

President Gene Minton called the meeting to order at 9:00 am with Board Members Bill Mixon, L. Stan Haywood, Carol Yates Day, Robert A. Graves, and Andy Bowman present. Also present were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Associate Executive Director Ellen Vick, Director of Investigations Josh Kohler, Associate Director of Investigations Krystal Brashears Stefanyk, Financial and Administrative Services Director Gail Brantley, and Director of Operations Kristin Moore. Present as visitors were: Brent Slaughter, NC Mutual Drug; Tori Mayer, Publix; Joey McLaughlin, Realo Drug; Christine Davis, Cardinal Health; Keith Vance, Board Member Elect; Ashely Moody, UNC/ESOP; Kristen Doster, Wingate Univ.; Trey Waters, Waters Drug Co.; Laura Cates, Kroger; John Felts; Dallas Wilson, Walgreens; Allen Wheeler, UNC/ESOP; Ranjit Poonner, Campbell Univ.; Suzanne Shearin, Campbell Univ.; Norman Pham, UNC/ESOP; Stacie Mason, NCBOP; Krystal Smith, NCBOP; and Rhonda Jones, NCBOP.

Ethics Statement & Welcome

President Minton 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.

Consideration of Minutes of the September 2016 Board Member Retreat

The members received the September 8 & 9, 2016 Board Member Retreat minutes prior to this meeting for review. It was moved by Mr. Graves, seconded by Mr. Mixon, to accept the minutes as submitted. The motion passed with no dissenting votes.

Review of SEI Evaluations from the Ethics Commission – Stan Haywood

Board members are required to file Statements of Economic Interest (SEI) forms with the North Carolina Ethics Commission in April of each year. The commission reviews the SEI to determine whether there is a conflict of interest or a potential conflict of interest for public service as a regulatory Board member. Board staff received a letter regarding Board Member Stan Haywood's SEI form, which stated there is a potential conflict of interest in serving as a Board member by practicing in the profession that he regulates. Board counsel discussed the members' obligations to proactively avoid conflicts of interest and reminded them that they should discuss any potential conflicts proactively with Board counsel or the Executive Director.

Introduction of Krystal Smith, Accounting Manager

Rhonda Jones, Financial and Human Resources Analyst, introduced Krystal Smith as the Board's new accounting manager. Ms. Smith will be responsible for Board accounting services.

Consideration of Pamela Wilkinson Reciprocity Application

Pamela Wilkinson appeared before the Board with a request for Board action on her application to reciprocate a pharmacy license. Ms. Wilkins submitted an application to

reciprocate her pharmacist license from Virginia in August 2016. On both her NABP and North Carolina applications, she disclosed both a 1996 disciplinary order against her license and a 1999 criminal conviction stemming from conduct in the practice of pharmacy. Ms. Wilkins, duly sworn, explained the circumstances of the disciplinary matter and the criminal conviction. She has had no other disciplinary or legal matters against her license.

After discussion, on a motion from Mr. Bowman, seconded by Ms. Day with no dissenting votes, the Board approved Ms. Wilkins to proceed with her reciprocity application.

Letter from Various Pharmacy Organizations Concerning USP <800> Implementation

The United States Pharmacopeia has published the final version of chapter <800>, which sets forth standards for the handling of hazardous drugs in health care settings. Board staff presented a letter from the American Pharmacists Association, the American Society of Consulting Pharmacists, College of Psychiatric and Neurologic Pharmacists, International Academy of Compounding Pharmacists, National Alliance of State Pharmacy Associations, National Association of Chain Drug Stores, and the National Community Pharmacists Association. These organizations assert that the July 1, 2018 effective date would create some unspecified hardship for these organizations' members. They ask that the Board "delay" implementation until July 1, 2021.

After discussion, it was the consensus of the Board that North Carolina law states that a compounding pharmacy must comply USP <795> and <797> and all other incorporated chapters which will include <800>, and the Board will enforce the law.

