

President Wallace Nelson called the meeting to order at 10:11 am with Board Members Andy Bowman, Ashley Duggins, Chris Sain, and Keith Vance present. Board Member Mischelle Corbin joined shortly after the meeting commenced.

Also in attendance were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Associate Executive Director Ellen Vick, Director of Inspections Krystal Stefanyk, Director of Operations Kristin Moore, Information Technology Administrator Antoine Pryor, Director of Finance & HR Rhonda Jones, Accounting Manager JP Brown, Enforcement Specialist Joshua Kohler, Enforcement Specialist Cindy Parham, Administrative Assistant Leslie Wilson, and Director of Licensing Missy Betz.

Present as visitors were Marshal Carter, Alicia Palombo, Andrew Froy, Erica Harms, and Randy Leandro. Director of Investigations Loretta Wiesner also attended the meeting via teleconference.

Ethics Statement & Welcome

President Nelson read the Ethics Statement regarding conflicts of interest. No conflicts were noted by Board members.

Consideration of Meeting Minutes

The members received the November 2022 meeting minutes for review prior to the meeting. Dr. Bowman moved to approve the minutes. Dr. Duggins seconded. The motion passed with no dissenting votes.

Financial Report

Monthly Financial Report

Accounting Manager JP Brown presented the monthly financial report. The members received the report prior to this meeting. The members reviewed and had no questions.

Licensing Report

2023 Renewal Season

Director of Licensing Missy Betz provided a briefing on the 2023 license/permit/registration renewal season and included a comparison with 2022 renewal season. Renewal trends are consistent with previous years. Ms. Betz noted there were noticeable decrease in calls/emails concerning forgotten log-in information, demonstrating that changes to the recovery process put in place previously are working.

Pharmacists Licensed by Examination - January 1, 2022 - December 31, 2022

Board staff provided a list of all pharmacists licensed by exam in 2021 to be included in the January 2023 Board minutes.

Enforcement Report (*Stefanyk*)

Investigative Stats

Director of Inspections Krystal Stefanyk next presented the investigations report and current caseload.

Ms. Corbin joined the meeting at 10:24 am.

Hearing

Kristin LaHope Mixson, Pharmacy Technician Registration #38185, Summarily Suspended October 18, 2022

Kristin Mixson held pharmacy technician registration #38135. The Board summarily suspended Ms. Mixson's registration on October 18, 2022 after finding an imminent risk of harm to the public health and safety. Specifically, the Board found that Ms. Mixson had falsely and repeatedly represented to potential pharmacy employers that she was a pharmacist. She is not. She continues to make such representations.

Ms. Mixson, who was not present at the hearing despite receiving proper notice, had asked for the hearing to request that the Board lift the summary suspension of her pharmacy technician registration. Mr. Pinyan presented the case on behalf of Board staff and elicited direct testimony from Director of Investigations Loretta Wiesner via teleconference. Marshal Carter from CVS testified in person.

Mr. Pinyan said the Board staff opposed lifting the summary suspension of Ms. Mixson's technician registration and recommended that the Board order her registration revoked.

Dr. Bowman moved to deny Mixson's request to lift the summary suspension of her pharmacy technician registration and to revoke Mixson's registration. Dr. Sain seconded. The motion passed unanimously. President Nelson authorized Mr. Campbell to sign the order on his behalf.

The Board then took a 10 minute break and reconvened at 11:05 am.

Rulemaking

For Action by the Board:

Proposed Repeal of 21 NCAC 46.1819, COVID Drug Preservation Rule

The North Carolina COVID-19 emergency declaration sunsetted on August 15, 2022. The COVID-19 Drug Preservation Rule (21 NCAC 46.1819 and its analogs in the Medical and Nursing Boards' codes) served a crucial need during the public health emergency. It ensured that patients who needed certain prescription drugs for their non-COVID FDA approved indications would not have access blocked by inappropriate prescribing and hoarding. With the expiration of the public health emergency, the rule has fulfilled its purpose. State Health Director Betsey Tilson agrees. Medical and Nursing Board staff have indicated their intent to proceed with a repeal. Pharmacy Board staff recommend doing the same.

