

President Robert (Joey) McLaughlin, Jr. called the meeting to order at 9:03 am with Board Members Betty Dennis, Rebecca Chater, Gene Minton, and E. Lazelle Marks present. Also present were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Financial and Administrative Service Director Gail Brantley, Director of Licensing Debbie Stump, Licensing Specialist Wanda Andrews, 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; Lisa Collums, Kerr Drug; Tom Readling, Mutual Drug; Lori Setzer, CVS; David Catalano, Walgreens; Gray Stewart, GlaxoSmithKline; Tony Mitchum, Walmart; Brenda Maloney, Quarles & Brady, LLP; Michael Nnadi, Novant Health; Beth Williams, WFUBMC; Ashley Brown, Realo/CU COP; RPh. Richard Lambert; Samuel Testerman; Spencer Davis, GSK- student; Brittney Louis, UNC SOP; Nicole Snow, UNC SOP; Karen Hammond, CVS; Michele Mozingo; Dot Mozingo; David Mozingo; Ray Mozingo; Amanda Giggard, Campbell COPHS; Ginger Price, Campbell COPHS; Rod Presnell, Medco Health; Wallace Nelson, Chowan Hospital; Aimee Bennington; Penny Shelton, Campbell Univ.; Kara Loth, WFUBMC; Leigh Anderson, WFUBMC; Abbie Williamson, WakeMed; Lindsey Koliscak, WFUBMC; Kristin Griffin, WFUBMC; Jennifer Noped, WFUBMC; Stephen Eckel, UNC Hospitals; Julie Kennerly, UNC SOP; Steve Dedrick, UNC ESOP; Kim Leadon, UNC ESOP; David Moody, Mutual Drug; Susan Kalantar, UNC SOP; May S. LiShih, UNC SOP; Stacie Mason; and Rowell Daniels, UNC Hospitals.

#### 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. There were no conflicts noted by any Board member.

President McLaughlin welcomed all visitors to the meeting and asked that they introduce themselves to the Board members and state their pharmacy affiliation.

#### Minutes of the April 20, 2010 Board Meetings

The members received the April 20, 2010 meeting minutes prior to this meeting for review. It was moved by Dr. Dennis and seconded by Mrs. Chater to accept the Minutes as submitted. The motion passed with no dissenting votes.

#### Board Election Results

Executive Director Jay Campbell reported the election results for the Southeastern District election. The election results were as follows:

<u>Candidates</u>	<u>Vote Percentage</u>
Jennifer P. Askew	28.7%
J. Andrew Bowman (Andy)	29.5%
Robert J. McLaughlin (Joey)	41.7%
None	0.1%

Mr. Robert J. McLaughlin (Joey) received more than 40% of the votes cast and was deemed the winner of the election.

#### Discussion of Patient Counseling Issues

Mr. Campbell presented a patient counseling discussion draft for target drugs requested by the Board at the April 20, 2010 Board meeting.

Dr. Chesson arrived at the meeting at 9:29 am.

After discussion from the Board and speakers, it was the consensus of the Board to create a Task Force to study the discussion draft and review a study from ISMP (Institute for Safe Medication Practice) concerning targeted counseling due out in the spring of 2011. The Board also requested that staff add patient counseling to the topics for the September 2010 Pharmacy Leaders' Forum.

#### Consideration of Reciprocity Candidate – RPh. Richard Lambert

RPh. Richard Lambert appeared before the Board in consideration of his reciprocity application. Mr. Campbell proceeded with the case and stated that Mr. Lambert had answered “no” on his NC Board of Pharmacy reciprocity questionnaire concerning whether he had ever been disciplined by another Board of pharmacy when in fact, he was disciplined by the California Board of Pharmacy for a dispensing error and required to pay a \$250 fine. Mr. Lambert answered “no” to the same question on the NABP reciprocity questionnaire but corrected the answer when he was informed by NABP of the discipline from California and immediately contacted staff about his error. Mr. Lambert, duly sworn, apologized to the Board for the misunderstanding and stated that he was disciplined by the California Board for a minor error which he had forgotten it.

