

President Gene Minton called the meeting to order at 9:00 am with Board Members Bill Mixon, Stan Haywood, Keith Vance, Robert Graves, and Andy Bowman present. Also present were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Associate Executive Director Ellen Vick, Director of Investigations Josh Kohler, Associate Director of Investigations Krystal Stefanyk, Director of Licensing Debbie Stump, and Director of Operations Kristin Moore. Present as visitors were: Joey McLaughlin, Realo Drugs; Jessica Holleman, Realo Drug/UNC-ESOP; Heather Johnson, Realo /CUCPHS; Alexis Nanni, Realo/UNC-ESOP; Lauren Hothem, Realo/UNC-ESOP; Laura Cates, Kroger Pharmacy; Natalie Jefferies, NC DMA OCPI; Rich Palombo, Express Scripts; Lisa Legette, Express Scripts; Juan Razo, Realo/UNC-ESOP; Abu Azad, Realo/UNC-ESOP; Lauren Pikna, Publix; Kyle Smith, CPHS; Brooke Morgan, CU CPHS; Justin Veeder GSK/UNC-ESOP; Kristen Wines, GSK/UNC-ESOP; Amber Miller, GSK/UNC-ESOP; Robert Kustra, GSK; Mary Pat Bulfin, UNC-ESOP and Ronnie Willard, Wal-Mart.

Ethics Statement & Welcome

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

Consideration of Minutes of the April 2017 Meeting Minutes

The members received the April 18, 2017 meeting minutes prior to this meeting for review. It was moved by Mr. Bowman, seconded by Mr. Mixon, to approve the minutes as presented. The motion passed with no dissenting votes.

In Memoriam: David R. Work, Executive Director Emeritus

David R. Work, who served as the Board's Executive Director from 1976 to 2006, passed away on Saturday, April 22, 2017. Board Members and staff expressed their condolences to his family and friends.

After discussion, it was the consensus of the Board to form a committee to look into ways to honor Mr. Work's service to the Board and the citizens of North Carolina. The members of the committee were chosen during the annual Election of Officers and Appointment of Committee agenda item.

Welcome to New Board Member Keith Vance

In May 2016, Mr. Keith Vance was elected to the Northern District Board seat previously held by Mrs. Day. This meeting was the first official meeting for Mr. Vance. The Board members welcomed him to the Board.

Recognition of Second Term for Board Member Bill Mixon

In 2016, Mr. Mixon won re-election for the Western District Board seat. Mr. Campbell congratulated him on the start of his second term as Board member.

Update on Pharmacist Use of Board-Sponsored Controlled Substance Reporting System Training CE - Patrick Brown, Mutual Drug

At the June 16, 2015 Board meeting, Board members approved funding for a Controlled Substance Reporting System on-line continuing education program for pharmacists. The program is a joint effort between the UNC Eshelman School of Pharmacy and the Board and is available to pharmacists at no cost.

Patrick Brown, UNC Eshelman School of Pharmacy/Mutual Drug, presented the results of a survey of participants in the education program.

Potential Sponsorship of Controlled Substance Continuing Education Course

On June 27, Joe Rannazzisi – formerly the chief policy officer at the Drug Enforcement Administration – will be speaking at an opioid conference in Raleigh. He offered to present a continuing education course for pharmacists, focusing on topics like corresponding responsibility and productive strategies that pharmacists can employ to positively impact opioid abuse without jeopardizing legitimate patient care.

After discussion, on a motion from Dr. Bowman, seconded by Mr. Haywood with no dissenting votes, the Board approved appropriation of \$5000 to conduct a two-hour continuing education course at the Friday Center on June 26, 2017. The course would be conducted by Mr. Rannazzisi and would be available to in-person attendees and via remote access. There would be no cost to participating pharmacists.

Potential Development of Public Education Program Addressing Opioid Abuse/Misuse in North Carolina

Board members discuss ways that the Board could address opioid abuse in North Carolina.

After discussion, it was the consensus of the Board to form a committee to look for ways to combat opioid abuse. The members of the committee were chosen during the annual Election of Officers and Appointment of Committee agenda item.

Updated Request from Secretary of State – Online Drug Purchase Education Campaign

The Secretary of State has contacted Board staff to request that the Board designate a representative to participate in their Advisory Council. After discussion, it was the consensus of the Board that Mr. Campbell would participate as the Board's designee.