The proposed repeal has been published for the required period of time. Board staff received no written comments concerning the repeal.

The Pharmacy, Nursing, and Medical Boards held a joint public hearing on the proposed repeal on January 4, 2023 at the Board of Pharmacy offices. No member of the public appeared to comment on the proposed repeal.

Dr. Vance moved to repeal and was seconded by Dr. Duggins. The motion passed with no dissents. Mr. Campbell expressed his appreciation to the Board for having the courage to pass the rule and persevering with it during the pandemic for the benefit of the public health.

Committee Progress Reports

Telepharmacy Committee – *Vance, Bowman, Nelson* (members); *Campbell, Pinyan* (staff)

Per direction of the Board at the November retreat, Campbell and Pinyan have begun drafting proposed rules to authorize and govern direct-to-patient automated dispensing technology. Campbell and Pinyan recommend that the Telepharmacy Committee meet on the Board's February workday to consider a draft and prepare a recommendation to the full Board.

Intern Registration System Committee – *Vance, Bowman* (members); *Betz, Campbell, Pinyan* (staff).

Director of Licensing Missy Betz reported the module allowing registered pharmacy interns to track and obtain approval of non-curricular experiential hours is now operational.

Haywood Fund Committee – *Bowman, Corbin, Sain* (members); *Campbell* (staff)

The Board decided at the retreat to provide an extra cash infusion of \$50,000 to assist qualified pharmacists who needed financial assistance with assessments. This was transferred shortly after the retreat and was available to disperse immediately.

The committee met on December 19 to discuss potential changes to the pharmacy technician eligibility requirements in the memorandum of understanding. The committee had productive discussion. NCPHP staff is conducting some in-house administrative analysis of the options and will report back to the committee in due course.

Working Conditions Committee – *Duggins* (Chair), *Vance*, *Bowman* (members); *Campbell*, *Vick*, *Pinyan* (staff) Shelton (NCAP).

Board staff recommend that the committee convene during the February Board workday to plan for carrying out recommendations from the full Board received at the November retreat.

NABP Annual Meeting, May 10 - 12, 2023, Nashville, TN

Designate Voting Delegate and Alternate

NABP's Annual Meeting is scheduled for May 10 – 12, 2023 in Nashville, TN. Each year, the Board must designate a voting delegate and an alternate for the meeting's business sessions. As well, NABP provides a travel grant for one Board member from each state – typically the voting delegate. The Board agreed that President Nelson would be the NCBOP delegate and Mr. Campbell would assume the role of alternate.

Revisions to 2023 Board Meeting Calendar

As discussed at the retreat, there has been some interest in shifting the Board meeting calendar. After reviewing feedback from the members, Director of Operations Kristin Moore prepared a calendar detailing the two options.

Option 1: Retain the third Monday and Tuesday as PHC day and business meeting day, respectively.

Option 2: Move the PHC day and business meeting day to the second Monday and Tuesday, respectively. Note that adopting this option will require May 2023 meeting to the third Monday and Tuesday to avoid travel conflicts with the NABP annual meeting.

The Board agreed to adopt the second option. The new calendar will include PHC assignments and will be distributed to all Board members in the next few days following the meeting.

Consent Agenda

The following items were approved.

