunner Pharmacy; and Jay Kim, Walgreens.

Ethics Statement & Welcome

President Mixon read the Ethics Statement regarding any conflicts of interest and/or appearance of conflicts of interest of any Board member. No conflicts were noted by Board members.

Public Hearing: Proposed Amendments to Rule 21 N.C.A.C 46.2612 – Storage of Devices and Medical Equipment

A public hearing was held on a proposed amendment to rule.2612 – Storage of Devices and Medical Equipment - to allow for devices and medical equipment stored in a storage facility operated by a DME permit holder to be delivered from the storage facility if the delivery is accomplished by a bona fide employee of the permitted location.

Board staff received no written comment regarding the proposed amendment and no one spoke concerning the rule amendment during the public hearing.

Public Hearing: Proposed Amendments to Rule 21 N.C.A.C 46.1417 – Remote Medication Order Processing Services

A public hearing was held on proposed amendment to rule.1417 – Remote Medication Order Processing Services - to allow health care facilities when the pharmacy is open and staffed to contract for the provision of supplemental remote medication order processing services.

Board staff received three (3) written comments on the proposed amendments. Two (2) were in favor of the amendment and one (1) was in favor but with concerns that pharmacists and technicians that are performing remote order entry be licensed in North Carolina. Tomson George, Walgreens, spoke in favor of the rule and recommended extending the availability of remote order entry to the retail setting. Board staff stated that that would require a different rulemaking procedure.

The public comment period will remain open until October 19, 2015.

Minutes of July 2015 Board Meeting

The members received the July 21, 2015 meeting minutes prior to this meeting for review. It was moved by Mr. McLaughlin, seconded by Mrs. Day to accept the minutes as submitted. The motion passed with no dissenting votes.

Consideration of Proposed Amendments to Rule 21 N.C.A.C 46.2612 – Storage of Devices and Medical Equipment

After discussion, on a motion from Mr. McLaughlin, seconded by Mr. Haywood with no dissenting votes, the board approved the amendments to rule .2612 – Storage of Devices and Medical Equipment - as presented and directed staff to send them to the Rules Review Commission.

Disciplinary Hearing – Technician Ashley Lee Castro, Registration #24345

Ms. Castro asked for a continuance of her disciplinary hearing because of illness. Board staff consented to the request.

Request for 5:1 Technician:Pharmacist Ratio, Care Services on Call, Permit #12157

Pam Smith, pharmacist-manager for Care Services on Call, submitted a request to increase the technician:pharmacist ratio to 5:1. Board has instructed staff that requests for a 5:1 or greater ratio must come before the full Board.

Care Services on Call is an after-hours data processing facility for long-term care facilities which transmits prescriptions to local pharmacies for filling. There is no dispensing from their facility. Ms. Smith described the services in detail and explained the reasoning for the technician:pharmacist ratio request.

After discussion, on a motion from Mr. Haywood, seconded by Mrs. Day with no dissenting votes, the Board granted the 5:1 technician:pharmacist ratio increase with the condition that a report is submitted within six (6) months on their quality assurance program and any adverse events that have occurred.

Request for Variance from Board of Pharmacy Out-of-Practice Practical Experience Requirements for Licensure – Lakshmi Deepika Neeli

Ms. Lakshmi Deepika Neeli, appeared before the Board to request a waiver from Board policy for an pharmacist licensure applicant who has been out of practice for more than two, but less than five, years to “obtain 500 hours of internship”. Ms. Neeli was licensed in Michigan in February 2012. Ms. Neeli has maintained an active license in Michigan since that time, including obtaining required continuing education but, has not practiced pharmacy since being licensed.

After discussion, on a motion from Mrs. Day, seconded by Mr. McLaughlin with no dissenting votes, the Board moved into close session to discuss the matter. When open session resumed, Mr. Mixon stated that on a motion from Mr. Haywood, seconded by Mr. McLaughlin with no dissenting votes, the board denied Ms. Neeli request to waive the 500 hours of internship.