Potential Development of USP <800> Training For North Carolina Pharmacists

On July 1, 2018, USP <800> regulating hazardous drug handling will go into effect. Board members discussed developing programming to assist pharmacists in complying with USP <800>.

After discussion, it was consensus of the Board to develop a working group to create educational information documents to assist pharmacist in USP <800> hazardous drug compounding compliance.

Revised Guidance to Pharmacists on Sale of Hemp-Derived Products

At the March 2017 Board meeting, the Board authorized staff to publish a guidance document to North Carolina pharmacies concerning the stocking and sale of cannabidiol preparations.

Since that guidance was published, the North Carolina Industrial Hemp Commission passed rules, which caused a statutory definition of “industrial hemp” to spring into effect. With the introduction of an “industrial hemp” (and associated products) definition, Board staff presented an updated guidance document for the Board’s consideration.

After discussion, it was the consensus of the Board to approve the updated document as presented and direct its publication.

The Board adjourned for a break at 10:01am and resumed open session at 10:20am.

Legislative Update

S.8 Military Personnel and Occupational Licensing Boards

This bill reduces costs to individuals with military training and to military spouses who seek a license from an occupational licensing board in North Carolina. It would waive fees for initial licensure and mandate issuance of temporary practice permits for qualifying individuals.

The bill passed the Senate unanimously on March 15, 2017. It was reported favorably from the House Committee on Homeland Security, Military, and Veterans Affairs on March 21. It presently sits in the House Finance Committee.

S.175/H.243, Strengthen Opioid Misuse Prevention (STOP) Act

This bill is a mixture of various provisions intended to improve North Carolina’s response to the opioid abuse public health crisis. A new version of the bill passed the House on April 10, 2017. It remains in the Senate Committee on Rules and Operations.

S.104, Require Criminal Background Check/Pharmacist Licensure

This bill is the Board’s request for authority to use third-party vendors to conduct on-line criminal background check for license applicants. It passed the House on April

25, 2017. It presently sits in the House Committee on Rules, Calendar, and Operations

S.196, Veterinary Practice Omnibus

This bill clarifies horseshoeing by farriers is not the practice of veterinary medicine. It also orders the Veterinary Division of the Department of Agriculture and Consumer Services to study veterinary pharmaceutical compounding. The Division is instructed to “consult” with the Board of Pharmacy and the Veterinary Medical Board. The Division would report any findings and recommendations to JLAPO Committee in March 2018. The bill passed the House on April 25, 2017 and sits in the House Committee on Rules, Calendar, and Operations

S.464/H.701 OLB Oversight

S.464 was identical to previous H.142 bill. It did not receive a vote prior to crossover. The substance of S.464 was brought into H.701. H.701 now includes the H.142/S.464 occupational licensing boards oversight changes concerning filing of required reports, training of Board members, clarified authority and procedure to enjoin unlicensed activity, and procedures for resolving jurisdictional disputes with other boards. H.701 also provides that occupational licensing boards may only employ summary suspensions authority if the Board has passed rules governing its hearing. It passed the House on April 26, 2017 and sits in the Senate Committee on Rules and Operations.

S.407, Employee Misclassification Reform

This bill would require “every State occupational licensing board” to include on all applications for license, permit, or certification that the applicant certify that he/she/it has read and understands a public statement about the appropriate classification of employees for tax purposes and disclosure of any investigations for employee misclassification. Failure to certify or disclose would require denial of the application. The bill passed the Senate on April 27, 2017 and sits in the House Committee on Rules, Calendar, and Operations.

S.524, Department of Revenue Registration Act

This bill would require, among others, all occupational licensing boards to “file a registration statement with the Secretary [of the Department of Revenue].” The bill did not emerge from the Senate Rules Committee prior to crossover.

H.689, Occupational Licensing Turnaround Time

This bill would direct the Program Evaluation Division to “study the average length of time between the deadline to apply for licensure and the granting of licensure to qualified applicants.” The bill did not emerge from the House Committee on Regulatory Reform prior to crossover.

Approval of Periodic Rule Review Report

North Carolina law requires each agency to undertake a periodic review of each of the rules that it has passed. At the January 2017 Board meeting, members selected Mr. Minton and Mr. Haywood to supervise Board staff in initial classification of all Board rules as "unnecessary", "necessary without substantive public interest", or "necessary with substantive public interest".

