

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, Director of Finance and Human Resources Rhonda Jones, Accounting Manager Krystal Smith, and Director of Operations Kristin Moore. Present as visitors were: Joey McLaughlin, Realo Drugs; Laura Cates, Kroger Pharmacy; Brent Slaughter, NC Mutual Drug; Tony Mitchum, Wal-mart; Charli Davis, Wal-mart; Carrie Kisch, Campbell Univ.; John Rocchio, CVS Health; Al Carter, CVS Health; John Kessler, Secondstory Health; Natalie Jefferies, and Christie Cutbush, NCBOP.

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 May 2017 Meeting Minutes

The members received the May 16, 2017 meeting minutes prior to this meeting for review. It was moved by Mr. Mixon, seconded by Mr. Graves, to approve the minutes as presented. The motion passed with no dissenting votes.

Revocation of Pharmacy Technician Registration Due to Non-Compliance with a Child Support Order – Cleveland Kimbrough, Registration # 46678

The Department of Health and Human Services, DHHS, contacted the Board concerning technician Cleveland Kimbrough, registration #46678, regarding alleged delinquency in his child support payments. Board staff sent a certified letter to Mr. Kimbrough stating that if he did not comply with his child support obligations the Board would revoke his technician registration May 16, 2017. Mr. Kimbrough, in telephone discussions, assured staff that he was in contact with DHHS and was working to become compliant with his child support order so staff did not schedule his revocation hearing for May. After subsequent discussion with DHHS staff and Mr. Kimbrough at the beginning of June, staff has not received notice that Mr. Kimbrough is compliant with his child support order.

After discussion, a motion from Mr. Haywood, seconded by Mr. Mixon with no dissenting votes, the Board moved to revoke Mr. Kimbrough's technician registration as required by NCGS § 110-142.

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

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. There had been no change since the May 2017 Board meeting. 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 Senate Health Committee on June 15th and was referred back to the Senate Rules.

After discussion, it was the consensus of the Board to direct staff to remind pharmacists to register for CSRS when Board staff sends out instructions for obtaining an NABP e-Profile number.

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 was referred to the House Judiciary I and voted out favorably on June 14th.

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 was withdrawn from House Rules on June 8th and referred to House Agriculture.

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. There has been no change since the May 2017 Board meeting.

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. There have been no changes to the bill since the May 2017 Board meeting.

Participation in National Association of Boards of Pharmacy Inspection Blueprint Program

At the November, March, and April Board meeting, the Board discussed the possibility of entering into an agreement with National Association of Board of Pharmacy (NABP) to participate in the VPP Blueprint Program.

There are certain requirements to participate in the program including inspecting high, low, and medium risk sterile compounding facilities that ship into other states every 18 months.

NABP has certified that the Board’s pharmacy inspection forms meet the quality and content required to participate in the program. Also, Board staff has studied the requirement of an 18 month inspection program for sterile compounding and has found that it will not create an undue burden on inspection personnel and resources.

After discussion, it was the consensus of the Board to discuss the matter at the Board Retreat to be held in September 2017.

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.

The Board approved appropriation of \$5000 to conduct a two-hour continuing education course at the Friday Center on June 26, 2017. So far 700 attendees have registered to attend via live streaming video, 110 to 120 will attend in person.

The Board adjourned for a break at 9:56am and returned to open session at 10:15am

Executive Director Jack "Jay" Campbell Elected Treasurer of the National Association of Boards of Pharmacy's 2017-2018 Executive Committee

Board Members congratulated Mr. Campbell on being elected as NABP Treasurer for 2017-2018 at the NABP Annual meeting held in May.

