

President Gene Minton called the meeting to order at 9:00 am with Board Members Dr. Parker Chesson, Carol Yates Day, Robert J. McLaughlin, and Bill Mixon present. Lazelle Marks was absent from the meeting. Also present were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Director of Investigations Karen Matthew, Director of Operations Kristin Moore, Financial Administrative Services Director Gail Brantley, and Director of Licensing Deborah Stump. Present as visitors were: Christine Davis, Cardinal Health; David Moody, Mutual Drug; April Sorrentino, Target; Bill Pickard, Campbell University; Tony Mitchum, Walmart; James Waters, Brooks Pierce; Valanda Nelson, NCPRN; Cindy Clark, NCPRN; RPh. Scott Crawford; RPh. Anjali Laroia; Stephen Rivas, WUSOP; Melanie Thompson, Creighton SOP; Fred Eckel, NCAP; Mary Parker, NCAP; Shane Uris, CVS Pharmacy/UNC; Courtney Martin, CVS Pharmacy/UNC; James Folk, Triangle Pharmacy/UNC; Lauren Holesh, Mutual Drug/UNC; Shannon Postell, Mutual Drug/Campbell; Brittany Carver, Mutual Drug/UNC; Carter Long, Drugco Health/ Campbell; 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 June 2013 Board Meetings

The members received the June 18, 2013 meeting minutes prior to this meeting for review. It was moved by Dr. Chesson and seconded by Mr. McLaughlin to accept the Minutes as submitted. The motion passed with no dissenting votes.

2013 Recognition of Pharmacists with 60 Years of Service

The Board recognized pharmacists who have been continually licensed in North Carolina for sixty years.

<u>Pharmacist Name</u>	<u>School of Pharmacy</u>	<u>Date of Graduation</u>
Alfred Franklin Cole Jr.	The University of North Carolina	6/8/1953
Carson Meade Key	Virginia Commonwealth University	6/7/1948
Herman Hallet Daniels	The University of North Carolina	6/2/1952
Pinckney Hugo Heaton Jr.	The University of South Carolina	6/4/1951
William James Miller	The University of North Carolina	6/8/1953

Consideration of Request for Reinstatement – RPh. Scott Crawford, License #10060

RPh. Scott Crawford, license #10060, appeared before the Board to request reinstatement of his pharmacist license. Mr. Crawford voluntarily surrendered his license November 12, 2012 after testing positive for marijuana while working at Mission Cancer/Infusion Services Pharmacy. His employment was later terminated. Mr. Crawford, duly sworn, testified on his recovery progress. Cindy Clark, NCPRN, duly sworn, testified on Mr. Crawford's recovery and stated that NCPRN

advocates for his reinstatement with certain conditions. Mr. Campbell stated that staff has no opposition to reinstatement with conditions.

After presentation of evidence and testimony, on a motion from Mr. Mixon, seconded Dr. Chesson with no dissenting votes, the Board approved Mr. Crawford's reinstatement with conditions.

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

The Board recessed for a break at 9:55am and resumed open session at 10:15am.

Consideration of Request for Reinstatement – RPh. Anjali Laroia, License #18615

RPh. Anjali Laroia, license #18615, appeared before the Board to request reinstatement of her pharmacist license. Mrs. Laroia voluntarily surrendered her pharmacist license September 13, 2012 after suffering from a seizure at work which may have been contributed to by abuse of opiates. Mrs. Laroia, duly sworn, testified on her substance abuse problems and her recovery progress. Cindy Clark, NCPRN, duly sworn, testified on Ms. Laroia's recovery progress and stated that NCPRN supports reinstatement of her license with conditions. Mr. Campbell stated that staff has no objections to reinstatement with certain conditions.

After presentation of evidence and testimony, on a motion from Mr. McLaughlin, seconded by Mrs. Day with no dissenting votes, the Board moved to reinstate Mrs. Laroia's pharmacist license with conditions.

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

Legislative Report

2013 North Carolina General Assembly Session

S.222 – The bill has passed both chambers of the North Carolina legislature and has been signed into law by the Governor. The bill revises the Controlled Substance Reporting System (CSRS). The bill has a provision that would require the CSRS to notify licensing boards when they identify a licensee who has committed an infraction. The statute directs licensing boards to set rules for criteria to submit these reports. Mr. Campbell will look further into the requirements and report to the Board at the September meeting.

