

President Robert (Joey) McLaughlin, Jr. called the meeting to order at 9:06 am with Board Members Betty Dennis, Wallace Nelson, and Stan Haywood present. Also present were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Financial and Administrative Service Director Gail Brantley, Director of Licensing Debbie Stump, IT Manager Thomas Buedel, Financial and Human Resources Analyst Rhonda Jones, Director of Investigations Karen Matthew and Director of Operations Kristin Moore. Present as visitors were: Heidi Barefoot, Target Pharmacy; Cindy Sugg, NCPRN; Mary Christine Parks, NCPRN; Christine Davis, Cardinal Health NPS; Gene Minton, Drugco Discount Pharmacy; Lazelle Marks, Medical Center Pharmacy; Lisa Collums, Kerr Drug; Tom Readling, Mutual Drug; R. Wes Haynes, UNC/SOP intern; Stephen Fu, UNC/SOP intern; Lori Setzer, CVS; Tom Edwards, Wingate SOP; David Moody, Walgreens; David Catalano, Walgreens; Daniel Ward, Rite Aid; Justin Boyd, UNC SOP; John A Fratamico, CVS; George Chapman, Walmart; Tim Koch, Walmart; Micky Price, CVS; Samy S Elsherbini, Walgreens; Gloria Johnson, CVS; Rick Paderick, CSC; David Anthony, Durham Police Depart.; John Barch, Harris-Teeter; Jivan Moaodeb, GSK/UNC SOP; Gray Stewart, GlaxoSmithKline; Danny Seavers, Kerr Drug; Daven Twedell, CVS; Rebecca Fire, CVS; Joseph Ponzi, BrooksPierce; Kevin Almond, UNC SOP; Steve Caiola, UNC SOP; Anit (Andrew) Patel, Bi-Lo; Ken Moore, Bi-Lo; Tony Mitchum, Walmart; Chris Abernathy, UNS SOP; Kim Fordham, UNC SOP; Lori Keyser, Omnicare, Inc.; Betsy Ramsey, CVS; Shannon Reed, CVS; Briony W. Voorhees, Kerr Drug; John Kessler, Second Story Health; Andy Bowman, Campbell COP; and Robert Rawls, Physicians Pharmacy Alliance.

Ethics Statement & Welcome

President McLaughlin read the Ethics Statement regarding any conflicts of interest and/or appearances of conflicts of interest of any Board member. It was noted that Ms. Chater would abstain from RPh. Asa Pickens disciplinary hearing. There were no conflicts noted by any other Board member.

President McLaughlin welcomed all visitors to the meeting.

Minutes of the February 16, 2010 Board Meetings

The members received the February 16, 2010 meeting minutes prior to this meeting for review. It was moved by Mr. Haywood and seconded by Dr. Dennis to accept the Minutes as submitted. The motion passed with no dissenting votes.

Professional Standards in Pharmacy – Bob Blouin, Dean UNC Eschelmann School of Pharmacy

Dean Blouin shared with the Board his perspectives on pharmacy standards of care, particularly as the perception of those standards impacts health care policy makers. Dean Blouin expressed his concern that absent the profession identifying – and raising- standards of care so as to demonstrate the “value add” that pharmacist bring to patient care, the profession may be bypassed or its role significantly reduced in these times of economic challenges in health care costs. Dean Blouin urged the Board to be mindful of these concerns as it makes policy.

Dr. Chesson arrived at the meeting at 9:30am.

Mrs. Chater arrived at the meeting at 9:40am.

Disciplinary Hearing – RPh. Asa Pickens, license # 05790

RPh. Asa Pickens, license #05790, appeared before the Board in consideration of a disciplinary matter. Board attorney Clint Pinyan proceeded with the case and stated that Mrs. Chater would abstain from the hearing. Mr. Pinyan stated that Mr. Pickens had committed three violations of the pharmacy practice act for pleading guilty to felonies that involved controlled substances; obtaining his pharmacist license by misrepresentation; and making false representation of his criminal history and employment history.

After presentation of evidence and testimony, the Board moved into closed session to deliberate the matter on a motion from Dr. Chesson, seconded by Dr. Dennis with no dissenting votes. The Board moved into open session on a motion from Dr. Chesson, seconded by Dr. Dennis with no dissenting votes. Mr. McLaughlin stated that on a motion from Mr. Nelson, seconded by Dr. Chesson with no dissenting votes, the Board revoked Mr. Pickens pharmacist license.

A copy of the Final Order can be found elsewhere in the Minutes and are incorporated by reference herein.

