

President Gene Minton called the meeting to order at 9:00 am with Board Members Dr. Parker Chesson, E. Lazelle Marks, Carol Yates Day, and Bill Mixon present. Robert J. McLaughlin was absent from the meeting. Also present were Executive Director Jay Campbell, Director of Investigations Karen Matthew, Director of Operations Kristin Moore, Licensing Specialist Missy Betz; Director of Licensing Deborah Stump, and Financial and Administrative Services Director Gail Brantley. Present as visitors were: Mary Christine Parks, NCPRN; Cindy Clark, NCPRN; Tom Readling, NC Mutual; Christine Davis, Cardinal Health; David Catalano, Walgreens; Vann Day, Duke Med. Center; Tony Mitchum, Wal-Mart; Lisa Collums, Kerr Drug; Brenda Shafer, Quarles & Brady, LLP; April Sloan Sorrentio, Target; Wyt Ratanacharoensiri, UNC Student; Morgan Trammel, UNC/ESOP; Sarah Murphy, Wingate University; Stacey Hussey, Campbell Univ.; Travin Deese, UNC; Keiko Binij, UNC/Mutal; RPh. Diane Drollinger, IPS; RPh. Kelly Long; Jian Huang, Cardinal; Lauren Annas, Campbell Univ.; Scott Thompson, Cardinal Health; RPh. Matthew Thompson, Walgreens; and Bill Pickard, Campbell University.

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 July 2012 Board Meetings

The members received the July 17, 2012 meeting minutes prior to this meeting for review. It was moved by Mr. Mixon and seconded by Dr. Chesson to accept the Minutes as submitted. The motion passed with no dissenting votes.

Consideration of Reciprocity Candidate – Diane Drollinger

RPh. Diane Drollinger appeared before the Board concerning her reciprocity application. Ms. Drollinger submitted an application to reciprocate her pharmacist license from Virginia. Ms. Drollinger indicated on her application that in October 2009, while still a pharmacy student, she plead guilty to a misdemeanor destruction of property which stemmed from alcohol related conduct. Ms. Drollinger was granted her Virginia pharmacist license under a 5 year stayed suspension with conditions including that she enter into a treatment program with Virginia's HPMP which is an equivalent to North Carolina's Pharmacy Recovery Program (PRN). Ms. Drollinger signed a 5 year contract with HPMP which will conclude in February 2015. She also has received her Louisiana, Alabama, and Florida pharmacist licenses with conditions that include compliance with the HPMP program and periodic reporting. The Board heard testimony from Ms. Drollinger and Mary Christine Parks, Executive Director NCPRN.

On a motion from Mr. Marks, seconded by Mr. Mixon with no dissenting votes, the Board moved into closed session to discuss the matter. Open session resumed on a motion from Mr. Marks, seconded by Dr. Chesson with no dissenting votes. Mr. Minton stated that on a motion from Dr. Chesson, seconded by Mr. Mixon with no dissenting votes, the Board approved Ms. Drollinger's reciprocity application with conditions.

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

Request for Modification of Board Order – RPh. Kelly Long, License #13493

RPh. Kelly Long, license #13493, appeared before the Board to request modification of her 2007 reinstatement order. Mrs. Long license was reinstated in October 2007 after voluntary surrendering her license in May 2007 for diversion. Mrs. Long requested that the Board lift the restrictions for prior approval of employment, not working as a pharmacist manager, working no more than 40 hours per week on average, and certain disclosures requirements. Mrs. Long, duly sworn, testified on her recovery progress with NCPRN and stated her reasons for requesting the modification. Cindy Clark, NCPRN, duly sworn, stated that NCPRN supports Mrs. Long request for modification of her order.

On a motion from Dr. Chesson, seconded by Mr. Marks with no dissenting votes, the Board moved to accept Mrs. Long request for modification of her reinstatement order.

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

Request for Modification of Board Order – RPh. Matthew Thompson, License #12699

RPh. Matthew Thompson, license #12699, appeared before the Board to request modification of his 2009 reinstatement order. Mr. Thompson's pharmacist license was reinstated in November 2009 after voluntarily surrendering his license in October 2008 for diversion. Mr. Thompson requested that the Board lift the restrictions on not serving as a pharmacist manager and working no more than 30 hours per week on average, which may be extended to 40 hours per week at the discretion of NCPRN. Mr. Thompson, duly sworn, testified on his recovery progress and gave his reasons for requesting the modification. Cindy Clark, NCPRN, duly sworn, testified on Mr. Thompson's behalf and stated that NCPRN supports his requested modifications.

On a motion from Dr. Chesson, seconded by Mr. Mixon with no dissenting votes, the Board lifted the restriction on not serving as pharmacist manager and modified his working hours condition to state that "... he shall comply with all NCPRN conditions on number of hours employed each week as a pharmacist for the duration of his NCPRN contract...".