Financial Report/ Proposed Budget for FY 2015-16

Rhonda Jones, Financial and Human Resources Analyst, presented the August 2015 financial report to the Board.

Mrs. Jones also presented the fiscal year 2015-2016 budget for approval.

After discussion, on a motion from Mr. McLaughlin, seconded by Mrs. Day with no dissenting votes, the Board approved the proposed budget for FY 2015-16.

January 19, 2016 Amendment: At the September 2015 meeting, on a motion from Mr. McLaughlin, seconded by Mrs. Day with no dissenting votes, the Board approved reserving \$1,000,000 of its unrestricted net position to cover potential IT infrastructure upgrade costs and \$1,075,000 of its unrestricted net position to cover insurance deductibles. This action, though captured in the audio recording of the September 2015 meeting, was inadvertently omitted from the written September 2015 meeting minutes. At the Board's January 19, 2016 meeting, on a motion from Mr. Minton, seconded by Mrs. Day with no dissenting votes, the Board approved this amendment to the written September 2015 meeting minutes.

Investigative/Inspections Report

Joshua Kohler, Director of Investigations and Inspection, presented the September 2015 investigative report.

Legislative Update

Mr. Campbell updated the Board on several legislative issues.

Board of Pharmacy Retreat/Leaders' Forum Update

The Board Member Retreat will be held at the Proximity Hotel, Greensboro, NC on Thursday, September 24, 2015.

The Pharmacy Leaders' Forum will be held on Friday, September 25, 2015 at the Proximity Hotel, Greensboro.

Update on IT Infrastructure Upgrade

Board staff is continuing to work on an internal review of Board operations, including IT technology and assembling a list of recommended needs. Brenda McDougal, NC Board of Nursing Associate Executive Director - Operations, who has been contracted to help facilitate operational changes, will meet with each of the departments in the coming month to review their recommendations.

Reports to the Board

No one spoke during the Reports to the Board agenda item.

Consent Agenda

Mr. McLaughlin recused himself from the consent agenda matter concerning 2 pharmacist:technician ratio increase for Realo Discount Drug in Hampstead, NC. Following a review of the consent agenda, it was moved by Mr. Haywood, seconded by Mrs. Day to approve the consent agenda as presented. The motion carried with no dissenting votes. The following items were approved.

Prehearing Conference**Staff Issued Letters and Consent Order**

RPh. Stephen Mangum, License #23418; RPh. Migdalia Rodriguez, License #20118; RPh. Mitesh Prajapati, License #16027, Technician Gina Murphy, Registration #15120; and Walgreens Pharmacy, Permit #07920, were subjects of a prehearing conference held July 20, 2015, heard by Mr. McLaughlin, regarding allegations that on June 26, 2013, staff at Walgreens Pharmacy #07920, High Point, NC, filled and dispensed Hydroxyzine Oral Suspension with the incorrect directions of, "Take 1 tsp. (5mL) by mouth daily as needed for allergies and itch." The prescribed directions were to, "Take 1.5mL twice daily as needed for allergies and itch." Technician Lisa Culbreath #19946 scanned the prescription into the computer system on June 26, 2013, which was followed by Technician Gina Murphy #15120 incorrectly entering the order as "Take 1 tsp. (5mL) by mouth daily as needed for allergies and itch." Pharmacy records indicated the prescription was remotely verified by RPh. Mitesh Prajapati #16027, who acknowledged to not seeing the "1" in "1.5" as it was camouflaged by the word "VOID" on the hard copy. The order went through final product verification by RPh. Stephen Mangum #23418 while under the supervision of RPh. Migdalia Rodriguez #20118. Moreover, RPh. Mangum, who was on duty June 26, 2013, had not been officially licensed by the Board, yet RPh. Rodriguez and Walgreens allowed him to work. No harm was suffered by patient Fleming from ingesting the medication according to the incorrect directions.