Disciplinary Hearing – RPh. Tiana Witcher, license #11664

RPh. Tiana Witcher, license #11664, appeared before the Board in consideration of a disciplinary matter. Board attorney, Joey Ponzi, proceeded with the case and stated that Ms. Witcher had voluntarily entered into a contract with the Pharmacy Recovery Network (PRN) for alcohol abuse after she was admitted to North Carolina Baptist Hospital for an overdose of alcohol. Mr. Ponzi stated that Ms. Witcher has not complied with her PRN contract. Ms. Witcher has been diagnosed with alcohol and substance dependence. She was terminated from the PRN program in January 2010.

After presentation of evidence and testimony, Mr. Ponzi stated that Mr. Witcher's is a danger to the health and safety of the public and requested that the Board suspend Ms. Witcher's pharmacist license. The Board moved into closed session to deliberate the matter on a motion from Dr. Dennis, seconded by Dr. Chesson with no dissenting votes. Open session resumed on a motion from Mr. Haywood, seconded by Dr. Chesson with no dissenting votes. Mr. McLaughlin stated that on a motion by Mrs. Chater, seconded by Dr. Chesson with no dissenting votes the Board would continue the matter until the April 2010 Board meeting. The Board also requested that Ms. Witcher bring personal testimony from her care team to the April meeting and share the letter she presented to the Board from her urologist with PRN staff before the April meeting.

Open Mike

Kevin Almond, UNC Eschelmann School of Pharmacy, updated the Board on enrollment and other issues at the School. He also updated the Board on the proposed new School of Pharmacy at UNC Greensboro.

Andy Bowman, Campbell College of Pharmacy and Health Science, updated the Board on enrollment and other issues at the College. Mr. Bowman also stated that Campbell received their six year accreditation from ACPE in the fall of 2009.

The Board adjourned for lunch at 1:45pm and resumed open session at 2:15pm.

Consideration of Reciprocity Candidate – RPh. Sammy Shaker Elsherbini

Mr. Sammy Shaker Elsherbini appeared before the Board in consideration of his reciprocity application. Mr. Campbell proceeded with the case and stated that Mr. Elsherbini submitted his NABP reciprocity questionnaire to Board staff in November 2008. Mr. Elsherbini answer “no” to the question two of the NABP questionnaire that asked if he had been disciplined by another Board of Pharmacy when in fact he received discipline and paid fines to the New Jersey Board of Pharmacy for inspection violations. Mr. Elsherbini, duly sworn, testified that he thought the discipline was for the permit and not pertaining to his license.

After presentation of evidence and testimony, the Board moved into closed session to deliberate the matter on a motion from Dr. Dennis, seconded by Dr. Chesson with no dissenting votes. The Board resumed open session on a motion from Dr. Chesson, seconded by Dr. Dennis with no dissenting votes. Mr. McLaughlin stated that on a motion for Mr. Haywood, seconded by Mr. Nelson with no dissenting votes, the Board would deny Mr. Elsherbini request to reciprocate his license and he cannot resubmit his application for one year.

Discussion of Technician:Pharmacist Ratio Issues

The Board invited pharmacists concerned with technician: pharmacist ratio issues to bring those before the Board. Pharmacists Rebecca Fire, Jim Pagan and NC Board of Pharmacy Executive Director Emeritus David Work spoke before the Board concerning technician to pharmacist ratio issues.

Review of Board Policy Statement

Mr. Campbell recommended that the Board have a periodic review of Board policies. Mr. Campbell presented the current Board policies to the Board for their review and consideration at the April 2010 Board meeting.

Alternative Dates for Pharmacy Leaders’ Forum

Mr. Campbell stated the he and Dr. Dennis had reviewed alternative dates for the Pharmacy Leaders’ Forum and determined the best times are late April or late September. It was the consensus of the Board to hold the forum the last Friday in September 2010.

Board and DME Election Updates

Mr. Campbell stated that RPh. Andy Bowman and RPh. Jennifer Askew have petitioned the Board to run against Mr. McLaughlin for Southeastern District Board seat. Mr. Campbell stated

there will be a change to the voting process this year allowing pharmacist to vote by logging into the Board website.

Karen Matthew updated the Board on the DME election to be held June 2010. DME suppliers will also be able to log on to the Board website to cast their votes.

Ms. Matthew also read a letter from James Bowman, State Bureau Investigation, commending Inspector Melissa Cummings for her work in assisting the SBI in recovering a child who had been abducted by her father.

Financial Report

Gail Brantley, Financial and Administrative Service Director, presented the February 2010 financial statistics to the Board

Consent Agenda

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

Consent Agenda

Consent Order

RPh. Karen McKissick, license #14265, was subject of a prehearing conference had March 8, 2010, heard by Rebecca Chater, regarding reinstatement of her pharmacist license.