After presentation of evidence and testimony, on a motion from Dr. Dennis, seconded Dr. Chesson with no dissenting votes, the Board moved into closed session to deliberate the matter. Open session resumed on a motion from Dr. Dennis, seconded by Mrs. Chater, with no dissenting votes. Mr. McLaughlin stated that on a motion from Mr. Minton, seconded by Dr. Chesson with no dissenting votes, the Board would deny Mr. Lambert reciprocity application for 3 months and he would not be able to continue with reciprocity procedure until August 1, 2010.

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

#### Consideration of Exam Candidate – David Brian Mozingo

David Brian Mozingo appeared before the Board in consideration of his exam application. Mr. Campbell proceeded with the case and stated that Mr. Mozingo was a 2009 graduate of Campbell University College of Pharmacy. Mr. Mozingo was charged with DUI in May 2007. The charges were dismissed but Mr. Mozingo does admit that he was driving while impaired. Mr. Mozingo was charged again with DUI in August 2009 and pleaded guilty. He received a 60 day suspended jail sentence and 12 months of probation. Mr. Mozingo, duly sworn, testified that he

voluntarily submitted himself for substance abuse evaluation with First Step Services, Raleigh NC. His assessment results showed a need for alcohol education. Mr. Mozingo contacted the Pharmacy Recovery Network (PRN) which recommended the Pavillion Treatment Center where he was diagnosed with alcohol abuse with several risk factors for alcohol dependence. Mr. Mozingo signed a monitoring program with PRN in November 2009. Executive Director of NCPRN Mary Christine Parks, duly sworn, testified on Mr. Mozingo progress with PRN and had no objection to Mr. Mozingo exam application and licensure with conditions. Mr. Campbell stated that staff had no objection with Mr. Mozingo's licensure with conditions including limited work hours, not working as pharmacist manager or preceptor, and compliance with his PRN contract.

After presentation of evidence and testimony, on a motion from Dr. Dennis, seconded by Mrs. Chater with no dissenting votes, the Board moved into closed session to deliberate the matter. The Board resumed open session on a motion from Dr. Chesson, seconded by Mr. Minton with no dissenting votes. Mr. McLaughlin stated that on a motion from Mrs. Chater, seconded by Dr. Chesson with no dissenting votes, the Board would allow Mr. Mozingo to continue with the licensure processes with conditions of licensure including compliance with his PRN contract, not working as a pharmacist manager for one year after licensure and working no more than 40 hours per week.

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

#### Consideration of License Reinstatement Request – RPh. Dana Mullis, license #19217

RPh. Dana Mullis, license #19217, appeared before the Board to request reinstatement of her pharmacist license. Ms. Mullis voluntarily surrendered her license in June 2008 for creating false prescription for controlled substances for herself and her boyfriend. Ms. Mullis pleaded guilty to larceny for the diversion. PRN Executive Director Mary Christine Parks, duly sworn, testified on Ms. Mullis's recovery and did not have objections to reinstatement with conditions.

After presentation of evidence and testimony, the Board moved into closed session to deliberate the matter on a motion from Dr. Dennis, seconded by Mrs. Chater with no dissenting votes. The Board resumed open session on a motion from Dr. Chesson, seconded by Mr. Minton with no dissenting votes. Mr. McLaughlin stated that on a motion from Dr. Dennis, seconded by Mr. Minton with no dissenting votes, the Board would reinstate Ms. Mullis's pharmacist license with conditions including compliance with her PRN contract, prior approval of employment by Board Executive Director, not working as pharmacist manager or preceptor, and not working more than 30 hours per week without approval of PRN.

#### Open Mike

No one appeared to speak during Open Mike session.

#### Technician Certification Examination Issues

Mr. Campbell presented a request from the National Community Pharmacist Association that the Board recognize the National Technician Certification Exam (ExCPT) as an alternative to the Pharmacy Technician Certification Board (PTCB) exam for technician certification. After discussion, it was the consensus of the Board that there is no need at this time to recognize multiple pharmacy technician certification examinations.

