

President Gene Minton called the meeting to order at 9:00 am with Board Members Dr. Parker Chesson, Carol Yates Day, Robert J. McLaughlin, Lazelle Marks, and Bill Mixon present. Also present were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Director of Investigations Karen Matthew, Director of Operations Kristin Moore, Financial and Administrative Services Director Gail Brantley, Licensing Specialist Wendy Watson, Licensing Specialist Wanda Andrews, and Director of Licensing Deborah Stump. Present as visitors were: Cindy Clark, NCPRN; Valanda Nelson, NCPRN; Tom Readling, NC Mutual; David Catalano, Walgreens; Lisa Collums, Kerr Drug; Rich DeBenedetto, Walgreens; Stephanie Bullock, Pharmacia; Christine Davis, Cardinal Health; David Moody, Mutual Drugs; Brenda Shaffer, Quarles & Brady; Fred Eckel; Wallace Nelson, Vidant Chowan Hospital; Shannon Paul, Campbell/Walgreens; James Satterfield, Walgreens; Danielle Hartley, Kerr Drug; RPh. Scott Savage; RPh. Shane Miller; RPh. Lisa LaFollette; and Bevonnie Smith, Campbell University COPHS Student.

Ethics Statement & Welcome

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

Minutes of the February 2013 and March 11, 2013 Board Meetings

The members received the February 19, 2013 and March 11, 2013 meeting minutes prior to this meeting for review. It was moved by Mr. Mixon and seconded by Dr. Chesson to accept the Minutes as submitted. The motion passed with no dissenting votes.

Request for Modification of Reinstatement Order – RPh. Scott Savage, License #16486

RPh. Scott W. Savage, license #16486, appeared before the Board to request modification of his September 2008 Reinstatement Order. He petitioned to lift the restrictions on serving as pharmacist manager, serving as preceptor, and obtaining prior approval of employment by Board's Executive Director. Cindy Clark, NCPRN, duly sworn, stated that NCPRN supports his request for modification of his order.

After presentation of evidence and testimony, on a motion from Mr. McLaughlin, seconded by Dr. Chesson with no dissenting votes, the Board moved to lift the restrictions as requested.

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

Request for Modification of Reinstatement Order – RPh. Jerome Turchin, License #10421

RPh. Jerome Turchin, license #10421, was scheduled for a hearing to consider his request for modification of his 2005 reinstatement order. Mr. Turchin was not present at the meeting. It was the consensus of the Board to continue the hearing until the April 2013 Board meeting.

Petition for Action on Licensure Application – Glenn Paul Shields

Glenn Paul Shields graduated from Wingate University School of Pharmacy in 2010. On his application for pharmacist licensure he disclosed that he was convicted of multiple DUI's between 1999 and 2009. Board staff recommended that Mr. Shields contact the NC Pharmacist Recovery Network (NCPRN) for a substance abuse evaluation. After evaluation at a facility in Georgia, he was given an alcohol abuse diagnosis and began an outpatient program with NCPRN. Cindy Clark, NCPRN, duly sworn, testified that NCPRN supports Mr. Shields' licensure as a pharmacist with appropriate conditions.

After presentation of evidence and testimony, on motion from Mr. McLaughlin, seconded by Dr. Chesson with no dissenting votes, the Board moved into closed session to deliberate the matter. Open session resumed on a motion from Mr. McLaughlin, seconded by Mr. Marks with no dissenting votes. Mr. Mixon stated that on a motion from Mr. Mixon, seconded by Dr. Chesson with no dissenting votes, the Board moved that Mr. Shields is eligible for licensure with the Board. If he successfully completes the licensure process, his license will be subject to conditions as specified in an accompanying Board order.

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

Request for Reinstatement of License – RPh. Lisa LaFollette, License #12980

RPh. Lisa Bullard LaFollette, license #12980, appeared before the Board to petition for reinstatement of her pharmacist license. Ms. LaFollette voluntarily surrendered her license October 11, 2011 after diverting controlled substances for personal use. She entered into treatment and monitoring agreement with NCPRN. Ms. LaFollette, duly sworn, testified on her substance abuse and recovery progress. Cindy Clark, NCPRN, duly sworn, testified the NCPRN advocates for reinstatement her license to practice pharmacy with appropriate conditions.

