

President Bill Mixon called the meeting to order at 9:00 am with Board Members Carol Yates Day, L. Stan Haywood, Robert A. Graves, Gene Minton, and Robert J. McLaughlin present. Also present were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Director of Investigations Josh Kohler, Associate Director of Investigations Krystal Brashears, Director of Operations Kristin Moore, Director of Licensing Deborah Stump, and Financial Services Director Gail Brantley. Present as visitors were: Valanda Nelson, NCPRN; Jennifer Niles; NCPRN; Heidi Barefoot, Target; David Moody, Mutual Drug; Jenna Huggins, Mutual Drug; Brent Slaughter, Mutual Drug; Christine Davis, Cardinal Health; Tony Mitchum, Walmart; Andy Bowman, Campell Univ./NCBOP; Shelby Hudson, UNC/ESOP; Glenn Chappell, Brooks Pierce; RPh. Charles Wetzel; Brian Bache, CVS Health; John Rocchio, CVS Health; Karri Dixon, Campbell CPHS; Coy Privette, Roadrunner Pharmacy; Kai Kang, UNC; Maria Buckner, UNC; Heather Johnson, Campbell; Sherry Thomas; Jessica Patel, Wingate; and Joanna Benson, Walgreens.

Ethics Statement & Welcome

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

Minutes of June 2015 Board Meeting and June 24, 2015 Conference Call

The members received the June 16, 2015 meeting minutes and the June 24, 2015 conference call minutes prior to this meeting for review. It was moved by Mr. Minton, seconded by Mr. McLaughlin to accept the minutes as submitted. The motion passed with no dissenting votes.

Welcome to Andy Bowman, Pharm.D., Board Member-Elect from the Southeastern District

Andy Bowman won the election for the Southeastern District Board seat in the June 2015 run-off election. He will take the seat presently held by Mr. McLaughlin in May 2016. Mr. Campbell welcomed him to the Board.

Consideration of Reinstatement Request and Disciplinary Hearing – Tech. Sherry A. Thomas, Registration #23009

Technician Sherry Thomas, registration #23009, appeared before the Board to request reinstatement of her technician registration and concerning a disciplinary matter. Ms. Thomas voluntarily surrendered her technician registration February 15, 2011 after diverting controlled substances from Durham Regional Hospital Pharmacy. Ms. Thomas stated that she diverted the medication for an ailing family member.

After presentation of evidence and testimony, on a motion from Mr. Minton, seconded by Mr. McLaughlin with no dissenting votes, the Board moved into close session to deliberate the matter.

Open session resumed on a motion from Mr. Minton, seconded by Mr. McLaughlin with no dissenting votes. Mr. Mixon stated that on a motion from Mr. Minton, seconded by Mr. Haywood on a 4 to 1 split vote, the Board denied Ms. Thomas' request for reinstatement.

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

Request to Waive Requirement for TOEFL iBT for Licensure – Hani Ali Salih

NCGS 90-85.15 specifies eligibility requirements for licensure as a pharmacist. Paragraph (b) specifies that “all applicants shall have received an undergraduate degree from a school of pharmacy approved by the Board.” Board Rule 21 NCAC 46.1317(13) defines a graduate of an approved school or college of pharmacy as “[a] person who has received an undergraduate professional degree in pharmacy from an approved school or college of pharmacy, or a person who has graduated from a foreign professional school of pharmacy and has successfully completed the Foreign Pharmacy Graduate Equivalency Examination (FPGEE) offered by the National Association of Boards of Pharmacy (NABP) and the Test of English as a Foreign Language (TOEFL iBT).”

Hani Ali Shah appeared before the Board to request a waiver of the requirement to pass TOEFL iBT for pharmacist licensure. Mr. Shah stated that he has passed the FPGEE but has not passed the TOEFL iBT after several attempts.

Mr. Campbell stated that he and counsel are of the opinion that the Board does not have authority under statute to waive the requirement. The statute is clear on the requirements for licensure in North Carolina and any change would require an amendment.

After discussion, on a motion from Mr. McLaughlin, seconded by Mr. Graves with no dissenting votes, the Board moved to deny the requested waiver.