The Board adjourned for a break at 9:40am and resumed open session at 9:56am.

Further Discussion of NAPLEX/MPJE Testing Attempt Limitations

Board staff has had an increase in the number of exam applicants who wish to take the NAPLEX and MPJE exams multiple times. NABP administers the exams and, to protect test integrity, has a default five (5) attempt limit on each test. At the September 2016 Board retreat, the Board directed Mr. Campbell to research how other states handle applicants who request more than five examination attempts. Mr. Campbell presented his finding to the Board from the 29 Boards that responded to his questionnaire regarding the testing limit. A majority of the Boards have some testing limitation.

After discussion, on a motion from Mr. Haywood, seconded by Mr. Bowman with no dissenting votes, the Board directed Mr. Campbell to draft a proposed rule that would set a test limit of five (5) attempts. Upon receipt of a draft at a future Board meeting, the Board will consider the matter further.

Hurricane Matthew After-Effects Update

Joshua Kohler, Director of Investigations/Inspection, updated the Board on steps staff has taken to support pharmacies in dealing with public health concerns attributed Hurricane Matthew. Board staff has posted numerous guidance statements on the Board website for

pharmacies to ensure patients' needs are being met through the public health issues created by the hurricane. Board staff is also going to conduct random site visits of pharmacies affected by the hurricane to offer any help or guidance that they may need.

Trey Waters, Waters Drug Company, spoke to the Board regarding some of the issues that pharmacies in eastern North Carolina have encountered because of Hurricane Matthew.

Rule Making

Report on Publication of Proposed Amendments to 21 NCAC 46.2201, Continuing Education.

At the September 2016 Board Member retreat, the Board approved and directed staff to publish an amendment to rule .2201, Continuing Education, that would discontinue allowing five (5) hours of continuing education to carry over each year; change the number of annually required contact CE hours from eight (8) to five (5); and add an exemption for pharmacists who qualify under 21 NCAC 46.1613 or who practice entirely in another state and meet that state's continuing education requirements. The proposed rule change would require pharmacists to receive their continuing education requirements from ACPE or NCAP accredited courses or by precepting at least 160 hours for one of the four pharmacy schools in the state.

Mr. Campbell stated that the rule has been published for notice and comments and has received some comments. The public hearing on the rule will be conducted on January 17, 2016.

Proposed New Rule 21 NCAC 46.1615, e-Profile Identification for Permits, Licenses, and Registrations

At the September 2016 Board member retreat, the Board directed Mr. Campbell to draft a proposed rule requiring pharmacists, technicians, and permits to obtain e-Profile numbers from NABP and supply it to Board staff for their records. Mr. Campbell presented a draft of the proposed new rule 21 NCAC 46.1615, e-Profile Identification for Permits, Licenses, and Registrations, to Board members for their consideration.

After discussion, on a motion from Mr. Mixon, seconded by Mr. Bowman with no dissenting votes, the Board approved the proposed rule as presented and directed staff to publish it for notice and comment.

Financial Report

Gail Brantley, Financial and Administrative Services Director, presented the September 2016 financial report to the Board.

By unanimous consent, the Board also approved an increase in the designated litigation fund from \$200,000 to \$500,000.

Investigations/Inspections Reports

Joshua Kohler, Director of Investigations and Inspection, presented the October 2016 investigative report.

Mr. Kohler also stated that the Board has hired a new investigator/inspector, Kimberly Sims, who will be working in the northeast section of the state.

Legislative Update

Mr. Campbell updated the Board on the Joint Legislative Administrative Oversight Committee. Mr. Campbell stated that there has been some change in personnel on the committee but no further action has been taken.

National Association of Board of Pharmacy (NABP) Interactive Member Forum, November 30 – December 1, 2016, Loews Chicago O’Hare Airport

Mr. Campbell stated that NABP will host an interactive member forum November 30 – December 1, 2016 at the Loews Chicago O’Hare Airport hotel. He inquired if any Board members were interested in attending.