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

Agenda – Scheduling of Topics

Mr. Minton requested that Mr. Campbell give the Board a break down on how Board agenda topics are scheduled. Mr. Campbell state that the Board meetings were mostly driven by scheduled disciplinary hearings. He stated that non-disciplinary topics were scheduled around disciplinary hearings where time allowed. Staff requires at least 2 weeks notice from a person or entity requesting to place a non-disciplinary topic on the meeting schedule so that materials may be gathered by staff and placed on the Board member website, as well as ensuring that all Open Meeting Act requirements are met. He also stated that meeting agendas are published on the Board website.

Update on Electronic Prescribing of Controlled Substances

In June 2010 the DEA passed a rule to allow electronic prescribing of controlled substances. For the last 2 years there has been no computer system certified by DEA to meet their requirements for e-prescribing. On August 1, 2012, DEA announced that it had approved certification processes for e-prescribing systems conducted by several entities. As a result, various ECSRx systems (both transmitting and receiving) are coming on line. Mr. Campbell stated that once a system has been approved as meeting DEA's security requirements, it may be used in North Carolina.

Report and Recommendations for Implementation of H.799

H799 requires licensing boards to allow licensure by endorsement for military personnel and military spouses. At the July 2012 Board meeting, the Board requested by consensus that Mr. Campbell, Mr. McLaughlin, and RPh. Bill Pickard meet to review the bill and make recommendations to the Board on any rule or procedural changes that may be necessary to implement the statute. Mr. Campbell presented their recommendations that no procedural or rule changes to the reciprocity process or technician registration process are needed to comply with H799. Existing license reciprocity and technician registration process easily meet H799's requirements. It was the consensus of the Board that Mr. Campbell send a letter to the Governor stating the Board's reasons for not making any changes to the licensure process.

Financials

Gail Brantley, Financial and Administrative Services Director, presented the August 2012 financial statistics to the Board.

Review of FY 2012-2013 Budget

Gail Brantley presented the proposed budget for fiscal year 2012 – 2013. After discussion, on a motion from Dr. Chesson, seconded by Mr. Marks with no dissenting votes, the Board approved the proposed budget.

Investigative Statistics

Director of Investigations Karen Matthew presented the investigative report for July 2012.

Report from MALTAGON Annual Meeting

The 2012 MALTAGON meeting was held September 9-13, 2012 in Tulsa, OK. Mr. Campbell updated the Board on the meeting proceedings and reminded the Board that North Carolina will host the meeting in 2013 at the Crowne Plaza Resort in Asheville, NC

NABP Interactive Member Forum – September 19-20, Northbrooke, IL

Mr. Campbell stated that NABP is conducting the 2012 Meeting Triathlon starting in the fall. The first meeting is the NABP Interactive Member Forum on September 19-20, 2012, in Northbrook, IL. Mr. Minton will be attending this meeting as Board representative.

Board Retreat – September 27, 2012

Mr. Campbell reminded Board member that the annual Board retreat will be held Thursday, September 27, 2012 at the Proximity Hotel in Greensboro, NC.

Pharmacy Leaders' Forum – September 28, 2012

The annual Pharmacy Leaders' Forum will be held Friday, September 28, 2012 at the Proximity Hotel in Greensboro, NC.

Amendment to 21 NCAC 46.1601(a): Report of September 17, 2012 Public Hearing: Decision on Adoption

The Board held a public hearing September 17, 2012 for proposed amendments to 21 NCAC 46.1601(a) – Pharmacy permits concerning required reference materials. Mr. Campbell stated that there were no comments submitted concerning the amendment and no one spoke at the public hearing. On a motion from Mr. Marks, seconded by Mr. Mixon with no dissenting votes, the Board moved to approve the amendment as submitted and submit it to the Rules Review Commission.

Consent Agenda

Following a review of the consent agenda, it was moved by Mr. Marks, 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

Staff Issued Letters of No Action

RPh. Fred W. Lowery, license #07606; and Lowry Drug Company, Inc., Permit #07292; were subjects of a prehearing conference held August 8, 2012, heard by Mr. McLaughlin, regarding allegations of improperly dispensing 115 oxygen cylinders without venting the oxygen or refilling the cylinders. The cylinders were voluntarily recalled by the pharmacy and vented in the presence of Ed Radford, NC Department of Agriculture Inspector. Recommendation: **Staff Issues Letters of No Action** to RPh. Lowery and permit.