Petition for Modification of Reinstatement Order – Charles Wetzel

RPh. Charles Wetzel, license #13996, appeared before the Board to request modification of his July 19, 2011 reinstatement order. Mr. Wetzel requested the Board lift the restrictions on obtaining prior approval on employment by NCPRN, not serving as a pharmacist manager, not serving as a preceptor, and not being employed as a pharmacist more than thirty (30) hours per week which may be extended at the discretion of NCPRN. NCPRN supports his request for modification of his reinstatement order.

After presentation of evidence and testimony, on a motion from Mr. Minton, seconded by Mr. Haywood with no dissenting votes, the Board moved to grant Mr. Wetzel request for modification of his reinstatement order.

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

Legislative Update

Mr. Campbell updated the Board on several legislative issues.

Rulemaking Update

Rule 21 NCAC 46 .3301 - TECHNICIAN REGISTRATION amends the rule to require a technician volunteering in a free clinic to register with the Board, but would waive the registration fee. The amendment also eliminates paragraph (c), which has been superseded by amendments to G.S. § 90-15.15A. The amendments went into effect July 1, 2015.

Amendments to rule 21 NCAC 46 .1801 - RIGHT TO REFUSE A PRESCRIPTION regarding refusal of a prescription in order to judge the validity of prescriptions by reference to the standards set by the occupational licensing boards of the prescribers, rather than by attempting to enumerate those standards in the rule, in light of changing standards set by other boards for those prescribers. The amendment went before the Rules Review Commission (RRC) on July 16, 2015 and will take effect August 1, 2015 if approved by the RRC.

A Public Hearing will be held on September 15, 2015 on proposed amendment to rule 21 NCAC 46 .2612 - STORAGE OF DEVICES AND MEDICAL EQUIPMENT. The Board proposes amending the rule regarding delivery of devices and medical equipment to provide that those items may be delivered from allowed storage sites without first taking those items to permitted locations, if delivery is performed by a bona fide employee of a permitted location.

Financial Report

Gail Brantley, Financial Services Director, presented the June 2015 financial report to the Board.

Investigative/Inspections Report

Joshua Kohler, Director of Investigations and Inspection, presented the July 2015 investigative report.

DME Sub-Committee Election Certification of Election Results

The election for DME Sub-Committee Rehabilitation Technology Supplier was held June 1, 2015 – June 30, 2015. Mr. Edward Dressen ran unopposed for his second term on the sub-committee. There were nine (9) votes cast during the election and Mr. Dressen received all votes cast.

On a motion from Mr. McLaughlin, seconded by Mrs. Day with no dissenting votes, the Board approved the election results for the DME Sub-Committee Rehabilitation Technology Supplier as presented.

2015 NABP District III Meeting – August 15-18, 2015, St. Augustine, FL

The 2015 NABP District III meeting will be held August 15-18, 2015 in St. Augustine, FL. Mr. Campbell reminded Board members to contact staff if they would like to attend the meeting.

Board Member Retreat, September 24, 2015, Greensboro

The Board Member Retreat will be held at the Proximity Hotel, Greensboro, NC on Thursday, September 24, 2015.

Update on Staff Implementation of NABP Program Review Recommendations

In March 2015, the NABP conducted an operational review of the Board to identify strengths and weakness of Board operation and suggest ways to improve efficiency of its service to the public. NABP presented a report on their review with several suggestions on how to improve operations.

Board staff is currently working on an internal review and assembling a list of recommended needs for Board operations, including IT technology. Board staff will conclude internal review by September 4th, 2015. Brenda McDougal, NC Board of Nursing Associate Executive Director - Operations, has been contracted to help facilitate operational change discussion.

Report on the North Carolina Overdose Prevention Summit

Mr. Campbell updated the Board members on the Overdose Prevention Summit that was hosted by the Department of Health and Human Services (DHHS). He stated that there was discussion on granting pharmacists the ability to independently dispense Naxolone without a prescription. Mr. Campbell stated that this would require a statutory change. Mr. Campbell will meet with a representative of the North Carolina Harm Reduction Coalition to discuss the possibility of a statutory change in the coming weeks.