After discussion, it was the consensus of the Board that the members would inform Mr. Minton of those who are interested in attending the forum and he will inform Mr. Campbell on which member would be chosen to attend.

Report from MALTAGON Meeting

Associate Executive Director Ellen Vick updated the Board on the MALATGON meeting hosted by the Texas State Board of Pharmacy, October 9-12, 2016, in Austin, Texas.

Compounding in North Carolina

Board member requested that Associate Director of Investigations/Inspections Krystal Brashears Stefanyk clarify questions they had regarding compounding inspections. Ms. Stefanyk stated that Board staff has noted an improvement in inspections for low and medium risk sterile compounding in the state. She also stated that fewer pharmacies are performing high risk sterile compounding.

Reports to the Board

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

Consent Agenda

It was moved by Mr. Bowman, seconded by Mrs. Day with no dissenting votes to approve the consent agenda. The motion carried with no dissenting votes. The following items were approved.

Prehearing Conference

Consent Order

RPh. Angela Mann, license #10722 agreed to a consent order between parties regarding non-compliance with 2010 consent order by not complying with Alabama consent order and testing positive for opioids. She violated terms of Alabama CORIP's Monitoring Agreement. A five (5) year active suspension was approved by Dr. Bowman on October 17, 2016 prehearing conference.

RPh. Timothy Clark, license #12114, and Health Innovations Pharmacy, permit #07705, were subjects of prehearing conference held September 12, 2016, heard by Mr. Bowman, regarding allegations that while RPh. Clark was serving as pharmacist manager of Health Innovations Pharmacy, permit #07705 gross violations were committed regarding compounding and pharmacy management. Violations regarding pharmacy security and inventory control resulted in loss of 131,000 dosage units of Schedule II and III. Permit entered into MOA with DEA regarding not dispensing Schedule II for 3 years. Violations regarding DME operations were also noted. Recommendation: Permanent suspension stayed indefinitely with 30 day active suspension to RPh. Clark and permanent suspension of permit stayed indefinitely with conditions.

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

CPP Candidates

- Caroline Anne Howard, PharmD – License Number 20367
UNC Physicians Network /UNC Health Care/Internal Medicine
6101 Quadrangle Drive, Suite 100 Chapel Hill NC 27517
- Megan Elizabeth Hughes, PharmD – License Number 24314
Wilmington Health
8090 Market Street, Wilmington NC 28411

Wilmington Health
1201 Medical Center Drive, Wilmington NC 28401

Wilmington Health
1333 South Dickinson Drive Suite 140, Leland NC 28401
- Katina Nichelle Jones-Rice, PharmD – License Number 13507
Cornerstone Personalized Life Care Clinic/Internal Medicine
1208 Eastchester Drive suite 107, High Point NC 27265

Reciprocity Candidates

Candidates License by Reciprocity 9/14/2016 – 10/18/2016					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Jacinta	E.	Chin		IL	9/14/2016
Ruby	Neh	Nkwenti		MD	9/14/2016
Marie		Sheckler		NE	9/14/2016
Malinda	Grace	Parman		TN	9/14/2016
Leigh	Ann	Vidrine		LA	9/14/2016
Casey	M.	Moeck		MO	9/14/2016
Frank	William	Bushell	Jr.	WA	9/14/2016
Stephanie	Kristine	Funkhouser		WA	9/14/2016
Carmen	Desiree	Echols		GA	9/21/2016
Kristina	Dawn	Holley		WV	9/21/2016
Carly	Maloney	Hansen		MT	9/28/2016
Evelyn	Lani	Adjaottor		KY	9/28/2016
Karla	Kay	Fowler		AZ	9/28/2016
Jeffrey	Alan	Moy		IL	9/28/2016
Kimberly	Norris	Sparks		SC	9/28/2016
Fiston	K.	Vuvu		KS	9/28/2016
Tyler	Dietz	Heberle		LA	10/5/2016
Jennifer	Lee	Douglass		FL	10/5/2016
Poonam		Sheth		AZ	10/5/2016
Erika	Lauren	Issler		CA	10/5/2016
Allison	Catoe	Wright		SC	10/5/2016
Kevin	Richard	Hunsicker		NJ	10/5/2016
Natasha	Crystal	Ebert		MN	10/5/2016
Sandra	Lynn	Empey		TN	10/12/2016
Jennifer	Boyd	Burton		TN	10/12/2016
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Increase in Pharmacists to Technician Ratio