After presentation of evidence and testimony, on a motion from Dr. Chesson, seconded by Mr. Mixon with no dissenting votes, the Board moved into close session to deliberate the matter. On a motion from Mr. McLaughlin, seconded by Mr. Mixon with no dissenting votes the Board resumed open session. Mr. Minton stated that on a motion from Ms. Day, seconded by Mr. Mixon with no dissenting votes, the Board reinstated Ms. LaFollette's pharmacist license with conditions.

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

The Board recessed for a break at 10:30am and resumed open session at 10:45am.

Petition for Action on Application to Reciprocate a License to Practice Pharmacy – RPh. Michael Shane Miller

RPh. Michael Shane Miller appeared before the Board concerning his application to reciprocate a Virginia license to practice pharmacy. Mr. Miller first applied to reciprocate his Virginia pharmacist license to North Carolina in 2011. On his reciprocity application he disclosed that he had been disciplined by the Virginia Board of Pharmacy four times between 1998 and 2010. On September 20, 2011 the Board held a hearing in which his reciprocity application was denied.

Per his 2011 order, he could resubmit an application after one year. Mr. Miller resubmitted a reciprocity application in November 2012.

After presentation of evidence, the Board moved into close session to deliberate the matter on a motion Mrs. Day, seconded by Dr. Chesson with no dissenting votes. Open session resumed on a motion from Mr. McLaughlin, seconded by Dr. Chesson with no dissenting votes. Mr. Minton stated that on a motion from Dr. Chesson, seconded by Mr. Minton on a split vote, the Board would allow Mr. Miller to continue with the reciprocity process.

On a motion from Mr. McLaughlin, seconded Dr. Chesson with no dissenting votes, the Board moved into closed session to deliberate the conditions of licensure if Mr. Miller is able to complete the reciprocity process. On a motion from Mr. McLaughlin, seconded by Mr. Marks with no dissenting votes, the Board resumed open session. Mr. Minton stated that on a motion from Mr. Mixon, seconded by Mrs. Day with no dissenting votes, the Board set limitations on Mr. Miller's licensure which would not allow him to serve as pharmacist manager or preceptor for 48 months after receiving his license. He would also have to show written proof of satisfaction of continuing education requirements to Board staff for four consecutive renewal periods.

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

Reports to the Board

No one from the Schools of Pharmacy spoke during the Reports to the Board agenda session.

The Board recessed for lunch at noon and resumed open session at 1:00pm.

NABP Annual Meeting – Lester E. Hosto Distinguished Service Award

Mr. Minton stated that at the 2013 NABP Annual Meeting Executive Director Jay Campbell will receive the Lester E. Hosto Distinguished Service Award in recognition of individuals who contribute to public health. The Board congratulated Mr. Campbell on his accomplishment.

Request for Pharmacist:Technician Ration Increase , Alamance Regional Medical Center

Sandra Faucette, Alamance Regional Medical Center (ARMC), appeared before the Board to request an increase in the pharmacist:technician ratio for ARMC. Ms. Faucette stated that with the addition of technicians who are responsible for home medication history in the emergency department, there would be a brief period during evening hours where there would be a 1 to 5 pharmacist:technician ratio. After discussion, on a motion from Dr. Chesson, seconded by Mr. Mixon with no dissenting votes, the Board approved the increase request.

Report on Progress of the Pharmacy Compounding Working Group

The Compounding Working Group is moving forward with review of the current compounding regulations. The group hopes to present their recommendations to the Board at the April 2013 meeting.

Report on License/Permit/Registration Renewals for 2013

Director of Licensing Debbie Stump and Licensing Specialist Wendy Watson presented a report on the 2013 license/permit/registration renewals.

Discussion of Potential Amendments to 21 NCAC 46.2507, Administration of Vaccines by Pharmacists

There is a proposed bill circulating at the state legislature to increase pharmacist vaccination authority. The source of the draft bill is the North Carolina Retail Merchant Association (NCRMA).

After discussion, it was the consensus of the Board that Mr. Campbell contact the Medical and Nursing Boards for their views on the proposed draft bill.

Report on North Carolina General Assembly Actions That Could Impact Pharmacy

Executive Director Jay Campbell presented a PowerPoint presentation to the Board that detailed bills introduced to the state legislature that could impact pharmacy.

S.B.10 – Proposed elimination of obsolete Boards and reorganization of Boards and Commissions.

S.B. 33/H.B 167 – Proposes that Boards must consider certain criteria before denying licensure if candidate has criminal conviction.