Schedule Meeting of CPP Joint Subcommittee to Discuss Various Issues

The North Carolina Medical Board requested to meet with the CPP Joint Subcommittee to discuss transferring the responsibility for the CPP application and administration process to the Board of Pharmacy. The Medical Board would also like to discuss CPP rule amendment to allow CPP's who are supervised by multiple physicians to designate a single physician as the "principal" physicians for purposes of review and consultation on written orders by the CPP and would like to adjust the required weekly face-to-face consultation between CPP and their supervising physician to a schedule that matched the requirement for nurse practitioners.

Mr. Mixon, Mr. Minton, Mrs. Day, and Mr. McLaughlin are the current members of the CPP Joint Sub-committee. After discussion, the CPP Joint Sub-committee stated that they would prefer to meet with the Medical Board on Tuesday, September 15th, 2015.

Reports to the Board

Andy Bowman, Campbell University College of Pharmacy and Health Sciences, updated the Board on various issues at the college.

Consent Agenda

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

Prehearing Conference

Staff Issued Letters of No Action

Omnicare of Raleigh, Permit #10991; Omnicare Clinical Intervention Center, Permit #12053; Stephen Moore, License #06815; SeDeris Fogle, License #15324; John Smith, License #21245; and Dana Stone, Registration #08319 were subjects of a prehearing conference June 16, 2015, heard by Board Member Gene Minton, regarding allegations that on July 22, 2013, Omnicare-Spartanburg #12053 sent a request by fax to Omnicare-Raleigh #10991 to change patient Nordan's medication from Namenda 10mg to Donepezil 5mg for twenty-eight (28) days, then titrate up to Donepezil 10mg. Omnicare-Raleigh faxed the request to Dr. John Russo, patient Nordan's physician; however, he never signed nor authorized the medication change, and the form was sent back to Omnicare-Spartanburg. Patient Nordan's address was updated in the system and the form was sent again to Omnicare-Raleigh, but without a cover sheet explaining this was only being used to update the patient's address. Upon receiving the form, RPh. John Smith #21245 and Technician Dana Stone #08319 filled and dispensed Donepezil 5mg without physician authorization. Patient Nordan ingested the medication from July 2013, through November 2013 before the error was discovered. Recommendation: **Staff Issues Letters of No Action** to Omnicare of Raleigh; Omnicare Clinical Intervention Center; RPh. Moore; RPh. Fogle; RPh. Smith; and Technician Stone

Staff Issued Letters of No Action and Warning

Jennifer Hissam, License #11804; Andrea Demers, License #20006 and Novant Health, Inc., Permit #00932 were subjects of a pre-hearing conference held June 16, 2015, heard by Member Gene Minton, regarding allegations that decedent Lisa Wilford was admitted to the hospital on July 16, 2013, for surgical repair of an ulcer, wherein the procedure was uneventful. While under PM Hissam's supervision, RPh. Andrea Demers reviewed and approved administration of an IV order for Acetaminophen and left in place a PRN order for Hydrocodone/Acetaminophen 5/325mg. The investigation showed that the decedent was given 7.25gm of Tylenol in twenty-four (24) hours; 4gm by IV and 3.25gm from multiple doses of Norco 5/325mg. Acetyl cysteine was given as an antidote to the Acetaminophen overdose, and the decedent was treated successfully with Dextrose 50 for hypoglycemic episodes on July 19, 2013, and July 20, 2013. Furthermore, a hypotensive episode resulted in the decedent being transferred to ICU where Narcan was administered as an empty bottle of Morphine was found in the decedent's bed. Prior to admission, the decedent did not have a history of hepatitis nor hepatic failure, but after July 16, 2013, lab values and liver ultrasound revealed ascites and pleural effusions indicating hepatic failure. Ms. Wilford expired on July 23, 2013. The policies and procedures put in place by PM Hissam and Novant Health, Inc. were inadequate to prevent the overdose. Recommendation: **Staff Issues Letters of No Action** to RPh. Hissam and RPh. Demers. **Staff Issues Letter of Warning** to permit.