#### Appointment of Board Representative to DME Committee

It was the consensus of the Board that Mr. McLaughlin and Dr. Dennis would continue as Board representatives to the DME Subcommittee.

#### DME Election Update

Director of Investigations Karen Matthew updated the Board on the DME election to be held June 2010.

#### Investigative Statistics

Karen Matthew presented the investigative statistics for April 2010.

#### Appointment of CPP Joint Subcommittee Members; Scheduling Meeting

It was the consensus of the Board that Mr. McLaughlin, Dr. Dennis, Mrs. Chater and Mr. Minton would represent the Board on the CPP Joint Subcommittee. The Board also requested that Mr. Campbell arrange, with the Medical Board, the next CPP Joint Subcommittee meeting for July 20, 2010, at the Board office.

#### Board Retreat & September 2010 Pharmacy Leaders' Forum

Board members agreed to hold the next Board Retreat on Thursday, September 23, 2010, the day before the September Leaders' Forum, at the Proximity Hotel. Mr. Campbell also requested that Board members send staff a list of attendees for the September Leaders' Forum by the June 2010 Board meeting.

#### Board Officer Election

On a motion from Mr. McLaughlin, seconded by Dr. Dennis, with no dissenting votes, the Board elected Mrs. Rebecca Chater as President for the upcoming Board term. On a motion from Mr. McLaughlin, seconded by Mrs. Chater, with no dissenting votes, the Board elected Dr. Betty Dennis as Vice- President for the upcoming Board term

The Board adjourned for lunch at 12:00 pm and resumed open session at 1:00pm.

#### CE Credit for Precepting – Andy Bowman and Penny Shelton

Andy Bowman and Penny Shelton, Campbell University College of Pharmacy, appeared before the Board to request a change in continuing education credits for preceptors. Current Board

policy for preceptors through the Board of pharmacy allows 5 hours of CE for instructing students for 400 hours. A pharmacy preceptor approved by a NC Pharmacy School may receive 1 Live hour per 40 hour week of supervision with a maximum of 5 Live hours. If they have been a preceptor for 1 student they will receive 4 Live hours. If they have been a preceptor for multiple students they will receive 5 Live hours. Mr. Bowman and Ms. Shelton proposed simplifying the requirement to 5 hours of CE for instructing a student for 160 hours. It was the consensus of the Board to allow 5 contact hours of CE to a preceptor who instructs a student for a minimum 160 hours effective January 1, 2010.

#### Rulemaking Feedback form NC Rules Review Commission

Mr. Campbell updated the Board on current rules changes. The Drug Donation Rule was approved by the Rules Review Commission (RRC) with a few technical changes and should be effective June 1, 2010. The Advance Technician Rule met with opposition from the RRC staff because they felt the Board lack statutory authority to require an associated degree for advance technician registration. After discussion, it was the consensus of the Board not to drop the associate degree requirement. Mr. Campbell and Mr. Pinyan will meet with the RRC on Thursday, May 20, 2010, to relay the Board's position on the matter.

#### Financial Report

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

#### Consent Agenda

Following a review of the consent agenda, it was moved by Mr. Minton, 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

##### Staff Issues Letters of No Action

RPh. Paul Chu, license #08074, RPh. Carolyn Suzette Hudleston, license #13652, RPh. Orven R. Phipps, license #07484 and Wayne Memorial Hospital Inc., permit #04556 were subjects of a prehearing conference held April 19, 2010, heard by Dr. Dennis, regarding allegations of a dispensing error caused by a ICU nurse miscalculating the dosing of Acetadote in an infusion pump. Recommendation: **Staff Issues Letters of No Action.**