Consent Order and Staff Issued Letter of No Action

Robinhood Family Pharmacy, Permit #10989

RPh. Gunar Stowers, License #15741

Staff Issued Letters of Warning and Letter of No Action

RPh. Franklin Alexander Measamer, License #05848

RPh. Christoher Bryce Grady, License #26523

RPh. Elizabeth Howell Brown, License #08427

Technician April Keel House, Registration #44884

Village Pharmacy, Permit #03102

Consent Order and Staff Issued Letters of Warning

Merci Clinic Pharmacy, Permit #07078

Technician Kimberly Ann Solock, Registration #41987

RPh. Holly Geddie Minnifield, License #13029

Consent Order of Discipline

Jerry Haynes, Pharmacist License #12160

Consent Modification of Order Reinstating License

Jill Lynne Smith, Pharmacist License #15747

Consent Order of Permanent Suspension

Lisa Kay Cotter, Pharmacist License #18574

Consent Order of Discipline

Lindsey McKinney, Pharmacist License #27616

Reciprocity Candidates

License Number	First Name	Last Name	License Type	Licensed Date	Licensure Method
31800	Sarah	Beck	Pharmacist	2022-11-17	Reciprocity
31802	Savannah	Turner	Pharmacist	2022-11-23	Reciprocity
31804	Deborah	Kluttz	Pharmacist	2022-11-29	Reciprocity
31803	Joannah	Ballou	Pharmacist	2022-11-29	Reciprocity
31806	Lama	Sarkis	Pharmacist	2022-11-30	Reciprocity

31810	Jennifer	Riveros	Pharmacist	2022-12-05	Reciprocity
31812	Devin	Greene	Pharmacist	2022-12-06	Reciprocity
31814	Lauren	Stout	Pharmacist	2022-12-08	Reciprocity
31815	Mariya	Baranova	Pharmacist	2022-12-09	Reciprocity
31064	Jessica	Behrens	Pharmacist	2022-12-12	Reciprocity
31818	Abby	Stocks	Pharmacist	2022-12-12	Reciprocity
31816	Meredith	Berkeley	Pharmacist	2022-12-12	Reciprocity
31817	Shannon	Dickenson	Pharmacist	2022-12-12	Reciprocity
31823	Brian	Gellenbeck	Pharmacist	2022-12-14	Reciprocity
31824	Michael	Stanton	Pharmacist	2022-12-14	Reciprocity
31826	Anna	Davis	Pharmacist	2022-12-16	Reciprocity
31825	Michael	Bane	Pharmacist	2022-12-16	Reciprocity
31831	Adam	Setter	Pharmacist	2022-12-16	Reciprocity
31832	Anderson	Moore	Pharmacist	2022-12-22	Reciprocity
31835	Kevin	Hakamiun	Pharmacist	2023-01-03	Reciprocity
31839	Philip	Nelson	Pharmacist	2023-01-03	Reciprocity
31840	Esther	Oder	Pharmacist	2023-01-03	Reciprocity
31841	Temitope	Oyesanya	Pharmacist	2023-01-03	Reciprocity
31834	Reaghan	Erickson	Pharmacist	2023-01-03	Reciprocity
31833	Katlynn	Bailey	Pharmacist	2023-01-03	Reciprocity
31838	Dorothy	Metcalfe	Pharmacist	2023-01-03	Reciprocity
31837	Matthew	McDonald	Pharmacist	2023-01-03	Reciprocity
31836	Alexandria	Mann	Pharmacist	2023-01-03	Reciprocity
31842	Caroline	Shin	Pharmacist	2023-01-03	Reciprocity
31850	Uyen	Huynh	Pharmacist	2023-01-04	Reciprocity
31852	Autumn	Sperry	Pharmacist	2023-01-04	Reciprocity
31851	Danielle	Brown	Pharmacist	2023-01-04	Reciprocity
31853	Arow	Hieronymus	Pharmacist	2023-01-05	Reciprocity
31854	Ahmed	Omer	Pharmacist	2023-01-05	Reciprocity
31857	Benjamin	Johns	Pharmacist	2023-01-06	Reciprocity
31858	Alicia	Whittington	Pharmacist	2023-01-09	Reciprocity
31860	Oceana	Bjerke	Pharmacist	2023-01-10	Reciprocity
31861	Trisha	Reddy	Pharmacist	2023-01-10	Reciprocity
31862	Jose	Martinez	Pharmacist	2023-01-11	Reciprocity
31863	Amy	Schultz	Pharmacist	2023-01-11	Reciprocity
31864	George	Brown	Pharmacist	2023-01-12	Reciprocity
31866	Jennie	Robinson	Pharmacist	2023-01-13	Reciprocity
31867	Kelcey	Duerson	Pharmacist	2023-01-17	Reciprocity