Increase in Pharmacists to Technician Ratio

1. Cannon Pharmacy, Mooresville NC #10205 – Ryan Yanicko, Pharmacist Manager
2. Central Regional Hospital Pharmacy, Butner NC #10092 – Daniel Paoloni, Pharmacist Manager

3. Kroger Pharmacy, Durham NC #07317 – Mazen Elhadjsaid, Pharmacist Manager
4. Realo Discount Drug DBA Realo Extended Care Pharmacy, New Bern NC #11793 – Erin Collins, Pharmacist Manager
5. Walgreens Pharmacy, Raleigh NC #12285 – Becki Mitchell, Pharmacist Manager
6. Wal-Mart Pharmacy, Princeton NC #11486 – Penny Massey, Pharmacist Manager
7. Wal-Mart Pharmacy, Concord NC #10305 – Cassandra Lang, Pharmacist Manager

CPP Candidates

1. Justin Robert Arnall, PharmD #24092, Wake Forest Baptist Medical Center, Winston Salem NC
2. Danna Kathryn Arrington, PharmD #17438, The Family Health Centers, Asheville NC
3. Marie Elise Cavalier, PharmD #24144, Wake Forest Baptist Medical Center, Winston Salem NC
4. Elizabeth Louise Kyle, PharmD #23579, Coastal Family Medicine, Wilmington NC
5. Rachel Carolyn Lee, PharmD #24116, UNC Internal Medicine, Chapel Hill NC
6. Kelly Ann Mullican, PharmD #24337, UNC Internal Medicine, Chapel Hill NC
7. Caren McHenry Martin, PharmD #14564, Greensboro Medical Associates, Greensboro NC
8. Merritt Elizabeth Roane, PharmD #19637, Harvest Family Health Center, Elm City NC and Freedom Hill Community Health Center, Princeville NC
9. Kimberly Anita Sanders, PharmD #24493, UNC Geriatric Specialty Clinic, Chapel Hill NC
10. Mary Elizabeth Roth, PharmD #24178, UNC Heart and Vascular at Meadowmont, Chapel Hill NC
11. Michelle Gardiner, PharmD #18935, North Carolina Cancer Center at UNC Hospitals Chapel Hill NC
12. Breanne Roess, PharmD #24266, UNC Family Medicine Center Chapel Hill NC

Reciprocity Candidates

Candidates License by Reciprocity 7/22/2015					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Frank	Amankwah	Acheampong		MA	7/22/2015
Brittainy	LaVerne	Allen		IL	7/22/2015
Navid	Reza	Amlani		GA	7/22/2015
Brandi	VanHoy	Anders		TN	7/22/2015
Erica	Rene	Anderson		SC	7/22/2015
Bruno	Elias	Andrade		VA	7/22/2015
Rachel	Lauren	Bauer		TN	7/22/2015
Alia		Birdwell		IL	7/22/2015
Liliana		Bosefski		NJ	7/22/2015
Catherine	Anne	Broutsas		MA	7/22/2015
Allyson		Caikowsky		NJ	7/22/2015
Dustin	Ryan Vernon	Carr		MI	7/22/2015

Candidates License by Reciprocity 7/22/2015					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Robin	Marie	Castanino		VA	7/22/2015
William	Joseph	Chauvin	Jr.	KS	7/22/2015
Susan	L.	DeVerna		NY	7/22/2015
Megan	Michelle	Clarke		PA	7/22/2015
Nathan	Alston	Cookson		ME	7/22/2015
Cheryl	Ann	Compton		FL	7/22/2015
Victoria	Anne	Convertini		NY	7/22/2015
Rachel	Elizabeth	Crawford		AL	7/22/2015
Alison	Margaret	DaCosta		MA	7/22/2015
Ryan		DeVerna		NY	7/22/2015
Thomas	Victor	DiPiro		SC	7/22/2015
Carmen	Mitchell	Docter		MI	7/22/2015
Ryan	Sara	Duffy		PA	7/22/2015
James	Matthew	Eady		MS	7/22/2015
Leah	Bethany	Edenfield		VA	7/22/2015
David	Edward	Flowers		AZ	7/22/2015
Corey	Michael	Frederick		FL	7/22/2015
Anthony	Joel	Fritz		OH	7/22/2015
Joy	Mika	Fujinaka		FL	7/22/2015
Matthew	John	Gibson		OH	7/22/2015
Suzanne	Nabil	Gibson		OH	7/22/2015
Brittany	Lee	Good		VA	7/22/2015
Adam	Michael	Greenhaw		KS	7/22/2015
Karen	Sue	Hagans		OH	7/22/2015
Kelly	P.	Harrington		FL	7/22/2015
Andre	D.	Harvin		OH	7/22/2015
Kathryn	Elizabeth	Hauenstein		IN	7/22/2015
Gregory	Alan	Heindel		PA	7/22/2015
Maho		Hibino		PA	7/22/2015
Yen		Hoang		MD	7/22/2015
Celeste	Bush	Holler		TN	7/22/2015
Lisa	Marie	Hutchins		DE	7/22/2015
James	A.	Johnston		AL	7/22/2015
Kristin	Elizabeth	Johnston		AL	7/22/2015
Annette		Jurjevic		NJ	7/22/2015
Grace	C.	Keary		NY	7/22/2015
Michael	Thomas	Kenes		OH	7/22/2015
Hollins	Lee	Kitts		PA	7/22/2015

