

President Rebecca Chater called the meeting to order at 9:00 am with Board Members Dr. Betty Dennis, Dr. Parker Chesson, Joey McLaughlin, Gene Minton, and E. Lazelle Marks present. Also present were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Financial and Administrative Services Director Gail Brantley, Director of Investigations Karen Matthew, and Director of Operations Kristin Moore. Present as visitors were: Heidi Barefoot, Target Pharmacy; Mary Christine Parks, NCPRN; Cindy Sugg, NCPRN; Christine Davis, Cardinal Health; Tom Readling, NC Mutual; Carter Love, UNC/SOP; Chris Westerfield, UNC/SOP; Danny Seavers, Kerr Drug; Brandon Petro, Campbell Univ.; Nicole Fisher, Campbell/SOP; Donald Banks, MCPHS/ Walgreens; Kaitlin Markoff, DTCC; Peggy Bush, DTCC; Simegn Miheret, DTCC; Sharon Beck, DTCC; Eileen Graves, DTCC; David Catalano, Walgreens; Mark Longley, Parata Systems; Neil Johnson, Parata System; and Tony Mitchum, Wal-Mart Pharmacy.

Ethics Statement & Welcome

President Chater 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 Chater welcomed all visitors to the meeting and asked that they introduce themselves to the Board members and state their pharmacy affiliation.

Minutes of the July 20, 2010 Board Meetings

The members received the July 20, 2010 meeting minutes prior to this meeting for review. It was moved by Mr. McLaughlin and seconded by Dr. Chesson to accept the Minutes as submitted. The motion passed with no dissenting votes with Dr. Dennis abstaining from the vote.

Request for Modification of Reinstatement Order – RPh. Scott Goodwyn, license #10925

RPh. Scott Goodwyn, license #10925, appeared before the Board to request modification of his 2005 reinstatement order. Mr. Goodwyn's reinstatement order limited his work hours to forty (40) per week. He requested an increase in his work hour limitation to 50 hours per week. Mr. Goodwyn's reinstatement order also required that his immediate supervisor submit quarterly reports to the Pharmacist Recovery Network (PRN) regarding stores volume, staffing and general working conditions. Mr. Goodwyn requested that he be allowed to submit the required reports instead of his immediate supervisor. Mary Christine Parks, PRN Executive Director, stated that PRN supports Mr. Goodwyn's order modification request. On a motion from Mr. McLaughlin, seconded by Mr. Minton with no dissenting votes, the Board approved Mr. Goodwyn's requested modifications of his reinstatement order.

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

Request Concerning Limited Service Permit for Automated Dispensing Devices in Licensed Nursing Homes – Ross Brickley

Board rules contain no specific cap on the number of limited service permits a pharmacist may supervise for automated dispensing devices in long term care facilities. Mr. Campbell asked the Board if it wishes to put a cap on the number of these types of limited service permits one pharmacist may supervise. RPh. Ross Brickley, license #11263, appeared before the Board to demonstrate the use of automated dispensing device in long term care facilities. Mr. Campbell stated that staff does not have a concern with this matter and that there have been no complaints made on any of the limited service permits supervised by an individual pharmacist. It was the consensus of the Board, at this time, not to restrict the number of limited service permits per pharmacist where limited service permits are held for the purpose of operating automated dispensing devices in long-term care facilities.

July 2010 and August 2010 Financial Report

Gail Brantley, Financial and Administrative Service Director, presented the July and August 2010 financial statistics to the Board.

Approval of FY 2010-2011 Budget

The Board was presented the proposed budget for fiscal year 2010-2011. It was moved by Mr. McLaughlin, seconded by Dr. Dennis with no dissenting votes, to approve the proposed budget.

Proposed Consent Order for Disciplinary Matter Concerning Wal-Mart Pharmacy of Gastonia, permit #07964

Clint Pinyan, Board counsel, presented a proposed consent order for Wal-Mart Pharmacy in Gastonia, NC, permit #07964. Wal-Mart pharmacy entered into a consent order in 2008 for allowing an unlicensed individual to work as a pharmacist and pharmacist manager. The terms of the consent order set forth a one (1) day suspension stayed one (1) year with conditions including violating no law governing the practice of pharmacy and the permit could be subject to additional disciplinary action by the Board for pharmacy law violations. In 2009, Board staff became aware of a dispensing error at Wal-Mart pharmacy and a violation of the pharmacist to technician ratio. The proposed consent order imposed a one (1) day active suspension with a three (3) day suspension stayed for two (2) years with conditions. On a motion from Mr. Minton, seconded by Dr. Dennis with no dissenting votes, the Board approved the proposed consent order.