- Cumberland County Employee Pharmacy #11291, Fayetteville NC, Tamara Keibler/Pharmacist Manager
- Madison Pharmacy & Gifts, Inc. #07873, Marshall NC, Cynthia Niles/Pharmacist Manager
- Physicians Pharmacy Alliance, Inc. #10895, Cary NC, Peter Saad/Pharmacist Manager

- Pinnacle Independent DBA Cannon Pharmacy North #12655, Kannapolis NC, Ryan Armstrong/Pharmacist Manager
- Realo Discount Drugs of ENC, Inc. #12133, Lillington NC, William Holland/Pharmacist Manager
- Rex Pharmacy of Raleigh #07039, Raleigh NC, Daniel McCosley/Pharmacist Manager
- Walgreens #12300, 201 WB McLean Dr, Cape Carteret NC, Kelly Kihn/Pharmacist Manager
- Walgreens #12265, 6330 Raeford Road, Fayetteville NC, Lauren Jung/Pharmacist Manager
- Walgreens #12447, 3062 Hickory Blvd, Hudson NC, John A. Soli III/Pharmacist Manager
- Walgreens #12409, 1600 Gum Branch Road, Jacksonville NC, Jason Hodges/Pharmacist Manager
- Walgreens #12408, 359 Western Blvd, Jacksonville NC, Mike Nguyen/Pharmacist Manager
- Walgreens #12314, 825 Timber Drive, Garner NC, Diane Rusin/Pharmacist Manager
- Walgreens #12324, 4003 W. Vernon Ave, Kinston NC, Charles Dwyer/Pharmacist Manager
- Walgreens #12234, 2201 N. Herritage Street, Kinston NC, Amber Sablon/Pharmacist Manager
- Walgreens #12411, 319 Village Rd NE, Leland NC, Ryan M. Albert/Pharmacist Manager
- Walgreens #12415, 703 E Washington Street, Nashville NC, Jason Drozda/Pharmacist Manager
- Walgreens #12490, 2001 Neuse Blvd, New Bern NC Jill Jones Corbett/Pharmacist Manager
- Walgreens #12291, 200 N Bragg Blvd, Spring Lake NC, William Mitchell/Pharmacist Manager
- Walgreens #12245, 5098 Southport Supply Rd, Southport NC, Courtney Phillips/Pharmacist Manager
- Walgreens #12428, 941 Durham Road, Wake Forest NC, Sydney Hoang/Pharmacist Manager
- Walgreens #12248, 5717 S NC 41 Hwy, Wallace NC, Marcie J. Quinn/Pharmacist Manager
- Walgreens #12370, 9005 Richlands Hwy, Richlands NC, Charles N. Chesnutt Jr./Pharmacist Manager
- Walgreens #12436, 2653 Ward Blvd, Wilson NC Matthew Ruffin/Pharmacist Manager
- Walmart Neighborhood Market Pharmacy #12008, 3905 Concord Pkwy S, Concord NC, Jennifer Willeford/Pharmacist Manager
- Walmart #12932, 966 East Iredell Ave, Mooresville NC, Nicole Fisher/Pharmacist Manager

The Board adjourned the meeting at 11:09pm.

Gene Minton, President

L. Stan Haywood, Vice-President

Dr. Andrew Bowman

William A. Mixon

Carol Yates Day

Robert A. Graves