

President Robert J. McLaughlin called the meeting to order at 9:00 am with Board Members Carol Yates Day, Gene Minton, Dr. Parker Chesson, Lazelle Marks and Bill Mixon present. Also present were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Associate Executive Director Ellen Vick, Director of Investigations Josh Kohler, Director of Operations Kristin Moore, Director of Licensing Deborah Stump, and Financial Administrative Services Director Gail Brantley. Present as visitors were: Christine Davis, Cardinal Health; Cindy Clark, NCPRN; Valanda Nelson, NCPRN; Tom Readling, Mutual Drug; Lisa Collums, Kerr Drug; David Catalano, Walgreens; Rich DeBenedetto, Walgreens; David Barrington, Omnicare; Heidi Barefoot, Target; Brenda Shafer, Quarles & Brady; RPh. Ryan Mills; RPh. Lora Crouch: Evan Colmenares, UNC/ESOP; Tracy Jordan, UNC/ESOP; RPh. Tom Hite; Nikolas Lawson, Campbell Univ.; RPh. Gopt Hudka, West End Pharmacy; Samantha Roberts, Publix Pharmacy; Weilin Zon, UNC/ESOP; Rani Seedham, CVS; Betsy Ramsay, CVS; Stephanie Roach, UNC/ESOP; Gus Stefanadi, Campbell Univ.; Emily Moose, USC/Medical Center Pharmacy; Christie Hart, Wingate Univ.; RPh. David Mozing, CVS; Laura Mason; Elaine Vu, UNC Hospitals; Elizabeth Weddendorf, UNC Hospitals; and Missy Betz, NCBOP.

#### 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. No conflicts were noted by Board members.

#### Minutes of June 2014 Meeting

The members received the June 17, 2014 meeting minutes prior to this meeting for review. It was moved by Mr. Minton and seconded by Mr. Mixon to accept the minutes as submitted. The motion passed with no dissenting votes.

#### Consideration of Amendments to 21 NCAC 46.2507 Administration of Vaccines by Pharmacists

The Board held a public hearing on proposed amendments to rule N.C.A.C. 46.2507 Administration of Vaccines by Pharmacist to conform the rules to Session Law 2013-246. Prior to the hearing, Board staff received one (1) written comment recommending that vaccinating pharmacists should be responsible for reporting adverse reactions to the Vaccine Adverse Event Reporting System (VAERS). Three members of the public attended the hearing. No one spoke concerning the rule amendment but did acknowledge that they were in favor of the rule.

Board staff requested the Board consider adoption of amendments to 21 NCAC 46 .2507. After discussion, on a motion from Mr. Minton, seconded by Mr. Mixon with no dissenting votes, the Board moved to adopt the proposed amendments and send them to the Rule Review Commission.

#### Request to Modify Order Reinstating License , David Brian Mozingo, License #21356

RPh. David Brian Mozingo, license #21356, appeared before the Board to request modification of his September 2011 Consent Order to lift the restriction on serving as a pharmacist manager. Cindy Clark, NC Pharmacy Recovery Network (NCPRN), duly sworn, testified that NCPRN supports the requested modification.

After presentation of evidence and testimony, on a motion from Mr. Minton, seconded by Mr. Marks with no dissenting votes, the Board moved to grant the requested modification.

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

Request to Modify Order Reinstating License, Ryan Mills, License #19259

RPh. Ryan Mills, license #19259, appeared before the Board to request modification of his March 2011 Order Reinstating License with Conditions to lift the restriction on serving as a preceptor. Cindy Clark, NCPRN, duly sworn, testified that NCPRN supports the requested modification.

After presentation of evidence and testimony, on a motion from Mr. Mixon, seconded by Dr. Chesson with no dissenting votes, the Board moved to lift the restriction on serving as a preceptor.

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

Consideration of Reciprocity Candidate – RPh. Tom Hite

RPh. Thomas Warren Hite appeared before the Board concerning his pharmacist reciprocity application. Mr. Hite submitted an application to Board staff to reciprocate his pharmacist license from Maine to North Carolina. Mr. Hite disclosed on his National Association of Boards of Pharmacy (NABP) application and his North Carolina Board of Pharmacy Reciprocity Questionnaire that he had been disciplined by the Maine Board of Pharmacy in 2007 for diversion and substance abuse problems. Mr. Hite was reinstated by the Maine Board of Pharmacy in 2009 and all conditions of that reinstatement have since been lifted.