##### Staff Issues Letters of Warning and No Action

RPh. Katie M. Watts, license #10510, and RPh. Amy Renee Monds, license #19031, were subjects of a prehearing conference held April 19, 2010, heard by Dr. Dennis, regarding allegations of dispensing medication with incorrect directions. Recommendation: **Staff Issues a Letter of Warning with condition of completing four hours of CE course on**

**pediatric issues before November 1, 2010 for RPh. Watts and Staff Issues Letter of No Action to RPh. Monds.**

**Staff Issues Letters of Warning and No Action**

RPh. Andrew Barlow, license #16330, and Carolinas Medical Center – Northeast Pharmacy, permit #09823, were subjects of a prehearing conference held April 19, 2010, heard by Dr. Dennis, regarding allegations of an emergency room RN transcribing the dosage of Phenobarbital incorrectly and RPh. Barlow filling the dosage at a fivefold increase than the regular dosing regimen. Recommendation: **Staff Issue a Letter of Warning to RPh. Barlow and Staff Issue Letter of No Action to permit.**

**Staff Issues Letter of Concern**

RPh. Deloris Jackson McLeod, license #10600, was subject of a prehearing conference held April 19, 2010, heard by Dr. Dennis, regarding allegations that RPh. McLeod was terminated from Wal-mart Pharmacy for ingesting a non-controlled substance from pharmacy stock. RPh. McLeod admitted taking on 4 to 5 occasions “advancements” of her blood pressure medication. Recommendation: **Staff Issue Letter of Concern to RPh. McLeod.**

**Staff Issues Letter of Caution and Warning**

RPh. Adekemi Adeyemi, license #14332, and Rite Aid Pharmacy, permit #09661, were subject of a prehearing conference held April 19, 2010, heard by Dr. Dennis, regarding allegations of a dispensing error and having possibly 2 inactive technicians working August 28, 2008. Recommendation: **Staff Issue Letter of Caution to RPh. Adeyemi with condition to complete error reduction course by November 1, 2010 and Staff Issue Letter of Warning to permit.**

**CPP Applicants**

RPh. Aimee Faso, license #20010

**Reciprocity Candidates**

<b>Candidates Licensed by Reciprocity 5/19/2010</b>					
<b>FNAME</b>	<b>MNAME</b>	<b>LNAME</b>	<b>SUFFIX</b>	<b>RCPSTATE</b>	<b>DTREGIST</b>
Khaled	Hamdi Darwish	Moustafa		DE	5/19/2010
Ashley	Chapman	Ary		GA	5/19/2010
Syam	Sundar Reddy	Bandi		NH	5/19/2010
Alicia	Joan	Burger		TN	5/19/2010
Vibhuti	Conractor	Carmichael		SC	5/19/2010
Julie	Marie	Cosmello		FL	5/19/2010
Vinay	Kumar Reddy	Dasari		MD	5/19/2010
Keith	John	Ealy		PA	5/19/2010

<b>Candidates Licensed by Reciprocity 5/19/2010</b>					
<b>FNAME</b>	<b>MNAME</b>	<b>LNAME</b>	<b>SUFFIX</b>	<b>RCPSTATE</b>	<b>DTREGIST</b>
Amgad		El-Gendy		MI	5/19/2010
Maria	Hixson	Engle		MI	5/19/2010
Pamela	Rose	Evans		WI	5/19/2010
Suzanne	M.	Flockhart		OH	5/19/2010
Talia	Bernadette	Gilrain		PA	5/19/2010
Shannon	G.	Gooden		OH	5/19/2010
Tamara	Nicole Dawkins	Hill		OH	5/19/2010
Chelsea	Leigh	Hunter		CO	5/19/2010
Jasmine	Latrish	Jennings		PA	5/19/2010
Jessica	Victoria	Jonas		FL	5/19/2010
Sabrina	Marie	Kuiken		PA	5/19/2010
Andrea	Bacher	Kuzminski		OK	5/19/2010
Robert	Edward	Levy		GA	5/19/2010
Dharmeshkumar		Patel		TX	5/19/2010
Rina	R.	Patel		OH	5/19/2010
Rushikesh	Kirit Pranjivan	Patel		PA	5/19/2010
Swapna		Pillai		IL	5/19/2010
Heather	Marie	Schultz		PA	5/19/2010
Colin	Ian	Sheffield		AZ	5/19/2010
Melea	Anne	Ward		KY	5/19/2010
Lindsay	Haskins	Ware		MS	5/19/2010
Conroy	St. Christopher	Whitely		GA	5/19/2010
Gregory	Micahel	Wilson		AZ	5/19/2010
Jon	William	Woodward		OK	5/19/2010
Zhiying		Yang		IL	5/19/2010

