

President Dr. Betty Dennis called the meeting to order at 9:07 am with Board Members Rebecca Chater, Dr. Parker Chesson, Robert J. McLaughlin, Jr., E. Lazelle Marks, and Gene Minton present. Also present were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Director of Investigation Karen Matthew, Director of Licensing Debbie Stump, Financial and Administrative Services Director Gail Brantley, and Director of Operations Kristin Moore. Present as visitors were: Cindy Clark, NCPRN; April Sloan, Target; Danny Seavers, Kerr Drug; Bill Mixon, NCBOP Board Member elect; Brenda Maloney, Quarles & Brady; Carol Day, NCBOP Board Member elect; David Catalano, Walgreens; Christine Davis, Cardinal Health; Tom Reading, Mutual Drug; Aaron Jeffers, NCBOP; Douglas London, Etowah Pharmacy; Julie London, Etowah Pharmacy; Shannon Postell, Johnson's Family Pharmacy; Andrew Patel, Bi-Lo; Karen Wilkerson; Bill Bristol, UNC ESOP; Katie Sandison, UNC ESOP; Mollie Sheron, UNC ESOP; Samuel Beavers, Campbell Univ. COP; Jamie Rickards, Campbell Univ. COP; Lindsey Green UNC ESOP/ Drugco; Janan Sarwar, UNC ESOP; Megan Smith, UNC ESOP; Aaron Carpenter, UNC ESOP; Elizabeth Pinyan; Rob Patchett, NCBOP Intern; Brian Roberts, Pipeline; Lisa Collums, Kerr Drug; and Tom Currin, NCBOP.

Ethics Statement & Welcome

President Dennis 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 Dennis welcomed all visitors to the meeting.

Minutes of the May 2011 Board Meetings

The members received the May 17, 2011 meeting minutes prior to this meeting for review. It was moved by Mr. Minton and seconded by Mr. McLaughlin to accept the Minutes as submitted. The motion passed with no dissenting votes.

Request for Modification of Board Order – RPh. Douglas London, License #14088

RPh. Douglas London, license #14088, appeared before the Board to request modification of his July 2010 reinstatement order. Executive Director Jay Campbell proceeded with the case and stated that Mr. London was reported to the Board by NC Pharmacist Recovery Network (PRN) after becoming non-compliant with his PRN contract by diverting gabapentin while performing administrative duties at his pharmacy. Mr. London voluntarily surrendered his license October 5, 2009. In July 2010, the Board reinstated Mr. London's license with conditions. Mr. London, duly sworn, updated the Board on his recovery progress and requested that the Board lift the restrictions on not serving as pharmacist manager or preceptor, not being present in the pharmacy alone, and not having access to pharmacy alarm codes. Cindy Clark, NCPRN, duly sworn, testified on Mr. London's recovery and stated that NCPRN supported the requested modifications.

After presentation of evidence and testimony, the Board moved into closed session to deliberate the matter on a motion from Mr. Minton, seconded by Mr. McLaughlin with no dissenting votes. Open session resumed on a motion from Mrs. Chater, seconded by Dr. Chesson with no

dissenting votes. Dr. Dennis stated that the Board would grant the requested modification on a motion from Mr. Minton, seconded by Mr. McLaughlin with no dissenting votes.

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

Legislative Update

Mr. Campbell updated the Board on current legislative issues pertaining to pharmacy.

Board Resolution Honoring Virginia Limbaugh Shigley

RPh. Virginia Limbaugh Callahan Shigley, license #03364, recently retired from pharmacy after sixty (60) years of practice in community, hospital, and public health setting. On a motion from Mrs. Chater, seconded by Dr. Chesson with no dissenting votes, the Board moved to adopt a resolution honoring RPh. Shigley and her service to the practice of pharmacy and the public health.

Request for Expanded Permit Application/Waiver from Pipeline Healthcare, Permit #11007

Brian Roberts, Pipeline Healthcare, permit #11007, presented a Rule .2510 waiver request to allow remote order entry by pharmacist from a personal residence. After discussion, it was the consensus of the Board that Mr. Roberts discuss the issue with the Hospital/Long Term Care Working Group.

Rulemaking Update – Amendment to 21 NCAC 46.2901

Clint Pinyan, Board attorney, updated the Board on amendment to 21 NCAC 46.2901 Return of Outdated drugs to exempt certain antidotes. Mr. Pinyan stated that the rule was approved by the Rules Review Commission (RRC) and will go into effect July 1, 2011.

Vaccine Administration/CPR Issues

The Board staff received an inquiry concerning the 21 N.C.A.C. 46.2507(d)(1), which is a part of the rule governing pharmacist administration of influenza, pneumococcal, and zoster vaccines. The rule states that a pharmacist who administers vaccines “shall . . . hold a current provider level [CPR] certification issued by the American Heart Association or the American Red Cross or equivalent.” Staff received an inquiry concerning a pharmacist who is certified to administer vaccines but because of a physical disability is unable to perform CPR and whether it would satisfy conditions of the rule to have a pharmacy staff member trained and available to perform CPR when the pharmacist is administering vaccinations. Mr. Campbell stated that he contacted the Medical Board, as requested by the members, for their input on the rule. The Medical Board is willing to look at a possible rule amendment to allow pharmacist who are unable to perform CPR due to disability to vaccinate.