After hearing all the evidence presented and based on the standards established by the Board, Mr. McLaughlin **proposed a Staff Issues Letters of No Action to permit and Technician Murphy; Staff Issues Letter of Warning to RPh Prajapati; Consent order of a one (1) day suspension, but that the suspension be stayed for one (1) year so long as he commits no violations to RPh. Mangum; and Consent Order of three (3) day active suspension to RPh. Rodriguez**

Staff Issued Letters and Consent Orders

RPh. David Settle, License #23705; RPh. Laycee Faye Strayer, License #20996; and Walgreens Pharmacy, Permit #10328, were subject of a prehearing conference held July 20, 2015, heard by Mr. McLaughlin, regarding allegations that on November 21, 2013, a Med/Device Death Report was submitted to the Board regarding the decedent, Burnice L. Harris (DOB: 8/11/1943) and a prescription for Morphine Sulfate 100mg/5mL (20mg/mL) solution. The investigation revealed that that patient Harris had a significant past medical

history of Stage 4 adenocarcinoma of the rectum, severe sepsis, hypertension and arteriosclerotic cardiovascular disease. Dr. Pranitha Prodduturvar, a hospitalist at Vidant Medical Center, Greenville, NC, discharged patient Harris home to hospice care and prescribed the aforementioned drug with directions, "Take 0.25mL by mouth every two hours as needed for pain." The prescription was filled and dispensed by RPh. David Settle #23705 on or about November 13, 2013, from Walgreens #10328, Winterville, NC, with the incorrect directions of, "Take 2.5mL by mouth every two hours as needed for pain" under Rx #266648. RPh. Settle advised he did override the DUR for the high dose of Morphine during the verification of the prescription. Patient Harris ingested an unknown number of doses of the medication according to the incorrect directions between the dates of November 15, 2013, and November 17, 2013. On November 16, 2013, Dr. Dean Patton, Director of Hospice prescribed Morphine Sulfate 100mg/5mL (20mg/mL) solution with directions of, "Take one or two mLs by mouth every hour as needed for pain or dyspnea" because patient Harris' family advised he was running low on his pain medication. The order was filled at the subject pharmacy on this same date under Rx #1690318; however, it is unknown if patient Harris ever ingested any of this medication as he expired at home on November 17, 2013.

The error in directions was discovered by a nurse from Vidant Home Health & Hospice on November 17, 2013, and relayed the information to Dr. Patton. He requested an autopsy be completed and notified Walgreens #10328 of the error. According to the autopsy performed by MGF Gilland, MD, the cause of death for patient Harris was Morphine toxicity with other significant conditions: widely metastatic adenocarcinoma of the rectum, hypertension, arteriosclerotic cardiovascular disease and diabetes mellitus.

After hearing all the evidence presented and based on the standards established by the Board, McLaughlin proposed a **Staff Issues Letters of No Action to permit and RPh. Strayer; Consent Order of seven (7) day suspension stayed for three (3) years to RPh. Settle.**

Consent Order

Turner Discount Medicine Shoppe, Inc., Permit #04281, regarding a consent order agreed between the parties wherein RPh. Robert Turner, pharmacist manager for Turner Discount Medicine Shoppe, agrees to immediately stop compounding and dispensing compounded medications after inspections by Board staff found significant violations regarding compounding. Mr. Turner agreed to the consent order September 9, 2015.

Increase in Pharmacists to Technician Ratio

1. CVS Pharmacy, Fayetteville NC # 11170 –Leighton Monroe, Pharmacist Manager
2. CVS Pharmacy, Huntersville NC #09415 – Ronald Fields, Pharmacist Manager
3. Ingles Pharmacy, Hendersonville NC #08426 – Julie A. Innes, Pharmacist Manager
4. Neil Medical Group, Kinston NC #04428 – Douglas Hazelgrove, Pharmacist Manager
5. Northside Family Pharmacy Inc, Battleboro NC #09197 – Angela Stokes, Pharmacist Manager
6. Professional Pharmacy, Oxford NC #10023 – Elizabeth Blackwell, Pharmacist Manager