S.B. 37/H.B. 166 – Proposes a study to evaluate structure, organization, and operation of independent licensing boards.

S.B 32 – Proposes periodic review and expiration of rules for licensing boards. Under the proposal unless rules are readopted and approved, a permanent rule would expire on December 31, 2018 for rules under Title 21.

S.B 20 – Proposes limited immunity for drug-related offenses to individuals reporting need for or requiring medical assistance for opioid overdose.

H.B. 29 – Would make it unlawful to possess pseudophedrine by persons previously charged with possession/manufacturing of methamphetamines.

H.B. 173 – Proposes revision of the Controlled Substance Reporting System (CSRS) to eliminate the exception for dispensing physicians. It would also exempt the requirement for reporting by veterinarians.

S.B. 206 – Proposes requiring prescribers to check CSRS for 12 months period prior to prescribing controlled substances to patients.

S.B. 286 – Would also propose requiring prescribers to check CSRS for 12 months period prior to prescribing controlled substances to patients. It would also impose criminal penalties for failure to check CSRS.

S.B. 253 – Propose giving direct access to CSRS to sheriff, sheriff deputies, and other law enforcement agencies.

The Board members directed Mr. Campbell to draft a letter to the sponsors of S.B. 206, 286, and 253 expressing Board concerns about the wisdom and practicality of the proposals.

The Board recessed for a break at 2:04pm and resumed open session at 2:25pm. Dr. Chesson left the meeting.

Hospital/LTC Working Group Recommendations Concerning Automated Dispensing Device Rules

Wallace Nelson and Cecil Davis, members of the Hospital/LTC Working Group, presented the working group's recommendation to consolidate the rules on automated dispensing devices. After discussion it was the consensus of the Board to take the matter under advisement and revisit it at the April 2013 meeting.

2013 NABP Annual Meeting – Travel Grant Designee

The NABP Annual meeting will be held May 18-21, 2013 in St. Louis, MO. NABP will provide a travel grant for a Board delegate. It was the consensus of the Board that Mr. Mixon will be the Board's official designee for the travel grant.

Planning and Consideration of Topics – 2013 Pharmacy Leaders' Forum, September 20, 2013

The Board will host the 2013 Pharmacy Leaders' Forum September 20, 2013 at the Proximity Hotel in Greensboro, NC. After discussion, it was the consensus of the Board that Gene Minton and Carol Day would work with Mary Parker, Mike Manokalis, and staff to plan the meeting.

Planning and Consideration of Topics – 2013 MALTAGON Meeting

The Board will host the 2013 MALTAGON Meeting in Asheville, NC, September 29th – October 2nd. Mr. Campbell reminded Board members to send their ideas on programming items for the meeting to staff.

Statement of Economic Interest Due to North Carolina Ethics Commission – April 15th, 2013

Mr. Campbell reminded Board members to submit their Statements of Economic Interest forms by April 15th, 2013.

CLEAR Board Member Training – North Carolina Board of Nursing, April 26, 2013

Council of Licensure, Enforcement and Regulation (CLEAR) will hold a regional meeting at the Nursing Board on April 26, 2013. CLEAR has programs geared toward serving members of

state Boards that includes programming on educational issues that transcend all licensing boards. Board members may contact staff for registration.

Financial Report

Gail Brantley, Financial and Administrative Services Director, presented the February 2013 financial statistics to the Board.

Financial and Performance Audit to be Conducted by Office of the State Auditor Beginning Monday, February 25th

Mr. Campbell stated that the audit being conducted by the State Auditors' office is going well. The Audit office is conducting a financial audit and a Chapter 93B compliance audit.

Investigative Statistics

Director of Investigations Karen Matthew presented the investigative report for March 2013.

Consent Agenda

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

Prehearing Conference

Consent Order

RPh. Lori Champion Melton, Registration #01622, was subject of a prehearing conference held March 18, 2013, heard by Dr. Chesson, regarding termination of summary suspension. Ms. Melton was summarily suspended by the Board on May 15, 2012 after being indicted by United States grand jury for felony counts related to obtaining controlled substances by misrepresentation, fraud and deception. The grand jury dismissed those charges January 23, 2013. Recommendation: Terminate summary suspension of registration.

On a motion from Mr. McLaughlin seconded by Mr. Mixon with no dissenting votes the Board approved the termination of the summary suspension.