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

Report from Board Executive Director Concerning July 2010 Request from A Plus Pharmacy

Arnak Ivanos, A Plus Pharmacy, appeared before the Board at the July 20, 2010 Board meeting concerning a potential program for patients to drop off prescriptions at a separate designated location. The program would set up a central prescription drop off (but not pick up) location for patients where a technician would enter the prescription in the system. Prescriptions would then be picked up and delivered to the pharmacy several times a day and filled by the pharmacist. Employees of the pharmacy would then deliver the prescriptions directly to the patient. Mr.

Campbell stated that he has reviewed the matter and can find no law that would prohibit the program as presented, except that federal law appears to prohibit the contemplated scanning and transmission of controlled substances prescriptions. It was the consensus of the Board that Mr. Campbell relay the findings to A Plus Pharmacy.

The Board adjourned for a break at 10:00 and resumed open session at 10:15.

Open Mike Session

No one appeared during open mike session.

Request for Approval of Immunization Certification Program

Mr. Campbell stated that staff has received a request for approval of an immunization certificate program taken by a potential exam candidate from Ohio State School of Pharmacy. The program was not ACPE approved but staff does not have an objection to the program. On a motion from Mr. McLaughlin, seconded by Dr. Chesson with no dissenting votes, the Board approved the candidate's immunization certificate.

Inquiry Concerning Honorary License or Proclamation

Board staff has become aware of Campbell University College of Pharmacy graduate Brian Rogers who passed away of leukemia before he was able to sit for the licensure exams. Campbell University requested the Board issue an honorary license or proclamation for Mr. Rogers. It was the consensus of the Board to issue an honorary license to Brian Rogers. Mr. Campbell will procure an appropriate certificate and contact the Rogers family.

Report from NABP/District III meeting

The NABP District III meeting was held August 15- 17, 2010 at the Chetola Resort in Blowing Rock, NC. Mr. Campbell stated that the event was a success. Mississippi Board of Pharmacy will host the District III meeting in 2011.

MALTAGON Meeting – October 24-27, 2010, Little Rock, AR

Mr. Campbell stated that the MALTAGON meeting will be held October 24-27, 2010 in Little Rock, AR. It was the consensus of the Board that the meeting would be open to Board investigators since Mr. Campbell and Board members would not be available to attend.

Investigative Statistics

Karen Matthew presented the investigative statistics for September 2010. Ms. Matthew also stated that the Board's new investigator Loretta Wiesner will begin work on October 4, 2010. Ms. Wiesner will cover Western, NC and will reside in Asheville.

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

Prehearing Conferences

Staff Issues Letters of Caution

RPh. Andrew Ira Rankow, license #16142, was subject of a prehearing conference held July 19, 2010, heard by Mrs. Chater, regarding allegations of diverting and illegally possessing twelve (12) tubes of Finacea gel for personal use while employed at Angel Medical Center. Recommendation: **Staff Issues a Letter of Caution** to RPh. Rankow

RPh. James Ruffin Gurganus, license # 05822, was subject of a prehearing conference held July 19, 2010, heard by Mrs. Chater, regarding allegations of illegally dispensing ten (10) dosage units of Alprazolam 1mg for his own use. Mr. Gurganus intended to replace the Alprazolam with his own prescription the next day. Recommendation: **Staff Issues a Letter of Caution** to RPh. Gurganus.

RPh. Melanie Campbell-Cobb, license #09373, and Owens Pharmacy, permit #02189 were subjects of a prehearing conference held July 19, 2010, heard by Mrs. Chater, regarding allegations that while Ms. Campbell-Cobb was working as pharmacist manager at Owens Pharmacy, Heartgard heartworm medication was sold without an authorized prescription. Recommendation: **Staff Issues a Letter of Caution** to RPh. Campbell-Cobb and Owens pharmacy.

Staff Issues a Letter of Warning

RPh. Fredrick Michael Henriksen, license #06674, and Tyron pharmacy, permit #05333, were subject of a prehearing conference held July 19, 2010, heard by Mrs. Chater, regarding allegations of selling Interceptor and Sentinel to numerous patients without a prescription. Recommendation: **Staff Issues a Letter of Warning** to RPh. Henriksen and Tryon pharmacy.