Recommendation: **Reinstatement of McKissick's license** with conditions.

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

Reciprocity Candidates

Candidates Licensed by Reciprocity 3/17/2010					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
David	Allen	Bryant		CT	3/17/2010
Christopher	Michael	Bryson		SC	3/17/2010
Michael	Anthony	Carbone		NY	3/17/2010
Reginald	Allan	Carey		OR	3/17/2010
Anthony	Kenneth	DeFilippis		NJ	3/17/2010
Pamela	Teasley	Dobbins		GA	3/17/2010
Marc	Gerald	Dulac		MA	3/17/2010
Heather	Marie	Franzoy		NM	3/17/2010

Candidates Licensed by Reciprocity 3/17/2010					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Jacquelyn	Kay	Harkey		OK	3/17/2010
Lynn	Evenden	Judson		CO	3/17/2010
Tricia	Elizabeth	Klug		IL	3/17/2010
Megan	Elizabeth	Konstant		SC	3/17/2010
Kumar		Maharaj		NY	3/17/2010
Jennifer	Taylor	Massey		AR	3/17/2010
Carleton	Brantley	Maxwell		TN	3/17/2010
Kevin	Patrick	McGrath		PA	3/17/2010
Joseph	Edward	Moore		MA	3/17/2010
Bhavisha		Patel		IL	3/17/2010
Satyam		Patel		IA	3/17/2010
Trang	Nikki	Pham		SC	3/17/2010
Preetal	Mahendra	Raja		MO	3/17/2010
Diane	Marie	Schaller		OH	3/17/2010
David	James	Schneider		OR	3/17/2010
James		Woznicki		IL	3/17/2010
Zdenek		Zapletal		FL	3/17/2010
Dustin	G.	Zeigler		OH	3/17/2010

Increase in Pharmacists to Technician Ratio

- 1) Rite Aid Monroe NC Permit # 09714 Donald G Cameron RPh App. 1/21/2010
- 2) Rite Aid Rock Mount NC Permit # 09752 Stephen Daniel Ward RPh App. 1/21/2010
- 3) CVS Pharmacy Wilmington NC Permit # 06817 Dale Autry RPh App. 1/21/2010
- 4) Rite Aid Monroe NC Permit # 09715 Peter Barbera RPh App. 1/21/2010
- 5) CVS Pharmacy Raleigh NC Permit # 06752 Brad Johnson App. 1/21/2010
- 6) CVS Pharmacy Fayetteville NC Permit # 06627 Rita Mashburn RPh App. 1/21/2010
- 7) Rite Aid Garner NC Permit # 09650 Nagakishore Edupuganti RPh App. 1/21/2010
- 8) CVS Pharmacy Rolesville NC Permit # 06763 Hong Huynh Rph App. 1/21/2010
- 9) Rite Aid Fayetteville NC Permit # 09644 Ryan Hancher RPh App. 1/21/2010
- 10) CVS Pharmacy Morrisville NC Permit # 09463 Lavanya Desair RPh App. 1/21/2010
- 11) Rite Aid Fayetteville NC Permit # 09645 Lisa Baker RPh App. 1/21/2010
- 12) CVS Pharmacy Jacksonville NC Permit # 06687 Frank Hawkins RPh App. 1/21/2010
- 13) Rite Aid Charlotte NC Permit # 09607 Michael Rea RPh App. 1/21/2010
- 14) Rite Aid Laurinburg NC Permit # 09704 Marc J Christiansen RPh App. 2/3/2010
- 15) CVS Pharmacy Raleigh NC Permit # 10417 Heather S Payne RPh App. 2/3/2010
- 16) Walgreens Charlotte NC Permit # 09925 Phillip Truong RPh App. 2/3/2010
- 17) Rite Aid Hickory NC Permit # 09681 Edward Taylor RPh App. 2/3/2010

- 18) Rite Aid Charlotte NC Permit # 09609 Mark Sheppard RPh App. 2/3/2010
- 19) Rite Aid Charlotte NC Permit # 09606 Diane Ficarro RPh App. 2/3/2010

Closed Session

On a motion from Mr. Nelson, seconded by Dr. Dennis with no dissenting votes, the Board moved into closed session to discuss a possible summary suspension.

When open session resumed on a motion from Dr. Dennis, seconded by Dr. Chesson with no dissenting votes, technician Donna Williams, registration #26041, was summarily suspended. There being no further business, on a motion from Dr. Dennis, seconded by Mrs. Chater with no dissenting votes, the meeting adjourned at 3:45 p.m.

Robert J. McLaughlin, Jr., President

Betty Dennis., Vice President

Wallace E. Nelson

J. Parker Chesson, Jr.

Stan Haywood

Rebecca W. Chater