At the February 2017 Board meeting, Board counsel Clint Pinyan presented a list of rules with classification reviewed by Mr. Haywood, Mr. Minton, and staff for publication. The Board accepted the initial classification and directed that it be published for comments.

Mr. Pinyan presented a report on the comments received from the initial classification publication. The Board of Pharmacy received comments from four commenters, commenting on four rules (or related series of rules). None of these comments called into question the Board’s categorization of its rules for the periodic review. Accordingly, Board counsel Pinyan recommended no change to change the characterization of any rule in the Periodic Rule Review Report.

After discussion, on a motion from Mr. Bowman, seconded by Mr. Mixon with no dissenting votes, the Board approved the report and response documents as presented and instructed Mr. Pinyan to submit them to the Rules Review Committee.

Rulemaking Update

Mr. Campbell stated that the election, e-Profile, and license amendments were approved by the Rules Review Committee and took effect May 1, 2017

Financial Report

Mr. Campbell presented the April 2017 financial report to the Board.

The Board owns a Lincoln Financial Group life insurance policy that covers the Executive Director. Lincoln Financial Group is requiring a resolution authorizing the Board President and/or other Board members to sign investment adjustment changes to the mix of investments that the premiums have purchased if needed or desired.

The authorization was given after the appointment of the Finance Committee during the annual Election of Officers and Appointment of Committee agenda item.

Investigations and Inspections Report

Joshua Kohler, Director of Investigations and Inspection, presented the May 2017 investigative report.

Annual Election of Officers and Appointment of Committees

On a motion from Mr. Haywood, seconded by Mr. Mixon with no dissenting votes, the Board elected Mr. Minton as Board President for 2017 – 2018.

Mr. Mixon nominated Dr. Bowman for Board Vice-President. Mr. Graves nominated Mr. Haywood for Board Vice-President. After discussion and on a 5 to 1 vote Mr. Haywood was elected as Vice-President.

After discussion, Mr. Minton appointed Mr. Graves and Dr. Bowman to the Budget and Finance Committee.

After discussion, Mr. Minton appointed Mr. Haywood and Mr. Mixon to the Telepharmacy Committee.

After discussion, Mr. Minton appointed Dr. Bowman, Mr. Haywood and Mr. Minton to the Committee to Honor Dr. Work.

After discussion, Mr. Minton appointed Mr. Vance and Mr. Haywood to the Opioid Abuse Committee.

After discussion, Mr. Minton appointed Mr. Minton and Mr. Vance to the DME Sub-Committee.

On a motion from Mr. Graves, seconded by Mr. Haywood, with no dissenting votes the Board approved the proposed resolution authorizing the Mr. Minton, Mr. Graves, and Dr. Bowman to sign investment adjustment changes to Lincoln Financial Group policy.

A copy of the Resolution can be found elsewhere in the minutes and is incorporated by reference herein.

Reminder of NABP Annual Meeting, May 20-23, 2017, Orlando, FL

Mr. Campbell reminded the Board that NABP will hold their annual meeting in Orlando, Florida, May 20 – 23, 2017.

Reminder of NABP District III Meeting, August 6-8, 2017, Louisville, KY

The 2017 NABP District III meeting will be held August 6-8, 2017 in Louisville, Kentucky, at the Seelbach Hotel. The registration for the meeting is scheduled to go out at the end of May 2017.

Board Retreat, September 2017

Mr. Campbell stated that the 2017 Board Retreat will be held in Pinehurst, NC. Mr. Campbell requested Board member send him any discussion items for the retreat to him.

Reports to the Board

No reports were presented.

Consent Agenda

Dr. Bowman recused himself from the Walgreens technician ratio matter.

It was moved by Mr. Mixon, seconded by Mr. Vance with no dissenting votes to approve the consent agenda items. The motion carried with no dissenting votes. The following items were approved.

