

President Bill Mixon called the meeting to order at 9:15 am with Board Members Carol Yates Day, L. Stan Haywood, Robert A. Graves, and Robert J. McLaughlin present. Gene Minton 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; Brent Slaughter, Mutual Drug; Christine Davis, Cardinal Health; Andy Bowman, Campell Univ./NCBOP; Rebecca Britt, Campbell Student; Taylor McKinney, ESOP; Ashley Dennison, ESOP; Brad Johnson, BCIPS; Stephanie Lemm, Harris Teeter; Stephanie Hazle, CVS; Breman Kroll, Walgreens/CUSOP; Scott Jervis, Walgreens/CUSOP; Kylie McCullough; Victoria Mayer, Publix Super Markets; Brian Bache, CVS Health; Amie Christiano, CVS; Cory McGuinn-Parks; Colleen Moody, UNC ESOP; Sarah Robinson, UNC/ESOP; Stephen Fu, Option Care; Zachary Kritzo, UNC/ESOP; John Billingsley, The Compounding Pharmacy/Wingate; and Wendy Watson, NCBOP.

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.

Minutes of September 2015 Board Meeting and September 24, 2015 Board Member Retreat

The members received the September 15, 2015 meeting minutes and the September 24, 2015 Board Member Retreat meeting minutes prior to this meeting for review. It was moved by Mr. McLaughlin, seconded by Mr. Minton to accept the minutes as submitted. The motion passed with no dissenting votes.

Consideration of Proposed Amendments to Rule 21 N.C.A.C 46.1417 – Remote Medication Order Processing Services

A public hearing was held September 15, 2015 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.

The public comment period closed October 19, 2015.

On motion from Mr. Minton, seconded by Mr. McLaughlin with no dissenting votes, the Board approved the amendments as written and directed staff to send them to the Rules Review Commission.

Request for Reinstatement of Pharmacist License – RPh. Justin Miller, License #22659

RPh. Justin Miller, license #22659, appeared before the Board to request reinstatement of his pharmacist license. Mr. Miller voluntarily surrendered his license November 5, 2014 after admitting to diverting controlled substance to self-medicate back pain. Mr. Miller, duly sworn, spoke to the Board regarding his substance abuse issues and his recovery progress. Valanda Nelson, North Carolina Pharmacist Recovery Network (NCPRN) Executive Director, duly sworn, testified

on his recovery and stated that NCPRN supports reinstatement of Mr. Miller's pharmacist license with conditions.

After presentation of evidence and testimony, on motion from Mr. McLaughlin, seconded by Mrs. Day 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. McLaughlin, seconded by Mr. Minton with no dissenting votes, the Board approved Mr. Miller's request for reinstatement with conditions.

A copy of the Order Reinstating License with Conditions can be found elsewhere in the Minutes and is incorporated by reference herein.

Recognition of Pharmacists Licensed for 60 Years

The Board honored nine (9) pharmacists with resolutions recognizing their sixty (60) years of continuous licensure with the North Carolina Board of Pharmacy.

<u>Pharmacists</u>	<u>Date of Registration</u>	<u>Pharmacy School</u>
Charles Byrd Gillespie	February 28, 1955	UNC Chapel Hill
William Monroe Lovelace	February 28, 1955	UNC Chapel Hill
Richard Barner Stone	February 28, 1955	UNC Chapel Hill
Edward Luther Bradshaw	July 5, 1955	UNC Chapel Hill
Jacquelyn O'Neal Kimball	July 5, 1955	UNC Chapel Hill
Ralph Hilliard Ashworth	November 19, 1955	UNC Chapel Hill
John Augustus Klutz	February 28, 1955	UNC Chapel Hill
Fred Wilson Lowry	March 7, 1955	University of South Carolina
James Herbert Segars	August 1, 1955	University of South Carolina

Consideration of Reciprocity Application – Jeffrey Robert Kaufhold

Jeffrey Robert Kaufhold appeared before the Board in consideration of his reciprocity application. Mr. Kaufhold disclosed on his NABP application and his North Carolina reciprocity application that in 2001 he diverted controlled substance from his place of work. He was disciplined by the Pennsylvania Board of Pharmacy, pled guilty to fifteen (15) misdemeanor criminal counts, and entered into a substance abuse treatment program. His Pennsylvania pharmacist's license was reinstated in February 2007 after meeting conditions of reinstatement from his December 2005 order.