Candidates License by Reciprocity 7/22/2015					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Christine	Cason	Klarman		GA	7/22/2015
Gregory	Michael	Kochak		OH	7/22/2015
Megan	Elaine	Kunka		OH	7/22/2015
Danielle	Marie	Land		FL	7/22/2015
Miranda	Gynn	Law		MD	7/22/2015
Marley	Anne	Linder		SC	7/22/2015
Jenny		Liu		FL	7/22/2015
Nathan	Thomas	Long		OK	7/22/2015
Maribel	Malave	Rodriguez		PR	7/22/2015
Meera	Jagdishkumar	Mehta		SC	7/22/2015
Jessica	Leigh	Michaud		SC	7/22/2015
Jennifer	Suzanne	Murray		IN	7/22/2015
Sonal		Murthy		MA	7/22/2015
Chinar	M.	Musa		VA	7/22/2015
Katharine	Mary	Nault		MA	7/22/2015
Trac	Ba	Nguyen		GA	7/22/2015
Lauren	Pamela	Obenauf		VA	7/22/2015
Gregory	Vincent	Orsulak		NJ	7/22/2015
Edward	Steven	Paiewonsky		NJ	7/22/2015
Christine	Y.	Park		MD	7/22/2015
Dipenkumar	M.	Patel		VA	7/22/2015
Jolly	R.	Patel		MA	7/22/2015
Erin	Elizabeth	Pauling		VA	7/22/2015
Eric	Conrad	Puckett		SC	7/22/2015
Maegan	S.	Rose		FL	7/22/2015
Lisa	Carol	Samanas		MI	7/22/2015
Sharmeen	Khan	Samee		IL	7/22/2015
Brian	J.	Schu		SC	7/22/2015
Patricia	Isabelle	Schumaker		VA	7/22/2015
Zahra		Shojaee		AR	7/22/2015
John	Carter	Standish		DE	7/22/2015
Rebecca	Joy	Staton		CO	7/22/2015
Robert	Kevin	Tunney	Jr.	PA	7/22/2015
Christopher	Lee	Walton		VA	7/22/2015
Nichole	Anne	Wargo		NE	7/22/2015
Wesley	Paul	Welchel		SC	7/22/2015
Sherifa	Christina	Williams		FL	7/22/2015
Barbara	Anne	Wu		PA	7/22/2015

Candidates License by Reciprocity 7/22/2015					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Lauren	Elizabeth	Wyatt		VA	7/22/2015
Prakirthi		Yerram		CT	7/22/2015

Closed Session

On a motion from Mr. Minton, seconded by Mrs. Day with no dissenting votes, the Board moved into close session to discuss two possible summary suspensions. Open session resumed on a motion from Mr. McLaughlin, seconded by Mr. Minton with no dissenting votes. Mr. Mixon stated that RPh. John Gary Newton, License #04145, and Technician Imani Shane McClure, Registration #37900, were summarily suspended.

There being no further business, on a motion from Mr. McLaughlin, seconded by Mrs. Day with no dissenting votes, the meeting adjourned at 12:23pm.

William A. Mixon, President

Carol Yates Day, Vice-President

Robert J. McLaughlin, Jr.

Gene Minton

L. Stan Haywood

Robert A. Graves