

President Gene Minton called the meeting to order at 9:00 am with Board Members Carol Yates Day, Robert J. McLaughlin, Dr. Parker Chesson and Bill Mixon present. Board Member Lazell Marks was absent from the meeting. Also present were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Associate Executive Director Ellen Vick, Director of Investigations Josh Kohler, Director of Operations Kristin Moore, Director of Licensing Deborah Stump, and Financial Administrative Services Director Gail Brantley. Present as visitors were: Christine Davis, Cardinal Health; Cindy Clark, NCPRN; Valanda Nelson, NCPRN; Tom Readling, Mutual Drug; David Catalano, Walgreens; Heidi Barefoot, Target; Lisa Collums, Kerr Drug; David Moody, Mutual Drug; Allison Hoyle, Intern; Rani Seedhom, CVS; Soni Lama, Walgreens; Sam Hiatt, CVS; Johnathan Oven, Intern; RPh. Rick McKinney; Dottie McKinney; Tom West, Poyner Spruill, LLP; M. Jillian Decamp, Poyner Spruill, LLP; Thomas Jones, Cone Health; RPh. Celeste Snidow; Jagruit Herron, Prime Therapeutics; Jay Goss, UNC; Anna Graham, Pharmacy Student; Leslie Wilson, NCBOP; and Wanda Andrews, NCBOP.

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 March Meeting

The members received the March 18, 2014 minutes prior to this meeting for review. It was moved by Mr. McLaughlin and seconded by Dr. Chesson to accept the minutes as submitted. The motion passed with no dissenting votes.

Petition for Modification of Order Reinstating License – Celeste Snidow, License #09506

RPh. Celeste Snidow, license #09506, appeared before the Board to request modification of her January 16, 2010 Order Reinstating License. She requested that the Board lift the restriction on obtaining prior approval of employment from the Board's Executive Director and not serving as a preceptor. She also requested that the Board modify condition seven (7) of her reinstatement order to state that during her NCPRN contract she shall not serve as pharmacist manager unless approved by NCPRN and the Board's Executive Director. Once she completes her NCPRN contract, she must obtain approval to serve as a pharmacist manager by the Board's Executive Director. Cindy Clark, duly sworn, stated that NCPRN supports the requested modifications. Mr. Campbell stated that staff does not object to lifting the restrictions.

After presentation of evidence and testimony, on a motion from Mr. Mixon, seconded by Dr. Chesson with no dissenting votes, the Board moved to grant the requested modifications.

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

Disciplinary Hearing – Richard S. McKinney, License #06370

Mr. Richard S. McKinney, License #06370, appeared before the Board per notice of disciplinary hearing and to request reinstatement of his license. Mr. McKinney was pharmacist manager of

PSC's pharmacy in Greensboro, NC beginning in November 2003. Mr. McKinney voluntarily surrendered his pharmacist license December 9, 2009 after allegations, later admitted, of diversion of prescription medication. The diversion was discovered during an investigation by the SBI and the Board of Pharmacy about a complaint that PSC pharmacy was using no-charge medication for Patient Assistance Program (PAP) to fill prescription medication for paying customers. Mr. McKinney admitted to filling prescription for paying customers from the PAP inventory.

The Board adjourned for a break at 10:15am and resumed open session at 10:30am. The Board allowed the Reports to the Board agenda item to be heard and adjourned for lunch before continuing with Mr. McKinney's Hearing.

Reports to the Board

Mike James updated the Board on various legislative issues.

The Board adjourned for lunch at 11:45am and resumed open session at 12:45pm.

Continuation of Disciplinary Hearing – Richard S. McKinney, License #06370

After presentation of evidence and testimony, on a motion from Mr. Mixon, seconded by Mrs. Day 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 Dr. Chesson with no dissenting votes. Mr. Minton stated that on a motion from Mr. McLaughlin, seconded by Dr. Chesson with no dissenting votes, the Board would grant reinstatement of Mr. McKinney's pharmacist license with conditions. A copy of the Order Reinstating License can be found elsewhere in the Minutes and is incorporated by reference herein.

Recognition of Retirement – Wanda Andrews, Technician Specialist

Mr. Campbell stated that Wanda Andrews, Technician Specialist, is retiring from the Board after twenty-one years of dedicated service. The Board members congratulated her on her retirement and thanked her for her service to the Board. Ms. Andrews thanked the Board members and Mr. Campbell.

New Employees – Licensing and Investigations/Inspections

Mr. Campbell introduced new employee Leslie Wilson to the Board. Ms. Wilson will be working in the licensing and operations department.

Mr. Campbell also introduced new investigator/inspectors Melinda Smith and Olivia Cuthrell. Ms. Smith will be covering the mid-eastern part of the state while Ms. Cuthrell is covering the northeastern part of the state. Mr. Campbell stated that the Board has also hired Nathan Smoots, who could not attend the Board meeting. Mr. Smoots is covering the southeastern part of the state. The Board members welcomed the new employees.

Renewal Statistics for Permits, Licenses, and Registrations

Debbie Stump, Director of Licensing and Wendy Watson, Permitting Specialist, updated the Board on the 2014 renewal season.