Reciprocity Candidates

Candidates Licensed by Reciprocity 9/19/2012					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Stephanie	Dare	Adams		WV	9/19/2012

Candidates Licensed by Reciprocity 9/19/2012					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Magdalene	Marie	Assimon		NY	9/19/2012
Rennie	B.	Atkins		VA	9/19/2012
Robert	Carl	Ault		GA	9/19/2012
Yoonyeong		Byun		FL	9/19/2012
Dustin	Pierce	Clark		WV	9/19/2012
Mackenzie	Leigh	Cottrell		OK	9/19/2012
Lindsey	Anne	Cyr		SC	9/19/2012
Cheryl	Denise	Devereaux-Brown		TN	9/19/2012
Manvir	S.	Dhanjal		FL	9/19/2012
Jonathan	William	Gerber		NV	9/19/2012
Jeanie	Lea	Gonzalez		VA	9/19/2012
Ashley	Nicole	Hannings		GA	9/19/2012
Wennie	Ying Si	Huang		MA	9/19/2012
Candace	Boggs	Hudson		WV	9/19/2012
Samir	N.	Joshi		NH	9/19/2012
Bridgette	Louise	Kram		MN	9/19/2012
Mary	St. George	Lauer		VA	9/19/2012
Laurel	Patricia	Matias		NY	9/19/2012
Meredith	Toma	Moorman		KY	9/19/2012
Ryan	Scott	Morgan		MD	9/19/2012
Travis	Bryan	Oliver		SC	9/19/2012
Carlos	Edward	Orendain		AZ	9/19/2012
Roshan		Patel		MI	9/19/2012
Snehal	C.	Patel		NJ	9/19/2012
Nicole	Renee	Pinelli		MI	9/19/2012
Edward	Milton	Plut		OH	9/19/2012
Adele	Marie	Robbins		WA	9/19/2012
Chelsea	Kristel	Sanchez		TX	9/19/2012
Andrew	Michael	Schott		IN	9/19/2012
See	Won	Seo		NJ	9/19/2012
Samantha	Kaye	Shabla		NY	9/19/2012
Vaibhavi	Samantsinh	Sindha		MI	9/19/2012
Mischelle	Creel	Smoot		TX	9/19/2012
Rhonda	Kay	Sweatman		SC	9/19/2012
Nicole	Kathleen	Voso		SC	9/19/2012
Charles	Matthew	Walker		SC	9/19/2012
George	S.	Wuo		OH	9/19/2012
Nicole	Ngoc	Yeung		TX	9/19/2012

CPP Candidates

RPh. Justinne Guyton, License #22637

RPh. Mallika Pravin Want, License #18375

RPh. Courtenay Wilson, License #21188

Increase in Pharmacist to Technician Ratio

- 1.) Walmart Pharmacy Ahoskie, Permit # 07936, David Harrell RPh App. 8/15/2012
- 2.) Costco Pharmacy Durham, Permit # 07681, George Dallas RPh App. 8/15/2012
- 3.) Walgreens Pharmacy Reidsville, Permit # 10189, Astwei Quaison RPh App. 8/15/2012
- 4.) Walmart Pharmacy Greenville, Permit # 07968, Allison Baynor RPh App. 8/21/2012
- 5.) Sam's Club Pharmacy Kannapolis, Permit # 08309, Bill Cranford RPh App. 8/21/2012
- 6.) Walmart Pharmacy Denver, Permit # 10003, Darrel W. Cruthis RPh App. 8/21/2012
- 7.) Trinity Infusion Winston-Salem, Permit # 11148, Michelle Johnson RPh App. 8/21/2012
- 8.) Walgreens Pharmacy Sanford, Permit # 08302 Frank Wempa RPh App. 8/21/2012
- 9.) Pharmerica LTC Waynesville , Permit # 09840, Jean K Hannah RPh App. 8/28/2012
- 10.) CVS Pharmacy Manteo, Permit # 10790, Donald B. Richardson RPh App. 8/28/2012
- 11.) Walmart Pharmacy Zebulon, Permit # 1004, Clayton M. Brooks RPh App. 8/28/2012
- 12.) Walmart Pharmacy Jacksonville, Permit # 07975, Kendra Billingsley RPh App. 8/28/2012
- 13.) Walgreens Pharmacy Greenville, Permit # 07820, Laycee Strayer RPh App. 9/5/2012
- 14.) Walmart Pharmacy Mooresville, Permit # 07990, Justin Boyer RPh App. 9/5/2012

Open Mike

Mary Christine Parks, NC Pharmacist Recovery Network, updated the Board on recent audit of NCPRN. She also stated that the PRN Board will now consist of 5 members instead of 12 members.

Closed Session

On a motion from Dr. Chesson, seconded by Mrs. Day with no dissenting votes, the Board moved into closed session to discuss possible summary suspensions and legislative issues. Open session resumed on a motion from Mr. Mixon, seconded by Mr. Marks with no dissenting votes. Mr. Minton stated that technicians Tiffany Renee Knight, registration #24504; Donneal Laverne Lawson, registration #30443; Willie Lee Polk, registration #28381; and Chasney Lee Ann Link, registration #21037; were summarily suspended.

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

There being no further business, the meeting adjourned at 12:22pm.

Gene Minton, President

E. Lazelle Marks, Vice-President

J. Parker Chesson, Jr.

Robert J. McLaughlin, Jr

Carol Yates Day

William A. Mixon