H.832 – The bill has passed both chambers and has been signed into law by the Governor. The bill allows an "immunizing pharmacist" to administer any CDC recommended vaccine to a patient age 18 or up upon a prescription order. It allows administration of pneumococcal, zoster, Hep B, meningococcol, tetanus booster, TDAP, flu pursuant to standing orders or protocols. The effective date of the law is October 1, 2013 if six organizations which have been tasked by the statute to formulate minimum safety protocols which will be submitted to Medical, Nursing, and Pharmacy boards by

that date. If the deadline is not met, then the task will be moved to the Immunization Branch to formulate the safety protocols by January 1, 2014.

H.675 – Allows certified technicians to register with the Board of Pharmacy independent of specific technician employment and makes clear that PTCB certification satisfies statutory training requirements. It also adds additional procedural protections for pharmacies being audited and places a six-month “expiration date” on Schedule II prescriptions. Mr. Campbell knows of no opposition to the bill and staff is anticipating/working on any changes that will need to be made to technician registration procedure.

Federal Legislation

S959 – The bill, introduced in the U.S. Senate, states that if a pharmacy compounds sterile products, compounds non-patient specific prescriptions, and ships compounded medications interstate it would be considered a “compounding manufacturer” and would be regulated by the FDA. Repackaging of sterile single dose vial products would also make a facility a “compounding manufacturer”. A compounding manufacturer would also be prohibited by federal law from operating as a pharmacy. This bill has been submitted to the Senate Health Committee for review.

H-2186 – A compounding bill has been introduced in the U.S. House of Representatives. The bill is similar to the Senate bill, but would not prohibit a compounding manufacturer from operating as a pharmacy. The House bill is also more restrictive than the Senate bill on what may be compounded. The bill has been introduced to the House but has not been submitted to committee.

Continuing Report on Activities of the Pharmacy Compounding Working Group

At the May 2013 Board Meeting, it was the consensus of the Board that Mr. Campbell draft a possible rule change to include USB 797 and 795 standards. At the June 2013 Board Meeting the Board approved a compounding working group subgroup to meet with him and Rob Patchett to review and make recommendations to the proposed rule change draft. The Board approved Bill Mixon, Ken Latta, and Gigi Davidson to make up the subgroup. Mr. Campbell stated that the subgroup has not met yet because of inclement weather problems but they do plan to meet on Thursday, July 11th.

Licensure Eligibility Status of Graduates of a School of Pharmacy Holding “Candidate Accreditation Status”

There are number of new pharmacy schools opening across the country. Board rules require that, to be eligible for licensure, a candidate must have graduated from an accredited school of pharmacy. There can be a delay between the first graduating class and full accreditation. Staff queried the Board whether, in such cases as a delay before full accreditation, “candidate accreditation” status is sufficient to meet eligibility requirements.

After discussion, on a motion from Dr. Chesson, seconded by Mr. McLaughlin with no dissenting votes, the Board deemed “candidate accreditation” to satisfy Board rule.

Financial Report

Gail Brantley, Financial and Administrative Services Director, presented the June 2013 financial statistics to the Board.

Approval of Audit Services for Fiscal Year 2013, 2014, and 2015

On a motion from Mr. Mixon, seconded by Dr. Chesson with no dissenting votes, the Board approved an audit services contract for three years with Furr & Newell.

Report on Visit from State Auditor

The NC State Audit office conducted a financial audit and a Chapter 93B compliance audit of the Board. The final audit report has not been presented to staff as of the July 2013 Board meeting.

Investigative Statistics

Director of Investigations Karen Matthew presented the investigative report for July 2013.

MALTAGON

Mr. Campbell reminded the Board members that the MALTAGON meeting, hosted by the NC Board, will be held September 29th – October 2nd, 2013 in Asheville, NC.

Pharmacy Leaders’ Forum Planning

Mr. Campbell reminded Board members that the 2013 Pharmacy Leaders’ Forum will be held September 20, 2013 in Greensboro, NC.