Report on Implementation of New Board Rule 21 NCAC 46.1615, e-Profile Numbers

Mr. Campbell updated the Board on implementation of new Board rule 21 NCAC 46.1615, e-Profile Numbers that will go into effect July 1st. Both pharmacists and technicians will be required to have an e-Profile number to renew their license/registration for 2018. Most pharmacists have NABP e-Profile for continuing education purposes. PTCB certified technicians also have e-Profile numbers assigned at certification. Instructions will be posted on the Board website and on the renewal application on how to obtain an e-Profile number for those licensees and registrants who do not yet have a number for renewal.

Mr. Campbell and Mrs. Stump have been working with NABP regarding pharmacy and DME facilities obtaining an e-Profile number. An NABP e-Profile log-on system for facilities has not been implemented to date. If it is not ready by September, then facilities will not be required to have an e-Profile number for the 2018 renewal.

Financial Report

Krystal Smith, Account Manager, presented the May 2017 financial report to the Board.

Investigations and Inspections Report

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

Update on Board Information Technology Upgrade

Thomas Buedel, IT Manager, updated the Board on the implementation of the new database upgrade. Mr. Buedel stated that the new database should be ready by mid-August 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 Board will host the 2018 NABP District III meeting and staff has been working on a venue for the meeting. The meeting will be held at the Renaissance Asheville Hotel, in downtown Asheville, NC.

Report from the NABP Annual Meeting, May 20-23, 2017, Orlando, FL

Mr. Campbell stated that NABP held their annual meeting in Orlando, Florida, May 20 – 23, 2017. All the Board members who were in attendance stated that the meeting went very well.

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.

Board Committee Reports

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

None

CPP Candidates

- Alaina Marie Borries, PharmD #19204, Union Family Practice, 1106 Reynolds Street Suite 100, Monroe NC 28112
- Hillary Lauren Buzby, PharmD #25125, Charlotte Medical Clinic, 1001 Blythe Blvd 5th Floor, Charlotte NC 28203
- Bryan Alexander Chudnow, PharmD #25226, Mecklenburg Medical Group, Southpark Internal Medicine, 4525 Cameron Valley Pkwy, Charlotte NC 28211
- Marguerite Lane Conger, PharmD #20318, Carmel Family Physicians, 10000 Park Cedar Drive, Charlotte NC 28210

- Jamie Rickards Cronquist, PharmD #22569, CarePartners PACE, 286 Overlook Road, Asheville NC 28803.
- Adriane Brackett Marino, PharmD #22484, Lincoln Family Practice, 447 McAlister Road Suite 2400, Lincolnton NC 28092
- Lillie Kelly Mattox, PharmD #24742, Mecklenburg Medical Group Steele Creek, 13640 Steelecroft Pkwy Suite 320, Charlotte NC 28278
- Allison Julia Rauch, PharmD #19206, Carbarrus Family Medicine – Harrisburg, 4315 Physicians Blvd #101, Harrisburg NC 28075
- Sheila Britt Reynolds, PharmD #13442, Carolina Internal Medicine, 200 Medical Park Drive Suite 300, Concord NC 28025
- Amanda Jean Ruble, PharmD #20541, Cabarrus Family Medicine – Harrisburg, 4315 Physicians Blvd #101, Harrisburg NC 28075
- Sarah Cox Weddle, PharmD 24098, University of North Carolina Family Medicine Center, 590 Manning Drive, Chapel Hill NC 27599

Reciprocity Candidates

Candidates License by Reciprocity 5/17/2017 – 6/20/2017					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Sally	L.	Crowley		SC	5/24/2017
Alan	Raymond	Beers		FL	5/24/2017
MaryBeth		Welch		NY	5/24/2017
Tyler	Benjamin	Chanas		VA	5/24/2017
Stephanie	F.	Weisberg		GA	5/24/2017
Ashley	Marie	Oliver		FL	5/24/2017
Tanika	Chante	Green		VA	5/24/2017
Amanda	Sue	Cass		KY	5/24/2017
Shiyi		Geng		TX	5/24/2017
Katherine	F.	Monahan		PA	5/24/2017
Susan	Gegorek	Shughrue		CA	5/24/2017
Shawn	Michael	Amrhein		NY	5/24/2017
Michelle	Lee	Rager		MD	6/7/2017
Erika	Michelle	Giblin		FL	6/7/2017
Alanna	DeAnne	Causebrook		MN	6/7/2017
David		Yang		SC	6/7/2017
Cheryl	Felicia	Key		MD	6/7/2017
Christine	Marie	Filiau		MA	6/7/2017
Erica		Konopka		CA	6/7/2017
Fernando	Luis	Garcia		FL	6/7/2017