CPP Candidates

License Number	First Name	Last Name	License Type	Licensed Date
700417	Christopher	Walston	Clinical Pharmacist Practitioner	2022-12-02
700418	Lisa	Padgett	Clinical Pharmacist Practitioner	2022-12-07
700419	Kaitlyn	Bartley	Clinical Pharmacist Practitioner	2022-12-13
700420	Brittini	Gochnaue r	Clinical Pharmacist Practitioner	2022-12-20
700421	Allison	Presnell	Clinical Pharmacist Practitioner	2023-01-11
700422	Shelby	Tungate	Clinical Pharmacist Practitioner	2023-01-17

Increase in Pharmacist to Technicians Ratio

Permit Number	Process Type	Complete Date	DBA	PT Ratio
14985	PT Ratio Change	16-Nov-22	Harris Teeter Pharmacy #264	1:3
11965	PT Ratio Change	16-Nov-22	HARRIS TEETER PHARMACY #0069	1:3
10716	PT Ratio Change	16-Nov-22	CVS/pharmacy	1:5
10879	PT Ratio Change	18-Nov-22	CVS/pharmacy	1:4
14556	PT Ratio Change	18-Nov-22	Lees Creek Pharmacy	1:4
12778	PT Ratio Change	18-Nov-22	Two Rivers Pharmacy	1:3
12777	PT Ratio Change	18-Nov-22	Harris Teeter Pharmacy #080	1:4
14570	PT Ratio Change	22-Nov-22	Marley Drug, Inc.	1:5
12647	PT Ratio Change	22-Nov-22	Cannon Pharmacy	1:5
11579	PT Ratio Change	22-Nov-22	UNC Hillsborough Hospital Pharmacy	1:4

12631	PT Ratio Change	02-Dec-22	Wal-Mart Pharmacy #10-7296	1:5
12313	PT Ratio Change	06-Dec-22	Walgreens #06548	1:5
11896	PT Ratio Change	07-Dec-22	Harris Teeter Pharmacy	1:3
03326	PT Ratio Change	08-Dec-22	Carroll Pharmacy	1:4
12112	PT Ratio Change	08-Dec-22	Johnston Health Outpatient Pharmacy	1:4
08005	PT Ratio Change	08-Dec-22	Wal-Mart Pharmacy #10-1288	1:5
07946	PT Ratio Change	09-Dec-22	Wal-Mart Pharmacy #10-1464	1:5
09475	PT Ratio Change	13-Dec-22	Quality Care Pharmacy	1:3
12280	PT Ratio Change	21-Dec-22	Walgreens #02700	1:5
13381	PT Ratio Change	13-Jan-23	Ingles Pharmacy #114	1:4
09364	PT Ratio Change	13-Jan-23	CVS/pharmacy	1:4
13543	PT Ratio Change	13-Jan-23	Walgreens #17240	1:5
13847	PT Ratio Change	13-Jan-23	Genoa Healthcare, LLC	1:3
14156	PT Ratio Change	13-Jan-23	Option Care	1:4

On a motion from Ms. Corbin, seconded by Dr. Sain, the Board unanimously approved the consent agenda. Previously Dr. Vance recused himself from Robinhood Family Pharmacy case and Dr. Bowman recused himself from Jerry Haynes case. Mr. Campbell asked that public record reflect that each Board member recused themselves from cases over which they had presided as pre-hearing officer. President Nelson authorized Mr. Campbell to sign later orders on his behalf.

On a motion from Dr. Bowman, seconded by Ms. Corbin, passed unanimously, the Board moved into closed session to discuss possible summary suspensions and attorney-client communication involving Robertson vs. North Carolina Board of Pharmacy.

When open session resumed on a motion from Dr. Bowman, seconded by Ms. Corbin with no dissenting votes, President Nelson stated that the Board summarily suspended Technician Registration No. 35869 issued to Juan Enrique Castellano.

In the matter of Robertson vs. North Carolina Board of Pharmacy, Dr. Sain moved to accept the consent order, Dr. Bowman seconded, with no dissenting votes.

Dr. Bowman moved to adjourn. Dr. Duggins seconded. The motion passed with no dissenting votes.

Wallace Nelson, President

Dr. Andy Bowman

Mischelle Corbin

Dr. Ashley Duggins

Dr. Chris Sain

Dr. Keith Vance