After presentation of evidence and testimony, on a motion from Dr. Chesson, seconded by Mr. Minton with no dissenting votes, the Board moved to allow Mr. Hite to continue with the reciprocity process to obtain in pharmacist license in North Carolina.

The Board adjourned for a break at 10:00am and resumed open session 10:25am.

Consideration of Reciprocity Candidate – RPh. Lora Krishna Crouch

RPh. Lora Krishna Crouch appeared before the Board in consideration of her pharmacist reciprocity application. Ms. Crouch submitted an application to reciprocate her pharmacist license from South Carolina to North Carolina. On both the NABP application and the North Carolina Board of Pharmacy Reciprocity Questionnaire, Ms. Crouch disclosed that she had been disciplined by the South Carolina Board of Pharmacy for forging and filing fraudulent prescriptions for various non-controlled drugs. The terms and conditions of her 2011 South Carolina Consent Order were lifted in September 2012.

After presentation of evidence and testimony, on a motion from Mr. Mixon, seconded by Dr. Chesson with no dissenting votes, the Board moved to allow Ms. Crouch to continue with the reciprocity process.

#### Consideration of Reciprocity Candidate – RPh. Gopi Hudka

RPh. Gopi Pintu Hudka appeared before the Board in consideration of her reciprocity application. Ms. Hudka submitted an application to reciprocate her pharmacist license from Massachusetts to North Carolina. On the North Carolina Reciprocity Questionnaire, Ms. Hudka answered “no” to the question whether she had ever failed a state board examination when in fact she had failed the New Jersey Multistate Pharmacy Jurisprudence Examination. Ms. Hudka, duly sworn, testified that she answered “no” because she considered state board examination as NAPLEX exam only.

After presentation of evidence and testimony, on a motion from Mr. Minton, seconded by Dr. Chesson with no dissenting votes, the Board moved to hold Ms. Hudka’s application for ninety (90) days before she may proceed with the reciprocity process.

#### Honor 60-Year Licensees

The Board honored RPh. Kenneth L. Wiggins, license #03723, with a resolution recognizing his sixty (60) years of continuous licensure with the North Carolina Board of Pharmacy. Mr. Wiggins was licensed as a pharmacist in North Carolina in March 1954. Mr. Wiggins was not able to attend the meeting but sent word to thank the Board for their recognition.

#### Certification of DME Sub-Committee Member Election Results

The DME Sub-Committee election for Medical Equipment Representative was held June 1, 2014 through June 30, 2014. Current Medical Equipment Representative Mr. Bill Griffin chose not to run for a second term. Only one candidate ran in the election, Mr. Doug Tonucci – EMSI, Charlotte NC, permit #01787. Eleven (11) votes were cast during the election and Mr. Tonucci received 100% of the votes. On a motion from Mr. Minton, seconded by Dr. Chesson with no dissenting votes, the Board moved to accept the results of the election and declare Mr. Tonucci the winner of the DME Sub-committee election for Medical Equipment Representative.

#### Reports to the Board

There were no reports to the Board Agenda item.

#### Legislative Update

Mr. Campbell stated that two (2) bills have been introduced to the General Assembly’s short session of potential importance to the Board.

S. 493, Health and Safety Law Administrative Reform Bill, includes a proposal to place pharmacy benefit managers under oversight by the state and would place enforcement of these requirements under the North Carolina Department of Insurance.

H.1220, An Act to Create Compassionate Use Registry for the Use and Administration of Hemp Oil was passed by the legislature and signed into law by the Governor. It allows registration and administration of hemp oil for the relief of symptoms of patients with seizure disorders. The oversight of this registry will be administered through the Department of Health and Human Services.

#### Update on Program Evaluation Division Study of Occupational Licensing Boards

Program Evaluation Division (PED) is conducting a study on occupation licensing boards. Mr. Campbell stated the Board has received a questionnaire concerning the Board's administrative and regulatory work that will be completed and submitted to the PED by July 31, 2014.

#### Proposed Guidance Concerning Permitting of "Outsourcing Facilities" Registered with FDA Pursuant to Section 503B of Drug Quality and Security Act

Mr. Campbell requested guidance from the Board on when a Section 503B outsourcing facility must obtain a North Carolina pharmacy permit. Mr. Mixon recused himself from the matter because he is engaged to oversee an outsourcing operation for an individual company. Mr. Campbell presented a guidance draft which proposed that an outsourcing facility would need a North Carolina pharmacy permit if the facility was dispensing any medication directly to an individual patient pursuant to a prescription as well as operating as an outsourcing facility that produced and distributes compounded products not pursuant to prescription for individual patients. The facility would also need to be registered as a wholesaler with the North Carolina Department of Agriculture's Food and Drug Safety Division. The guidance document also states that a NC pharmacy permit would not be required if the outsourcing facility is only compounding and distributing compounded products as a manufacturer, distributor, or packer. The facility would need the appropriate registration with the North Carolina Department of Agriculture' Food and Drug Safety Division and the Federal Food and Drug Administration.