After presentation of evidence and testimony, on a motion from Mr. Minton, seconded by Mrs. Day with no dissenting votes, the Board moved to allow Mr. Kaufhold to proceed with the reciprocity process.

Reports to the Board

Mike James updated the Board on several legislative issues.

Consideration of Reciprocity Application – Cory McGuinn-Parks

Cory McGuinn-Parks appeared before the Board in consideration of his reciprocity application from New Mexico. Mr. McGuinn-Parks disclosed on both his NABP reciprocity application and the NC reciprocity questionnaire that he was convicted in federal court of a felony and was sentenced to forty-one (41) months in prison and three (3) years supervised probation in April 2007.

After presentation of evidence and testimony, on a motion from Mr. McLaughlin, seconded by Mr. Minton with no dissenting votes, the Board moved into close session to deliberate the matter. Open session resumed on a motion from Mr. Haywood, seconded by Mr. McLaughlin with no dissenting votes. Mr. Mixon stated that on a motion from Mr. McLaughlin, seconded by Mr. Haywood with no dissenting votes, the Board denied Mr. McGuinn-Parks reciprocity application.

A copy of the Order Denying Reciprocity with Conditions can be found elsewhere in the Minutes and is incorporated by reference herein.

The Board adjourned for lunch at 12:38pm and resumed open session at 1:20pm.

Filing of FY 2014-15 Annual Report

The Board members were presented with the Annual Report for fiscal year 2014-2015. It was the consensus of the Board to approve the report as presented and directed staff to file the report with required state agencies.

Report from 2015 Tri-Regulator Conference

The 2015 Tri-Regulator Conference was held October 5 -7, 2015 in Arlington, VA. The conference consisted members of National Association of Boards of Pharmacy, Nursing, and Medical Boards. Mr. Campbell stated that the meeting discussion focused on team-based care.

Update on CSRS Continuing Education Program Project

At the June 16, 2015 Board meeting, the Board approved funding to create an on-line video-based continuing education module that would educate pharmacists on how to access and use the Controlled Substance Reporting System (CSRS). The module would be a joint effort between the Board and UNC Eshelman School of Pharmacy and would be available to pharmacists across the state at no charge. Mr. Campbell stated that the project was still in the contracting stage and hopes to give the Board further information in the coming months.

Mr. Campbell also updated the Board on the Memorandum of Understanding with the FDA regarding the interstate distribution of compounded drugs.

Financial Report/ Proposed Budget for FY 2015-16

Gail Brantley, Financial and Administrative Services Director, presented the September 2015 financial report to the Board.

Investigative/Inspections Report

Krystal Brashears, Associate Director of Investigations and Inspection, presented the October 2015 investigative report.

Consent Agenda

Following a review of the consent agenda, it was moved by Mr. McLaughlin, seconded by Mr. Minton to approve the consent agenda as presented. The motion carried with no dissenting votes. The following items were approved.

Prehearing Conference**Consent Orders**

RPh. Rachel Alison Stephens, license #23213, was subject of a prehearing conference held September 14, 2015, heard by Mr. Haywood, regarding allegations that, while working as pharmacist manager at Kerr Drugs (Walgreens), that an audit revealed overages and shortages of different oxycodone products. An inspection revealed that the pharmacy was unsanitary with loose pills on floor and inventory logs were incomplete and out of order. Customers also complained of pill shortages of oxycodone products. Recommendation: **Indefinite suspension stayed with conditions** that RPh. Stephens receives a substance abuse assessment within 30 days of the order, take and pass the MPJE within 90 days of order.