NABP District III Meeting, Nashville, TN, August 3-5, 2013

Mr. Campbell reminded Board members that the 2013 NABP/AACP District III meeting will be held in Nashville, TN, August 3-5th. If any Board member would like to attend, they should contact Stacie Mason for registration.

Filing of Board’s Annual Report as Required by Chapter 93B on the North Carolina General Statutes

Mr. Campbell stated that the 2011 – 2012 NC Board of Pharmacy Annual report has been filed with the state and presented a copy to each Board member.

Consent Agenda

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

Prehearing Conference

Staff Issues Letters of Caution, Warning and No Action

RPh. Michael Nazor, license #21601; RPh. Robert Fountain, license #05697; and CVS Pharmacy, permit #10805, were subjects of a prehearing conference held June 17, 2013, heard by Mr. Mixon, regarding allegation that a patient was dispensed Clindamycin 75mg/5ml without being reconstituted. Patient ingested at least seven (7) doses of the powder. The pharmacy also failed to offer counseling. Recommendation: **Staff Issues Letter of Caution** to permit; **Staff Issues Letter of Warning** to RPh. Nazor; and **Staff Issues Letter of No Action** to RPh. Fountain.

Staff Issues Letters of Caution and No Action

RPh. John Meehan, license #21353; RPh. Ronda Cingolani, license #22236; and Walgreens, permit #10892, were subjects of a prehearing conference held June 17, 2013, heard by Mr. Mixon, regarding allegations of a patient being dispensed Methadone 5mg along with the prescribed Morphine 100mg/5ml. The patient ingested three (3) doses of the Methadone before the error was discovered by hospice nurse. Recommendation: **Staff Issues a Letter of Caution** to permit and **Staff Issues Letters of Caution** to RPh. Meehan and RPh. Cingolani.

Staff Issues Letters of Concern and Caution

RPh. Gregory Shull, license #07972, and Family Medicine Pharmacy, license #09028, were subjects of a prehearing conference held June 17, 2013, heard by Mr. Mixon, regarding allegations of violations found during a November 27, 2012 inspection. Recommendation: **Staff Issues a Letter of Concern** to permit and **Staff Issues a Letter of No Action** to RPh. Shull.

Staff Issues Letters of Concern, Caution, and No Action

RPh. Jameeka Carrington, license #18922; RPh. Selassie Hayibor, license #18158; and Walgreens, permit #07533, were subjects of a prehearing conference held June 17, 2013, heard by Mr. Mixon, regarding allegations of a patient dispensed, in the same vial, 100 dosage units of Morphine IR 30mg along with 140 tablets of prescribed Methadone 10mg. Patient had been prescribed 240 dosage units of Methadone 10mg and did not have a prescription for Morphine IR 30mg. Patient ingested an unknown amount of the incorrect medication. Recommendation: **Staff Issues a Letter of Concern** to RPh. Carrington; **Staff Issues a Letter of Caution** to permit; and **Staff Issues a Letter of No Action** to RPh. Hayibor.

CPP Candidates

RPh. Jennifer Nicole Smith, License #22581

RPh. William John Karahalios, License #07459

Reciprocity Candidates

Candidates Licensed by Reciprocity 7/16/2013 – 7/24/2013					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Terance	Dewayne	Moore		GA	7/16/2013
Adrryl	Shnord	Addison		GA	7/16/2013
Ramesh		Anche		AZ	7/16/2013
Matthew	Thomas	Bamber		FL	7/16/2013
Deanna	L	Bice		OH	7/16/2013
Melanie	Dawn	Bickley		SC	7/16/2013
Lisa	Marie	Blanchette		MA	7/16/2013
Joseph	Julius	Bonkowski		OH	7/16/2013
Sarah	E.	Brougher		OH	7/16/2013
Michelle	Marie	Cefaretti		MI	7/16/2013
Nicole	Angelica	Cowgill		NM	7/16/2013
Amelia	Michelle	Davis		AL	7/16/2013
Sarah	JoAnne	Doornbos		ID	7/16/2013
Mazen		Elhadjsaid		WV	7/16/2013
Donna	Jean	Feild		GA	7/16/2013
Leah	Mae Trimble	Fischer		PA	7/16/2013
Jesse	Lee	Foster		VA	7/16/2013
Amy	Rene	Freeman		TX	7/16/2013
Amy	Beth	Frizzell		MD	7/16/2013
Gerson	Morris	Greenbarg		PA	7/16/2013
Lindsay	Helms	Harris		MI	7/16/2013
Ashley	Danielle	Hillman		FL	7/16/2013
Christy	Roberson	Holland		GA	7/16/2013
Dorris	Ottens	Hyer		GA	7/16/2013
John	Dow	Hyer		GA	7/16/2013
David	Michael	Jones		NY	7/16/2013
Michael	Louis	Karns		MI	7/16/2013
Robert	Michael	Kelly		CO	7/16/2013
Heather	Hunt	Kennedy		OH	7/16/2013
William	Mack	King	IV	SC	7/16/2013
Elizabeth	Louise	Kyle		MI	7/16/2013