After discussion, it was the consensus of the Board to accept the proposed outsourcing facility permitting guidance document as presented.

#### Development of Nuclear Pharmacy Specific Inspection Tools

Mr. Campbell informed the Board that staff is working with Neal Petri, Nuclear Pharmacist with Duke University Medical Center, to create a nuclear pharmacy specific inspection form for staff.

#### Immunization Registry and Administration of Flu Vaccines

Because of some inconsistencies in the general statute referencing immunization, Board staff has received inquiries concerning whether vaccinating pharmacists must report influenza vaccination to the immunization registry. NCGS 90-85.15B(d)(3) concerning the vaccine registry reporting requirements states "Except for influenza vaccine administered under G.S. 90-85.15B(b)(6)". G.S. 90-85.15B(b)(6) does not exist. Administration of influenza vaccine is addressed in G.S. 90-85.15(c). After discussion, it was the consensus of the Board that this was an inadvertent mistake in the statute and the intent was that administration of influenza vaccines not be reported to the immunization registry.

Pharmacy Leaders Forum Planning Update

Mr. Campbell stated that planning for the 2014 Pharmacy Leaders' Forum is well underway. Dan Barbara, NCPRN, and Ron Ragan, High Point University, are heading the planning committee for the forum. The Board is allotted fifteen (15) invitations for the meeting. Mr. Campbell asked that Board members send their list of recommendations for the meeting invitation list.

NABP/AACP District III – Charleston, SC

Mr. Campbell reminded Board members that the 2014 District III meeting would be held August 2-5, 2014 in Charleston, South Carolina. Board member should contact staff if they wish to attend this year's meeting.

Appoint Board Representative to the CPP Joint Subcommittee

It was the consensus of the Board that Mr. McLaughlin, Mrs. Day, Mr. Minton, and Mr. Mixon serve on the CPP Joint Subcommittee for the upcoming year.

Investigations Department Report

Joshua Kohler, Director of Investigations and Inspection, presented the July 2014 investigative report.

Financial Report

Gail Brantley, Financial and Administrative Services Director, presented the June 2014 financial statistics to the Board

Ms. Brantley presented a resolution to restrict Fund Balance for fiscal year ending September 30, 2014 to set aside funds to be expended in Software Re-Design for the Board's database. On a motion from Mr. Minton, seconded by Dr. Chesson with no dissenting votes, the board approved the resolution.

Consent Agenda

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

**Prehearing Conference**

None

**Reciprocity Candidates**

**Candidates Licensed by Reciprocity 7/16/2014**

<b>FNAME</b>	<b>MNAME</b>	<b>LNAME</b>	<b>SUFFIX</b>	<b>RCPSTATE</b>	<b>DTREGIST</b>
Phillip	Russell	Sanford		SC	7/16/2014
Iyyad		Abueida		MI	7/16/2014
Mark		Adjetey		IL	7/16/2014
Drew	Landon	Armstrong		TN	7/16/2014
Sheila	Nichols	Arrington		SC	7/16/2014
Scott	Kenric	Behrens		FL	7/16/2014
Ashley	Marie	Bell		SC	7/16/2014
Jessica	Brooke	Binz		AR	7/16/2014
Sherri	Lynn	Bradford		TN	7/16/2014
Edward	R.	Breslow		FL	7/16/2014
Amy	Renwick	Bryson		SC	7/16/2014
Jennifer	Weissert	Campbell		IN	7/16/2014
Meghan	Marie	Caylor		GA	7/16/2014
Larry	Jake	Childs		UT	7/16/2014
Maegan	Ann	Chu		IN	7/16/2014
Teresa		Cicci		VA	7/16/2014
Brian	J.	Connolly		NJ	7/16/2014
Jariat	Omolabake	Darboe		KS	7/16/2014
Kimberly	Harwood	Downs		GA	7/16/2014
Elizabeth	Sue	Duruz		OH	7/16/2014
Susan	E.	Dye		MA	7/16/2014
Shelly	M.	Forbes		MI	7/16/2014
Omogbemile	Augustina	Garrett		TX	7/16/2014
Lindsey	Erin	Gruber		IN	7/16/2014
Lindsey	Allison	Hallett		SC	7/16/2014
Ann	M.	Hakes		SD	7/16/2014
Frank	Anthony	Heinrich		NY	7/16/2014
Meredith	Kristin	Hollinger		PA	7/16/2014
Ronald	Edward	Howard		VA	7/16/2014
Jacqueline	Ann	Isip		IN	7/16/2014
Olivia	Sharlay	Johnson		GA	7/16/2014
Kumaran		Kannan		MI	7/16/2014
Anthony	Jon	Kaufman		OH	7/16/2014
Alan	K.	Knudsen		FL	7/16/2014
Andrew	Marc	Lipshutz		DC	7/16/2014
Christina	Marie	Maneen		NY	7/16/2014
Sharon	Elizabeth	Martin		MD	7/16/2014
Geoffrey	Alexander	Mospan		OH	7/16/2014
Paras		Nayyar		NH	7/16/2014