RPh. Richard C. Harris, license #09579, was subject of a prehearing conference held September 14, 2015, heard by Mr. Haywood, regarding allegations of violating of conditions of his September 2014 consent order reinstating his license by not complying with NCPRN treatment and monitoring agreement and not notifying Board of change of employment within thirty (30) days. Recommendation: **Indefinite suspension/stayed indefinitely with conditions.**

A copy of the Consent Orders can be found elsewhere in the Minutes and are incorporated by reference herein

Increase in Pharmacists to Technician Ratio

1. Almand's Drug Store, # 12123 Rocky Mount NC – Richard Kos, Pharmacist Manager
2. Cumberland County Med Access Program #08069 Fayetteville NC – Julia McLellan, Pharmacist Manager
3. Cumberland County Health Department #04417 Fayetteville NC – Julia McLellan, Pharmacist Manager
4. CVS Pharmacy #10738 Wilmington NC – James LeCroy, Pharmacist Manager
5. Davis Drug Co #11512 Kenly NC – Brock Wiley, Pharmacist Manager
6. HealthSmart Pharmacy #07780 Mooresville NC – Douglas Balog, Pharmacist Manager

7. King Drug Co #01706 King NC – Richard Stone, Pharmacist Manager
8. Walgreens #12369 Chadbourn NC – David Baglio, Pharmacist Manager
9. Walgreens #12308 Connelly Springs NC – Gregg Eady, Pharmacist Manager
10. Walgreens #12267 Greensboro NC – Robert F. Taylor III, Pharmacist Manager
11. Walgreens #12413 Maiden NC – Jessica Wnter, Pharmacist Manager
12. Walgreens #11716 Pembroke NC – Jaime Elvington, Pharmacist Manager
13. Walmart #08013 Spring Lake NC – TukeishaSimon, Pharmacist Manager
14. Walmart #12620 Wilmington NC - Lori Mitchell, Pharmacist Manager

CPP Candidates

1. Jonna Elizabeth Munroe, PharmD, #22901, Family Medicine Marion NC
2. Valerie H. Watts, PharmD, #11772, Medical Oncology, McCreary Cancer Center UNC Hospitals Lenoir NC
3. Kristen D. Abbott, PharmD, #24196, Family Practice, Gallimore Rd Brevard NC
4. Nastaran Gharkholonarehe, PharmD, 23396, Vascular Specialist, Lake Boone Trail Raleigh NC
5. Rachel S. Lebovic, PharmD, #24082, Malignant Hematology Clinic, Manning Drive Chapel Hill NC
6. Jessica L. Michaud, PharmD, #25462, UNC Hospitals Supportive Care Clinic, Manning Drive Chapel NC
7. Lisa Samanas, PharmD, #25477, Malignant Hematology Clinic, Manning Drive Chapel Hill NC
8. Ellina K. Max, PharmD #21531, UNC Hart and Vascular Center at Meadowmont, Chapel NC
9. Caroline Howard, PharmD #20367, Family Medicine, Mooresville NC

Closed Session

On a motion from Mr. Minton, seconded by Mr. McLaughlin with no dissenting votes, the Board moved into close session to discuss possible summary suspensions, contract matter, and potential litigation matter.

Open session resumed on a motion from Mr. Graves, seconded by Mrs. Day with no dissenting votes. Mr. Mixon stated that technician William Springthorpe, registration #20828; technician Juavon Durrick Jones, registration #33900; and pharmacist Steven Michael Deichert, license #17936 were summary suspended.

Mr. Mixon stated that on a motion from Mr. McLaughlin, seconded by Mr. Graves with no dissenting votes, the Board will begin legal proceedings against Essential Wellness pharmacy, located in Illinois, seeking an injunction against shipping medications into North Carolina without an out-of-state pharmacy permit.

Mr. Mixon also stated that it was the consensus of the Board to direct staff to investigate a potential contract with North Carolina Physicians Health Program.

On a motion from Mr. McLaughlin, seconded by Mr. Minton with no dissenting votes, the Board adjourned the meeting at 2:42pm.

William A. Mixon, President

Carol Yates Day, Vice-President

Robert J. McLaughlin, Jr.

Gene Minton

L. Stan Haywood

Robert A. Graves