7. Realo Discount Drugs, Hampstead NC #11418 – Kyle Abode, Pharmacist Manager
8. Sams Club Pharmacy, Asheville NC #07676 – Christopher Bell, Pharmacist Manager
9. Shelton Pharmacy, Hendersonville NC #04058 – Larry J. Shelton, Pharmacist Manager
10. Southeastern Pharmacy #2, Lumberton NC #11187 – Erica Bell, Pharmacist Manager
11. Tabor City Medicine Mart, Tabor City NC #05348 – Brian B. Cribb, Pharmacist Manager
12. Walgreens, Cary NC #12482 – Samantha Fugleberg, Pharmacist Manager
13. Walgreens, Greensboro NC #12222 – Aislinn C. Early-Fuller, Pharmacist Manager
14. Walgreens, Fayetteville NC #12263 – Rachel Bastien, Pharmacist Manager
15. Walgreens, Fayetteville NC #12215 – Kena Patel, Pharmacist Manager
16. Walgreens, Hillsborough NC #12466 – Frank W. Hunter, Pharmacist Manager
17. Walgreens, Siler City NC #12331 – Eric W. Hopkins, Pharmacist Manager
18. Walgreens, Raleigh NC #12355 – Heather Dawn Adams, Pharmacist Manager
19. Wal-Mart, Goldsboro NC #12107 – Curtis Holleman Jr, Pharmacist Manager
20. Wal-Mart, Goldsboro NC #09917 – Gwendolyn DeVaughn, Pharmacist Manager
21. Wal-Mart, Holly Springs NC #09927 – Thomas Cole, Pharmacist Manager
22. Wal-Mart, Leland NC #09470 – Benjamin Mitchell, Pharmacist Manager
23. Wal-Mart, Marion NC #07987 – Julie Pollard, Pharmacist Manager
24. Wal-Mart, Mooresville NC #07990 – Justin Boyer, Pharmacist Manager
25. Wal-Mart, Nashville NC #09991 – Pamela Snipes, Pharmacist Manager
26. Wal-Mart, Shallotte NC #08008 – Athan Vrettos, Pharmacist Manager
27. Wal-Mart, Southport NC #08012 – Mariann Pata, Pharmacist Manager
28. Wal-Mart, Washington NC #08021 – Sri-Siva Prasad Doddapaneni, Pharmacist Manager
29. Warrens Drug Store, Mebane NC #08960 – Stephen Joyce, Pharmacist Manager

CPP Candidates

1. Brian C. Crandell, PharmD #17439, UNC Healthcare – Hillsborough Campus/Oncology, Hillsborough NC
2. Kristy P. Guillen, PharmD #17278, Carolinas Healthcare System Blue Ridge Pharmacy Medication Management Clinic, Rutherford College NC
3. Megan E. Hughes, PharmD #24314, Mission My Care Plus Leicester, Asheville NC
4. Megan E. Hughes, PharmD #24314, Mission My Care Plus Candler, Candler NC
5. Cameron Jordan, PharmD #22445, NC Children’s Hospital Pediatric Pulmonology Outpatient Clinic, Chapel Hill NC

Reciprocity Candidates

Candidates License by Reciprocity 8/14/2015 – 9/16/2015					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Mary	H.	Carpenter		GA	8/14/2015
Justin	Avery	Acri		OH	9/16/2015