### **Increase in Pharmacist to Technician Ratio**

- 1.) CVS Permit # 06769 Salisbury, NC David Eller RPh App. 4/12/2010
- 2.) CVS Permit # 06601 Denver, NC Daniel Flors RPh App. 4/12/2010
- 3.) CVS Permit # 10441 Charlotte, NC Richard Miller RPh App. 4/12/2010
- 4.) Walgreens Permit # 09119 Concord, NC Dana Rollen RPh App. 4/12/2010
- 5.) CVS Permit # 06586 Charlotte, NC Zahra Sharif RPh App. 4/12/2010
- 6.) CVS Permit # 06722 Indian Trail, NC Bryce Fox RPh App. 4/12/2010
- 7.) Walgreens Permit # 10098 Shelby, NC Katherine Hill RPh App. 4/26/2010
- 8.) Rite Aid Permit # 09786 Wilmington, NC David Adams Jr., RPh App. 4/26/2010
- 9.) Walgreens Permit # 09538 Dallas, NC Eric R Cornell RPh App. 4/26/2010
- 10.) Walgreens Permit # 09513 Advance, NC Roxanne Yankee RPh App. 4/28/2010
- 11.) Kroger Permit # 06266 Garner, NC Paul Blake Cook RPh App. 4/28/2010
- 12.) Rite Aid Permit # 09677 Henderson, NC Elizabeth Jo Simmons RPh App. 4/28/2010

- 13.)CVS Permit # 10438 Oak Ridge, NC Kimberly R Yates RPh App. 4/28/2010
- 14.)CVS Permit # 06787 Statesville, NC Iris B Poston RPh App. 4/28/2010
- 15.)Rite Aid Permit # 09706 Lenoir, NC Dawn Frailly RPh App. 4/28/2010
- 16.)CVS Permit 06617 Elkin, NC Kimberly S Somers RPh App. 5/5/2010
- 17.)Wal-Mart Permit # 07994 Murphy, NC Rebekah Thompson RPh App. 5/5/2010
- 18.)Rite Aid Permit # 09577 Canton, NC Christine Antone RPh App. 5/5/2010
- 19.)CVS Permit # 10434 Waxhaw, NC Ryan Petronis RPh App. 5/5/2010
- 20.)CVS Permit # 10427 Hickory, NC Anna Parmenter RPh App.5/5/2010
- 21.)CVS Permit # 06765 Rutherford College, NC Timothy Brennan RPh App. 5/5/2010
- 22.)CVS Permit # 06734 Morganton NC John Martino RPh 5/5/2010
- 23.)Tyro Family Pharmacy Permit # 10308 Lexington, NC Russell Patterson RPh 5/5/2010
- 24.)CVS Permit # 07323 Raleigh, NC Cuong Hicks RPh App. 5/5/2010

On a motion from Dr. Dennis, seconded by Mrs. Chater with no dissenting votes, the Board moved into closed session to discuss a possible summary suspension of two technicians. When open session resumed on a motion from Dr. Dennis, seconded by Dr. Chesson with no dissenting votes, technicians Julie Annette Myers, registration #05676, and Michelle Annette Picket, registration #25718 were 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 1:52 p.m.

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Rebecca W. Chater, President

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Betty Dennis., Vice President

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Gene Minton

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J. Parker Chesson, Jr.

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Lazelle Marks

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Robert J. McLaughlin, Jr.