Update on DME Subcommittee Election

Mr. Campbell stated the Election for the Central and Northeastern Boards' seats is currently underway. Voting will last through May 14, 2014.

The election for the DME Subcommittee Medical Supplier Representative currently held by Mr. Bill Griffin will run June 1st through June 31st. Anyone serving as a person-in-charge of a permitted DME facility by March 15th is permitted to vote. The nomination period ended April 1, 2014. There was only one petition submitted, Mr. Doug Tonucci, EMSI, Charlotte, NC. Mr. Griffin is not running for re-election.

Mr. Campbell stated that Mel Elliot, Sub-committee member representing Rehab Technician Supplier, sold his DME business and is no longer qualified to serve as a sub-committee member. He resigned his seat on March 28th 2014. At the April 2nd, 2014 Sub-committee meeting, it was the consensus of the Committee to reconvene on May 8, 2014 to appoint a new Rehab Technician Supplier representative. NCBOP staff placed an announcement on the Board website to request suggestions from the public for the appointment.

Pharmacy Leaders' Forum Planning

The Pharmacy Leaders' Forum will be held on October 3rd, 2014. Mr. Campbell suggested that a planning committee be formed with one or two representatives from the Board, one or two representatives from NCAP, and one representative from each of the pharmacy schools. It was the consensus of the Board that Mrs. Day and Mr. Mixon serve on the Pharmacy Leaders' Forum Planning Committee. Mr. Campbell will contact NCAP and each of the schools about delegating someone to serve on the committee.

Financial Report

Gail Brantley, Financial and Administrative Services Director, presented the March 2014 financial statistics to the Board.

Investigations Department Report

Mr. Campbell presented the April 2014 investigative report.

Consent Agenda

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

Prehearing Conference

Consent Order

RPh. Charity White, License #17724, was subject of a prehearing conference held February 17, 2014, heard by Ms. Day, regarding allegations that Ms. White did not serve her active 7 day suspension from the September 17, 2013 Consent Order pursuant to the terms of that order. Recommendation: 30 Day active Suspension.

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

Increase in Pharmacists to Technician Ratio

1. CVS Pharmacy- Emerald Isle, Permit # 10818, Melvin N. Barnhill RPh App. 3/19/2014
2. Walmart Pharmacy- Cary, Permit # 07944, Tracy Guidera RPh App. 3/19/2014
3. The Medicine Shoppe- Bladenboro, Permit # 04410, Rebecca Hester RPh App. 3/19/2014
4. CVS Pharmacy-New Bern, Permit # 10806, Ernest Lee Walker RPh App. 3/19/2014
5. Kerr Drug- Richlands, Permit # 11728, Charles N Chesnutt Jr. RPh App. 3/19/2014
6. Walmart Pharmacy- Garner, Permit # 10318, Justin D Fought RPh App. 3/19/2014
7. The Prescription Pad of Burnsville- Burnsville, Permit # 11004, Matthew D Raines RPh App. 3/19/2014
8. CVS Pharmacy- Mooresville, Permit # 10726, Amanda Oates RPh App. 3/19/2014
9. Walgreens Pharmacy- Raleigh, Permit # 11721, Mark F Sanders RPh App. 3/19/2014
10. Kerr Drug- Raleigh, Permit # 11720, Donald Lee Gabig RPh App. 3/19/2014
11. Walgreens Pharmacy- Franklin, Permit # 11703, Melissa M Bell RPh App. 3/27/2014
12. Walgreens Pharmacy- Rockingham, Permit # 10315, Cynthia Ann Fetzner RPh App. 3/27/2014
13. CVS Pharmacy- Benson, Permit # 09325, Jeremy Stultz RPh App. 3/27/2014
14. CVS Pharmacy-Winston-Salem, Permit # 10876, Thomas Edwards RPh App. 3/27/2014
15. Holly Park Pharmacy- Raleigh, Permit # 11305, Evan Paynic RPh App. 3/27/2014
16. Walgreens Pharmacy- High Point, Permit # 11303, Sam Forrester RPh App. 3/27/2014
17. CVS Pharmacy- Mooresville, Permit # 10727, Lindsey Robinson RPh App. 3/27/2014
18. Walgreens Pharmacy- Morrisville, Permit # 09992, Travis Logue RPh App. 3/27/2014
19. Walgreens Pharmacy- High Point, Permit # 07920, Migdalia Rodriguez RPh App. 4/7/2014
20. Walgreens Pharmacy- Monroe, Permit # 10373, Scott Romesburg RPh App. 4/7/2014
21. O'Neal's Drug Store of Newport- Newport, Permit # 09405, Kelli Selfe RPh App. 4/7/2014
22. Walgreens Pharmacy- Mt. Airy, Permit #09813, Scott D. Baird RPh, App. 4/7/2014

CPP Applicants

RPh. Kimberly Hodulik – License #15443

RPh. Meredith Keisler – License #22419

There being no further business, the meeting adjourned at 2:46pm.

Gene Minton, President

E. Lazelle Marks, Vice-President

J. Parker Chesson, Jr.

Robert J. McLaughlin, Jr

Carol Yates Day

William A. Mixon