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 3/20/2013					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST

Candidates Licensed by Reciprocity 3/20/2013					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Ashley	Michelle	Acosta		NJ	3/20/2013
Gintare		Adomaityte		IL	3/20/2013
Melanie	Brooke	Angles		TN	3/20/2013
Bart	Thomas	Babnew		FL	3/20/2013
Joseph	Charles	Blizzard		SC	3/20/2013
Claire	Marie	Bucklin		NY	3/20/2013
Jessica	Yax	Conley		NV	3/20/2013
John	Anthony	Cosmello		IN	3/20/2013
Julie	Diane	Criminger		SC	3/20/2013
Heather	Marie	Davis		FL	3/20/2013
Timothy	J.	Dorn		FL	3/20/2013
Jason	Paul	Drozda		NM	3/20/2013
Curtis	Edward	Ernst		NY	3/20/2013
Raymond		Fordjour		MD	3/20/2013
Richard	Douglas	Freese		NY	3/20/2013
Steven	Wesley	Gifford		AL	3/20/2013
Andrew	Mark	Gillum		FL	3/20/2013
Kady	Rae	Gonzalez		FL	3/20/2013
Jean	Ann	Graham		CT	3/20/2013
Saisatish	R.	Gunda		WA	3/20/2013
Elizabeth		Hernandez		FL	3/20/2013
Jennifer	Glidden	Hicks		GA	3/20/2013
Michael	Eric	Howe		SC	3/20/2013
Chad	Michael	Jantzi		PA	3/20/2013
Jimmy	Kyiwin	Kabir		FL	3/20/2013
Madhu	Bindu	Koneru		IL	3/20/2013
Sarah	Flowers	Lakian		SC	3/20/2013
Bernard	Ryan	Lee		NJ	3/20/2013
Nathan	Kipkurui	Magare		SC	3/20/2013
Joseph		Malczyn		NJ	3/20/2013
Angela	Que	Maldonado		WA	3/20/2013
Charles	Francis	Manning		FL	3/20/2013
Robert		Mikhail		NJ	3/20/2013
John	Mathew	Miles		MS	3/20/2013
Patricia	Lindsay Slappey	Moneyham		SC	3/20/2013
Nicholas	Charles	Nowak		IL	3/20/2013
Amy	Lynn	Orozco		MA	3/20/2013
Shilpa		Patel		MO	3/20/2013

Candidates Licensed by Reciprocity 3/20/2013					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Eric	Jacque	Pendarvis		TX	3/20/2013
Robert	J.	Plitnick		PA	3/20/2013
William	Hunter	Renfro		FL	3/20/2013
Treavor	Tristian	Riley		LA	3/20/2013
Christina	Marie	Smith		IN	3/20/2013
Vipul	Jagdishchandra	Soni		IN	3/20/2013
James	Robert	Stanley		IL	3/20/2013
Renee	Nicole	Summerson		VA	3/20/2013
Matthew	J.	Talbot		NY	3/20/2013
Divya	Mary	Thomas		TX	3/20/2013
Veneta	P.	Tsonev		IL	3/20/2013
Clinton	Thomas	Tucker		GA	3/20/2013
Jennifer	Long	Vaughn		TN	3/20/2013
Anushya		Velayuthan		NY	3/20/2013
Lisa	Kay	Williams		AL	3/20/2013
Margaret		Zyra		PA	3/20/2013

CPP Candidates

RPh. LeAnne Kennedy, License #12185
 RPh. David Paul Gibbs, License #14501

Increase in Pharmacist to Technician Ratio

- 1.) Target Pharmacy - Mooresville, Permit # 08218, Zachary Cenfetelli RPh, App. 2/25/2013
- 2.) Long's Drugs of Charlotte # 1- Charlotte, Permit # 11101, Mary James Pace Miller RPh, App. 3/4/2013
- 3.) Walmart Pharmacy - Mayodan, Permit # 09218, Maureen Burns RPh, App. 3/12/2013
- 4.) Community Pharmacy - Lenoir, Permit # 10655, Sarah S Thompson RPh, App. 3/12/2013

There being no further business, the meeting adjourned at 3:25pm.

Gene Minton, President

E. Lazelle Marks, Vice-President

J. Parker Chesson, Jr.

Robert J. McLaughlin, Jr

Carol Yates Day

William A. Mixon