Consent Order

RPh. Monica Annette Wiltshire, license #20133, was subject of a prehearing conference held September 20, 2010, heard by Mr. Minton, regarding a disciplinary action from the New York Board of Pharmacy. Recommendation: **one (1) year suspension stayed until June 22, 2011 with conditions** to RPh. Wiltshire.

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

Reciprocity Candidates

Candidates Licensed by Reciprocity 9/22/2010					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Heather	Dawn	Adams		FL	9/22/2010
Jessica	Leigh	Adams		MI	9/22/2010
Jeetal	A.	Amin		OR	9/22/2010
Randy	Lowell	Baker		FL	9/22/2010
Fadia	Mary	Boyer		WV	9/22/2010
Zachariah	Michael	Deyo		VA	9/22/2010
Rachel	Francine	Duran		ME	9/22/2010
Anthonia	O.	Eruchie		NJ	9/22/2010
Urvashi		Garib-Sohan		FL	9/22/2010
Robert	H.	Gassett		WI	9/22/2010
Darcy	Ann	Grogan		NY	9/22/2010
Azima		Habib-Feisal		NJ	9/22/2010
Ryota		Hamaie		SC	9/22/2010
Bhavin	M.	Kalaria		FL	9/22/2010
Lorie	Ann	Lane		GA	9/22/2010
Sarah	Marie	Lee		IA	9/22/2010
Gregory	J	Leone		PA	9/22/2010
Rebecca	Elaine	Long		SC	9/22/2010
Kerry	Lynn	MacDonnell		MA	9/22/2010
Jesica	Adrienne	Mangun		MD	9/22/2010
Rebecca	Lynn	Mattson		AK	9/22/2010
Elizabeth	Beach	McNeely		TN	9/22/2010
Carri	Anne	Mitchell		UT	9/22/2010
Sejal	S.	Kansagra		MD	9/22/2010
Ami	M.	Nayak		FL	9/22/2010
Melissa	McKenzie	Nesbit		SC	9/22/2010
Kolleen	Kreul	Newsome		FL	9/22/2010
Rina		Nijhawan		OH	9/22/2010
Neha		Patel		SC	9/22/2010
Niral	Monark	Patel		NJ	9/22/2010
Pinal		Patel		MI	9/22/2010
Purvi		Patel		TX	9/22/2010
Jeanelle		Penafior-Derring		VA	9/22/2010
Khang	Hy	Pham		SC	9/22/2010
Sini	Shelby	Philip		PA	9/22/2010
Tonia	S.	Roberson		SC	9/22/2010

Candidates Licensed by Reciprocity 9/22/2010					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
George	Clinton	Sanders		GA	9/22/2010
Richard	John	Seligman		MA	9/22/2010
Cortney	Jae	Spittal		MD	9/22/2010
Barbara	Renee	Stewart-Jackson		TX	9/22/2010
Stephanie		Stone		CO	9/22/2010
Dana	Anderson	Tanaka		VA	9/22/2010