After discussion, Mr. Minton made a motion to not address a rule change, seconded by Mr. Marks. The motion did not pass on a split vote. After further discussion, on a motion from Mrs. Chater, seconded by Dr. Chesson on a split vote, the Board moved to pursue negotiations

with the Medical Board on a possible rule change 21 NCAC 46 .2507 Administration of Vaccines by Pharmacist.

CPP Joint Subcommittee Meeting – Tuesday, July 19, 2011 Board of Pharmacy Office

Mr. Campbell reminded the Board that the CPP Joint Subcommittee would meet Tuesday, July 19, 2011, after the regular Board Meeting. Dr. Dennis, Mr. Minton, Mrs. Chater, and Mr. McLaughlin are members of the committee.

Financials

Gail Brantley, Financial and Administrative Services Director, presented the May 2011 financial statistics to the Board.

Investigative Statistics

Karen Matthew presented the investigative statistics for June 2011. Ms. Matthew also introduced the Board's new investigator Aaron Jeffers to the members.

Update on DME Subcommittee Election

Ms. Matthew stated that the DME Subcommittee Election is currently in progress. There is only one candidate for the seat.

Beth McConaghy Retirement

Mr. Campbell stated that Board receptionist Beth McConaghy has retired from her position. Mr. Campbell complimented Ms. McConaghy on her years of service and stated that staff would miss her. He also welcomed Nellie Jones as the new receptionist and stated that staff is looking forward to working with her.

Consent Agenda

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

Increase in Pharmacist to Technician Ratio

- 1.) CVS Pharmacy Matthews, Permit # 09272, Michael E Cauthen RPh, App. 5/13/2011
- 2.) Anderson Creek Pharmacy Spring Lake, Permit # 10928, Angela Fipps-White RPh, App. 5/13/2011
- 3.) CVS Pharmacy Matthews, Permit # 10770, James R. Kermes Jr. RPh, App. 5/13/2011
- 4.) Cape Fear Discount Drugs Fayetteville, Permit # 08373, LeRoy A. Hodges RPh, App. 5/13/2011
- 5.) Americare Pharmacy Consultants Fairview, Permit # 10370, Colvin Eugene Killian RPh, App. 5/13/2011
- 6.) Kerr Drug Roseboro, Permit # 06846, Lisa Bass Smith RPh, App. 5/13/2011
- 7.) Wal-Mart Pharmacy Durham, Permit # 07954, Tony Lee Mitchum RPh, App. 5/18/2011
- 8.) United Pharmacy Services Durham, Permit # 08790, Maureen Bennett RPh, App. 5/18/2011
- 9.) Wal-Mart Pharmacy Kitty Hawk, Permit # 07979, Janet Mahoney RPh, App. 5/18/2011

- 10.)CVS Pharmacy Cary, Permit # 09419, Keyur Patel RPh, App. 5/18/2011
- 11.)CVS Pharmacy Charlotte, Permit # 10950, Kumba Mayah RPh, App. 5/31/2011
- 12.)CVS Pharmacy Waxhaw, Permit # 10434, Ryan Petronis RPh, App. 5/31/2011
- 13.)CVS Pharmacy Charlotte, Permit # 10430, Adam Overgaard RPh, App. 5/31/2011
- 14.)CVS Pharmacy Charlotte, Permit # 09481, Joshua Wrona RPh, App. 5/31/2011
- 15.)Gordon Family Pharmacy Brevard, Permit # 10096, William J Gordon RPh, App. 5/31/2011
- 16.)CVS Pharmacy Greensboro, Permit # 10784, Stephen R. Furr RPh, App. 6/10/2011
- 17.)CVS Pharmacy Charlotte, Permit # 10798, Samuel C Maneen RPh, App. 6/10/2011

Open Mike

Fred Eckel, NCAP Executive Director, updated the Board on Senate Bill 246 concerning pharmacist vaccination authority.

Closed Session

On a motion from Dr. Chesson, seconded by Mr. McLaughlin with no dissenting votes, the Board moved into closed session to discuss a possible summary suspension. Open session resumed on a motion from Dr. Chesson, seconded by Mrs. Chater with no dissenting votes. Dr. Dennis stated that Technician Naureen Gerner Walker, registration #13029, was summarily suspended.

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

There being no further business, on a motion from Mr. Marks, seconded by Mr. McLaughlin with no dissenting votes, the meeting adjourned at 11:39 am.

Betty Dennis, President

Gene Minton., Vice President

Rebecca Chater

J. Parker Chesson, Jr.

E. Lazelle Marks

Robert J. McLaughlin, Jr.