<b>Candidates Licensed by Reciprocity 7/16/2014</b>					
<b>FNAME</b>	<b>MNAME</b>	<b>LNAME</b>	<b>SUFFIX</b>	<b>RCPSTATE</b>	<b>DTREGIST</b>
Anthony	B.	Nigliazzo		IL	7/16/2014
Anayo	Theodora	Ogbonna		MA	7/16/2014
Elizabeth	Helen	Seijo		SC	7/16/2014
Minal	M.	Patel		PA	7/16/2014
Jonathan	Richard	Ptachcinski		PA	7/16/2014
Imran	Naeem	Qureshi		MD	7/16/2014
Philip	B.	Riggle		PA	7/16/2014
Michael		Sabetta		CT	7/16/2014
Kimberly	Anita	Sanders		IN	7/16/2014
Srividya		Sankaranarayanan		FL	7/16/2014
Lauren	A.	Simko		PA	7/16/2014
Michael	Brittain	Sterling		OK	7/16/2014
Lyttleton	Hagler	Stewart		FL	7/16/2014
Katherine	Marie	Swartele		PA	7/16/2014
Kristen	Renee Claywell	Szempruch		MN	7/16/2014
Christina	Lynn	Thurber		OH	7/16/2014
Joseph	Samuel	Van Tuyl		OK	7/16/2014
Laura	Thacker	Walker		TN	7/16/2014
Charles	Craig	Wells		AL	7/16/2014
Jennifer	Ann	Wilson		TN	7/16/2014
Louisa	Campitelli	Wolowiecki		AZ	7/16/2014

### **Increase in Pharmacists to Technician Ratio**

1. CVS Pharmacy, Cameron, #11402, Renee Brown RPh, App. 06/24/2014
2. Walmart Pharmacy, Morehead City, #07991, Seth Copley RPh, App. 06/24/2014
3. CVS Pharmacy, Edenton, #10786, Travis M. Gilliard RPh, App. 07/06/2014
4. American Pharmacy Company, Fletcher, #11244, Michael Dimenna RPh, App 07/09/2014
5. CVS Pharmacy, Charlotte, #10435, Lauren Keskie RPh, App. 07/09/2014
6. CVS Pharmacy, Cornelius, #10418, Jerry Hopkins RPh, App. 07/09/2014
7. Evans Drug & Company, Hickory, #10643, Donaver M. Evans II RPh, App. 07/09/2014
8. Specialty Pharmacy of Cary, Cary, #11273, James Travin Deese RPh, App. 07/09/2014
9. UNC Hsp Ambulatory Care Pharmacy, Chapel Hill, #05464, Leroy Van Veld, App. 07/09/2014
10. Walgreens Pharmacy, Greensboro, #11707, Sarah K. Walker RPh, App. 07/09/2014
11. CVS, Leland, #11183, William W. Hickman RPh, App. 07/10/2014
12. Smart Pharmacy, Franklin, #11578, Tori O'Neill App. 07/10/2014

**CPP Candidates**

RPh. Meredith Toma Moorman, License #22939, Duke University Medical Center

RPh. Nikki Perry Powell, License #15714, Rex Hospital Pharmacy

There being no further business, the meeting adjourned at 11:50am.

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Robert J. McLaughlin, Jr, President

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E. Lazelle Marks, Vice-President

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J. Parker Chesson, Jr.

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Gene Minton

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Carol Yates Day

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William A. Mixon