Candidates License by Reciprocity 8/14/2015 – 9/16/2015					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Mitchell	Douglas	Ames		AL	9/16/2015
Deborah	C.	Arthur		VA	9/16/2015
Tamara	Aya	Asedi		KS	9/16/2015
Nicole	Elizabeth	Barnes		TX	9/16/2015
Ryan	Benjamin	Barnett		SC	9/16/2015
Michelle	Marie	Beitzel		IN	9/16/2015
Kimberly	Lynn	Bentzoni		NY	9/16/2015
Laura	Tucker	Black		SC	9/16/2015
Leah	Michele	Boardwine		VA	9/16/2015
Bernard	Otchere	Boateng		MD	9/16/2015
Marcella	Regina	Brown		PA	9/16/2015
Clancey	Scott	Burrell		GA	9/16/2015
Teresa	L.	Cutshall		PA	9/16/2015
Paul	Edward	Cyca		OH	9/16/2015
Christopher	David	Daniels		MN	9/16/2015
Grishma		Desai		GA	9/16/2015
Megan	Bryant	Ellmers		GA	9/16/2015
Timothy	Allen	Ellmers		VA	9/16/2015
Eric	Neil	Erwin		GA	9/16/2015
Cody	Jake	Evans		TX	9/16/2015
Nicole	Marie	Fisher		NH	9/16/2015
Julya		Friedman		GA	9/16/2015
Haley	Goodwin	Gibbs		IL	9/16/2015
Jenine	Christine	Gomez		FL	9/16/2015
Gavin	Floyd	Graham		OR	9/16/2015
Lee	Mark	Hamilton		VA	9/16/2015
Vanessa	Diane	Hardy		FL	9/16/2015
Sandra	A.	Hudson		NJ	9/16/2015
Safia		Hussain		FL	9/16/2015
DeShonna	Denise	Garrett		VA	9/16/2015
Charles	F.	Johnson		FL	9/16/2015
Brian	Michael	Keimach		MA	9/16/2015
Ashley	Lynn	Khan		VA	9/16/2015
Paula	Sharomia	King			9/16/2015
JoAnn	Sandra	Koslowsky		MA	9/16/2015
Courtney	Edwards	Lambertsen		KY	9/16/2015
Gerald	Armand	Letendre		NH	9/16/2015
Kloe		Li		PA	9/16/2015

Candidates License by Reciprocity 8/14/2015 – 9/16/2015					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Matthew	Michael	Manning		PA	9/16/2015
Andrew	John	McMillan		MI	9/16/2015
Eric	Christopher	Micelli		NY	9/16/2015
Tristan	Thomas	O'Driscoll		IL	9/16/2015
Zachary	Brandon	Ott		SC	9/16/2015
Anju		Patel		MS	9/16/2015
Dhimankumar	Manubhai	Patel		MI	9/16/2015
Susan		Patten		NJ	9/16/2015
Meltem	Lale	Pavlidis		OH	9/16/2015
Julie	Ann	Polliard		PA	9/16/2015
Megan	M.	Reichert		MN	9/16/2015
Susan	Jane	Rospert		OH	9/16/2015
Abigail	N.	Rudasill		NY	9/16/2015
Matthew	David	Schmidt		TN	9/16/2015
James	Nicholas	Smith		GA	9/16/2015
William	Anthony	Soderlund	Jr.	MN	9/16/2015
Keri	Elizabeth	Starrs		AK	9/16/2015
Seena		Thomas		MI	9/16/2015
Courtney	Michele	Van Nostrand		NY	9/16/2015
James	Christopher	Van Nostrand		NY	9/16/2015
Chelsey	Nicole	Willett		SC	9/16/2015
Christopher	John	Zack		NJ	9/16/2015
Jay	Hyuk	Kim		PA	9/16/2015

Closed Session

On a motion from Mr. Graves, seconded by Mr. McLaughlin with no dissenting votes, the Board moved into close session to discuss possible summary suspensions and a personnel matter. Open session resumed on a motion from Mr. McLaughlin, seconded by Mrs. Day with no dissenting votes. Mr. Mixon stated that Taylor Drug Company, Permit #07929; Technician Josefa Lynn Cagle, Registration #29233; and Technician Tanita Godwin, Registration #32717, were summarily suspended.

The Board also approved a 4% raise for Executive Director Jay Campbell.

There being no further business, on a motion from Mr. McLaughlin, seconded by Mrs. Day with no dissenting votes, the meeting adjourned at 11:56am.

William A. Mixon, President

Carol Yates Day, Vice-President

Robert J. McLaughlin, Jr.

Gene Minton

L. Stan Haywood

Robert A. Graves