Candidates Licensed by Reciprocity 7/16/2013 – 7/24/2013					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Kara	Rhea	Gagnon		TN	7/16/2013
William	Andrew	Layfield		GA	7/16/2013
Tahar	Mohamed	Lomri		NY	7/16/2013
Sara	Kristen	Lookabill		MI	7/16/2013
Daniel	Tinfung	Lui		VA	7/16/2013
Amy	Susan	Markus		PA	7/16/2013
Zachary	Wesley	Martin		GA	7/16/2013
John	Esmat	Matta		MA	7/16/2013
Christopher	James	McGuire		IN	7/16/2013
Mary	Beth	Meyer		FL	7/16/2013
Justin	Michael	Mills		KY	7/16/2013
David	Michael	Miller		MD	7/16/2013
Kathryn	Ann	Morbitzer		MI	7/16/2013
Jason	Michael	Mordino		MA	7/16/2013
Gift	Kelechi	Nweke		TX	7/16/2013
Andrew	Joseph	Ohm	Jr.	PA	7/16/2013
Rebekkah	Carey	Owens		MO	7/16/2013
Michelle	Elaine	Pasqualetti		GA	7/16/2013
Bhumi		Patel		IL	7/16/2013
Michael	Dwayne	Roe		FL	7/16/2013
Catherine	Francisco	Salvador		VA	7/16/2013
William	Henry	Schnell		FL	7/16/2013
Andrew	Peter	Schoof		OH	7/16/2013
Katharine	Adkins	Sheldon		GA	7/16/2013
Brittney	Marie	Shippee		AL	7/16/2013
Carol	Ann	Showalter		IN	7/16/2013
Anju	Ann	Skaria		FL	7/16/2013
Casey	Leah	Somerlot		OH	7/16/2013
Elaine	Katherine	Speed		FL	7/16/2013
Theresa	Marie	Stehmer		AZ	7/16/2013
Saroja		Sunkara		WI	7/16/2013
Jennifer	Kate	Sutherland		GA	7/16/2013
Lisa	Belle	Tarakji		WV	7/16/2013
Kristen	Elisabeth	Tasca		FL	7/16/2013
Kelsey	Amber	Tiemann		IN	7/16/2013
Leslie	Jeanne	Vaughan		NM	7/16/2013
William	Francis	Werner		FL	7/16/2013
James	Sheldon	Wheeler		TN	7/16/2013

Candidates Licensed by Reciprocity 7/16/2013 – 7/24/2013					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Corey	Justin	Witenko		FL	7/16/2013
Lisa	Gail	Zimmerman		AL	7/16/2013
Malak	H.	Tyab		OH	7/16/2013
Y-Nha	Pham	Nguyen		TX	7/24/2013

Increase in Pharmacist to Technician Ratio

1. Health Park Pharmacy Raleigh, Permit # 11200, Steven Adkins RPh App. 6/18/2013
2. Target Pharmacy Durham, Permit # 08417, Brian Phillips RPh App. 6/13/2013
3. Target Pharmacy Goldsboro, Permit # 05991, Jill Haberkorn RPh App. 6/13/2013

Reports to the Board

Fred Eckel and Mary Parker updated the Board on various issues at the North Carolina Pharmaceutical Association.

There being no further business, the meeting adjourned at 11:30am.

Gene Minton, President

E. Lazelle Marks, Vice-President

J. Parker Chesson, Jr.

Robert J. McLaughlin, Jr

Carol Yates Day

William A. Mixon