Increase in Pharmacist to Technician Ratio

- 1) Wal-Mart Pharmacy Havelock Permit # 09990, Nicole H. Delgado-Jaecks RPh App. 7/15/2010
- 2) Wal-Mart Pharmacy Sylva Permit # 28779, Frank C. Etier Sr. RPh App. 7/15/2010
- 3) Wal-Mart Pharmacy Charlotte Permit # 07948, Tiffany H. Anderson RPh App. 7/15/2010
- 4) Wal-Mart Pharmacy Boone Permit # 07942, Ron Proffitt RPh App. 7/15/2010
- 5) Walgreens Pharmacy Greensboro Permit # 08317, Travis Fuller RPh App. 7/15/2010
- 6) CVS Pharmacy Waynesville Permit # 06804, Waynesville Timothy Gentilcare RPh App. 7/15/2010
- 7) Rite Aid Pharmacy Charlotte Permit # 09604 Preshetta Fisher RPh App. 7/16/2010
- 8) East Burke Pharmacy Hildebran Permit # 07730, Leigh Anne Abernathy Rph App. 7/16/2010
- 9) Wal-Mart Pharmacy Sanford, Permit # 08007, Montrose Graham Terrell RPh App. 7/16/2010
- 10) Wal-Mart Pharmacy Concord, Permit # 10305, Justin Boyer RPh App. 7/22/2010
- 11) Wal-Mart Pharmacy Fayetteville, Permit # 07960, Angela Lynn Fipps-White RPh App. 7/27/2010
- 12) Wal-Mart Pharmacy Monroe, Permit # 07989, Mika Eudy Purser RPh App. 7/29/2010
- 13) CVS Pharmacy Clemmons, Permit # 06589 Scott Crawford RPh App. 8/18/2010
- 14) Omnicare of Hickory, Inc. Permit # 09342 Joy Bowman Evans RPh App. 8/18/2010
- 15) Wal-Mart Pharmacy Charlotte, Permit 07946 Shenouda Mourgan RPh App. 8/18/2010
- 16) Wal-Mart Pharmacy Laurinburg Permit # 07981 Sharon Butler RPh App.8/18/2010
- 17) Wal-Mart Pharmacy Hope Mills, Permit # 07974 Stan Crumpler RPh App. 8/18/2010
- 18) Walgreens Pharmacy Apex, Permit # 09301 Heidi Marie Worthington RPh App.8/18/2010
- 19) Wal-Mart Pharmacy Arden, Permit # 07939, Anthony Affinito RPh App. 8/18/2010
- 20) Wal-Mart Pharmacy Forest City, Permit # 07962, Brian Christopher Robbins RPh App. 8/18/2010
- 21) Wal-Mart Pharmacy Statesville, Permit # 08015, Paulette Deal, RPh App. 8/18/2010
- 22) Wal-Mart Pharmacy Fayetteville Permit # 08072 Denise Lynn Huggins, App. 8/13//2010
- 23) Ingles Markets Burnsville Permit # 07790 Mechelle R Akers RPh, App. 8/31/2010
- 24) Charles Drew Community Health Center Burlington Permit # 06027 App. 8/31/2010
- 25) CVS Pharmacy Reidsville Permit # 06756 Michelle Gregory RPh App. 8/31/2010
- 26) Wal-Mart Pharmacy Locust Permit # 10306 Lori Kodidara RPh App. 8/31/2010

The Board adjourned for lunch at 10:45 pm and resumed open session at 1:00pm.

Closed Session

On a motion from Dr. Dennis, seconded by Dr. Chesson with no dissenting votes, the Board moved into closed session to discuss the possible summary suspension of three (3) technicians and a pharmacist. When open session resumed on a motion from Dr. Chesson, seconded by Mr. Minton with no dissenting votes, RPh. Heather Hindsley Tetterton, license #13048; technician Jennifer Dawn Murphy, registration #26816; technician Lindel Trimble, registration #20895; and technician Crystal Gale Johnson, registration #27001 were summarily suspended.

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

Consideration of Exam Candidate – Courtney Eleazer

Courtney Eleazer appeared before the Board in consideration of her exam application. Mr. Campbell proceeded with the case and stated that Ms. Eleazer, who is a pharmacy graduate of Wilkes University in Pennsylvania, answered “yes” on her exam application on whether she has ever been treated for substance abuse. Ms. Eleazer tested positive on a random drug screen in Pennsylvania and was referred to SARP which is the Pennsylvania equivalent of the NC Pharmacy Recovery Network (PRN). After staff received her NC exam application, she was referred to PRN. Mary Christine Park, PRN Executive Director, stated that Ms. Eleazer has signed a contract with PRN. She also stated that PRN did not have an objection to her exam application and felt that she was safe to practice pharmacy. Mr. Campbell stated that staff did not have an objection to the application on the condition that Ms. Eleazer complies with her PRN contract. On a motion from Mr. Minton, seconded by Dr. Chesson with no dissenting votes, the Board approved Ms. Eleazer’s exam application.

A copy of the Order Regarding Licensure can be found elsewhere in the Minutes and are incorporated by reference herein.

Request for Increase in Pharmacist to Technician Ratio – Mission Health System

James Sainsbury, Mission Health System, appeared before the Board in consideration of their technician ratio request. Mission Health System submitted a request for an increase in the pharmacist to technician ratio to 1 to 5. Mr. Sainsbury stated that Mission Health System submitted the tech ratio request for their Ridgefield pharmacy facility which will function as a pharmaceutical packaging, hospital system supplying, and mass producing facility. Mr. Sainsbury explained to the Board that the technicians would be manually preparing patient specific IV medications.

After discussion and because of the specific environment in which the technicians would be working, the Board approved the tech ratio request on these specific facts on a motion from Dr. Dennis, seconded by Mr. McLaughlin with no dissenting votes.

There being no further business, on a motion from Mr. Minton, seconded by Mr. Marks with no dissenting votes, the meeting adjourned at 1:42pm.

Rebecca W. Chater, President

Betty Dennis., Vice President

Gene Minton

J. Parker Chesson, Jr.

Lazelle Marks

Robert J. McLaughlin, Jr.