Prehearing Conference

Consent Orders

Jeffrey Lee Gross, License #07947, was subject of a prehearing conference held May 15, 2017, heard by Dr. Bowman, regarding request for reinstatement after summary suspension of license on August 5, 2016. Recommendation: Reinstatement of license with condition including not serving as pharmacist manager for one year; after one year may serve as pharmacist manager if approved by NCPHP for duration of contract. Accepted by RPh. Gross 5/15/2017; Approved by Board 5/16/2017

Kyle D. Giczkowski, license #24940, was subject of a prehearing conference held May 15, 2017, heard by Dr. Bowman, regarding reinstatement of license after surrendering his license for diversion of controlled substance. Recommendation: Reinstatement of License with conditions including not serving as pharmacist manager unless approved by NCPHP. Accepted by RPh. Giczkowski 5/15/2017; Approved by Board 5/16/2017

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

CPP Candidates

- Jamie Lane Floyd, PharmD #22440, North Carolina Heart & Vascular - Wilson NC, North Carolina Heart & Vascular – Goldsboro NC

Reciprocity Candidates

Candidates License by Reciprocity 4/19/2017 – 5/16/2017					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Christopher	Allan	Arp		IA	4/19/2017
John	Dawson	Shipp		GA	4/19/2017
Kristen	CJ	Nowdomski		IL	4/19/2017
Sandy		Yu		NJ	4/26/2017
Oswaldo		Villarreal	Jr.	IL	4/26/2017
Grace	S.	Barker		SC	4/26/2017
Tracy	Snowdon	Muller		MA	4/26/2017
Laura	Ann	Schuppert		PA	4/26/2017
Tara	M.	Catterson-Brougham		TN	4/26/2017
Kellie	Amanda	Dunlap		SC	4/26/2017
Douglas	Mitchell	Davis		FL	5/3/2017
Phillip	Anthony	Lee		FL	5/3/2017
Robyne	Gale	Lorek		VA	5/3/2017
James	C.	Turley		TX	5/3/2017
Tuyen	Quang	Phan		TX	5/3/2017
Bhairavi		Youngblood		MD	5/10/2017
Ruhi	Hiten	Vasa		NY	5/10/2017
Anita	Louise	Upchurch		IN	5/10/2017
Thomas	Michael	Kuzma		NY	5/10/2017
Veenadhari		Gadepalli		AL	5/10/2017
Bijal	A.	Patel		NJ	5/10/2017
Elizabeth	Ruth	Abbot		VA	5/10/2017
Brian	Jeffrey	Jaffin		PA	5/10/2017
Richard	Wayne	McCormick		WV	5/10/2017
24					

Increase in Pharmacists to Technician Ratio

1. CVS Pharmacy Permit #12800, Jana Ackley/Pharmacist Manager, Apex NC
2. CVS Pharmacy Permit #10262, Ashley Spates/Pharmacist Manager, Holly Springs NC
3. CVS Pharmacy Permit #10772, Sean Sullivan/Pharmacist Manager, Reidsville NC
4. Governor's Pharmacy Permit #11194, Lydia Mikhaylants/Pharmacist Manager, Chapel Hill NC
5. Delhaize America Inc. – Food Lion Permit #08222, Cecil Raymond Burke III/Pharmacist Manager, La Grange, NC

6. Johnston Health Outpatient Pharmacy Permit #12112, Donna M. Dewberry/Pharmacist, Smithfield NC
7. Kroger Pharmacy Permit #06130, Jessica A. Evora/Pharmacist Manager, Raleigh NC
8. Person Street Pharmacy Permit #12035, Maresa Roney/Pharmacist Manager, Raleigh NC
9. Sam's Club Pharmacy Permit #07830, Lee Loftis/Pharmacist Manager, Winston Salem NC
10. Walgreens Co Permit 12309, Aaron Woodman/Pharmacist Manager, Creedmoor NC
11. Walgreens Permit #12231, Jeff Mumford/Pharmacist Manager, Huntersville NC

Closed Session

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

Open session resumed on a motion from Mr. Mixon, seconded by Mr. Vance with no dissenting votes. Mr. Minton stated that pharmacy permits Alvarez Pharmacy and Discount, Inc., permit #12667; Liberty for All Pharmacy 2, permit #12669; and Med Care Choice Pharmacy, permit #11994, were summarily suspended. Mr. Minton also stated that Technician Jerri Lynn Locklear, registration #31533, was summarily suspended.

The Board adjourned the meeting at 11:21am on a motion from Mr. Mixon, seconded by Mr. Graves with no dissenting votes.

Gene Minton, President

L. Stan Haywood, Vice-President

Dr. Andrew Bowman

William A. Mixon

Keith Vance

Robert A. Graves