Candidates License by Reciprocity 5/17/2017 – 6/20/2017					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Natalie	Jane	Ring		OH	6/7/2017
Joseph	Charles	Vallone		SC	6/7/2017
Emily	Ann	Long		WA	6/7/2017
Ijeoma	O.	Agbara		MD	6/7/2017
Maria	Temilola	Adejoro		TX	6/14/2017
Yaneya	Armas	Hall		FL	6/14/2017
Mallory	Anne	Hipsher		OH	6/14/2017
Jeffrey	Stuart	Pearlroth		NY	6/14/2017
Armin		Zulic		MO	6/14/2017
Saif		Husain		GA	6/14/2017
Kaltra		Xhafaj		PA	6/14/2017
Sudheer	Kumar	Mantena		NH	6/14/2017
Joseph	Michael	Davis		NY	6/14/2017
Jennifer	Chen	Zhao		PA	6/14/2017
Victoria	Janelle	Matthews		PA	6/14/2017
Whitney	Rose	Ratajczak		VA	6/14/2017
Samantha	Lynn	Robinson		NY	6/14/2017
Lindsey	Rose	Crumpton		SC	6/14/2017
Marty	Lee	Hendrick		OK	6/14/2017
Zoe	Danielle	Hueter		MO	6/14/2017
Laura	Marie	Lemens		VA	6/14/2017
Robert	A.	Browning		WV	6/14/2017
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Increase in Pharmacists to Technician Ratio

1. Walgreens #12244, George W. Bliss, III/ Pharmacist Manager, Smithfield NC
2. Wal-Mart Stores East Inc. #08880, Joseph Martino/Pharmacist Manager, 9820 Callibridge Court, Charlotte NC
3. Wal-Mart #07947, Miguel Bejarano/Pharmacist Manager, 3820 E Independence Blvd, Charlotte NC
4. Wal-Mart #07984, Terance Moore/Pharmacist Manager, Lincolnton NC
5. HealthSmart Pharmacy of Clayton, LLC #13252, Stephanie D. Wheeler/Pharmacist Manager, Clayton NC
6. Yanceyville Drug Company #13215, Thomas P. Davis/Pharmacist Manager, Yanceyville NC
7. Food Lion Pharmacy #09111, Tara C. Rhoades/Pharmacist Manager, China Grove NC

Closed Session

On a motion from Mr. Vance, 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 Dr. Bowman, seconded by Mr. Vance with no dissenting votes. Mr. Minton stated that Margaret Caroline Burwell, pharmacist license #12550, and Justin Roberts Lee, technician registration #33890, were summarily suspended.

Control Substance Transfers

Board staff has been contacted by pharmacies that believe that federal law prohibits a pharmacy from transferring a Schedule III, IV, or V controlled substance prescription that was placed on file at the pharmacy, but never filled. The asserted basis is 21 CFR 1306.25, which discusses transfers of these prescriptions for “refill purposes.” Mr. Campbell stated that staff has placed information on the Board website that the Board of Pharmacy has never taken the position that such transfers will subject a pharmacy to discipline. Nor is Board staff aware of any DEA action taken against a pharmacy for transferring a valid Schedule III, IV, or V prescription to the pharmacy of the patient’s choice for purposes of initial fill. Staff hopes to obtain clarification from DEA, and will update if and when clarification is received.

The Board adjourned the meeting at 11:30am on a motion from Mr. Haywood, 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