

President Gene Minton called the meeting to order at 9:00 am with Board Members Dr. Parker Chesson, Carol Yates Day, Robert J. McLaughlin, Lazelle Marks, and Bill Mixon present. Also present were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Director of Investigations Karen Matthew, Director of Operations Kristin Moore, and Financial Administrative Services Director Gail Brantley. Present as visitors were: Rebecca Cage, Brooks Pierce; Christine Davis, Cardinal Health; Bill Pickard, Campbell University; Tony Mitchum, Walmart; Valanda Nelson, NCPRN; Cindy Clark, NCPRN; Lisa Collums, Kerr Drug; Brenda Shafer, Quarles & Brandy; Tom Reading, Mutual Drug; David Catalano, Walgreens; Stephanie Bullock, Parmerica; Misty Rager, CVS; Jaime Frahm, CU Student; RPh. Clyde Mills, Ingles; Lea Lilie, Kmart Pharmacy; RPh. Sue Calverley, PSP Pharmacy; Joe Watson, Harris Teeter; RPh. Michael Best; RPh. Travis Reynolds, CHS; Amy Isaacs, UNC/ Mutual Drug; Ming Li, UNC/Mutual Drug; Jennifer Falesia, Rite Aid; Lindsey Barham, Rite Aid; Rob Patchett; Melissa Cummings, DEA; Greg Letourneau, LCSU; Pat Summary; Mark Zachary, Cashiers Valley Pharmacy; RPh. Nick Hastings; Jay Honeycutt, Campbell University; Kori Forster, Humana; Desirae Lindquist, Campbell; Debbie Liang, Walgreens/Campbell; Lesa Pastor, NHA; Marcus Stanaland, Campbell; Ben Ahlers, UNC; Missy Beta, NCBOP; and Rhonda Jones, 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 July 2013 Board Meetings

The members received the July 9, 2013 meeting minutes prior to this meeting for review. It was moved by Mr. Mixon and seconded by Mrs. Day to accept the Minutes as submitted. The motion passed with no dissenting votes.

Consideration of Request for Reinstatement – RPh. Karen McKissick, License #14265

RPh. Karen McKissick, license #14265, appeared before the Board to request reinstatement of her pharmacist license, as well as upon the Board staff's request for final discipline on Ms. McKissick's license. Ms. McKissick had voluntarily surrendered her license on December 13, 2010 after being involuntarily committed for mental illness. Board counsel Clint Pinyan and Rebecca Cage proceed with the case and submitted into evidence stipulations with respect to the persistence of Ms. McKissick's condition, as well as episodes that occurred during her practice of pharmacy. Witnesses called by Board staff testified further about the episodes that occurred as a result of Ms. McKissick's condition, as well as the impact that they perceived that her condition had upon the practice of pharmacy. Ms. McKissick testified about her condition, as did her treating psychiatrist.

After presentation of evidence and testimony, Mr. Pinyan stated that staff does not recommend reinstatement of Ms. McKissick's pharmacist license and recommends that her license be permanently revoked, because of the evidence that she still suffered from a mental disability that renders her unfit to practice pharmacy with reasonable skill, competence and safety to the public. Jim Wilson, attorney for Ms. McKissick, stated that Ms. McKissick is ready to return to the practice of pharmacy after sixteen (16) months without a hospitalization

On a motion from Mr. McLaughlin, seconded by Dr. Chesson with no dissenting votes, the Board moved into closed session to deliberate the matter. Open session resumed on motion from Mr. McLaughlin, seconded by Mr. Marks with no dissenting votes. Mr. Minton stated that on a motion from Mr. McLaughlin, seconded by Dr. Chesson with no dissenting votes, the Board denied Ms. McKissick's request for reinstatement and revoked her pharmacist license. Mr. Minton further stated the Board's Reinstatement and Reapplication Policy is modified to the extent that Ms. McKissick can petition for reinstatement no sooner than 18 months from the date of the Board's order.

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

Request for Modification of Reinstatement Order – RPh. Travis Reynolds, License #19771

RPh. Travis Reynolds, license #19771, appeared before the Board to request modification of his November 17, 2010 Order Reinstating License. He requested that the Board lift the restriction on not serving as a pharmacist manager. Mr. Reynolds, duly sworn, updated the Board of on his recovery progress. Cindy Clark, NCPRN, duly sworn, stated that NCPRN supports the requested modification. Mr. Campbell stated that staff does not object to lifting the restriction.

After presentation of evidence and testimony, on a motion from Mr. McLaughlin, seconded by Dr. Chesson with no dissenting votes, the Board moved to lift Mr. Reynolds's restriction on serving as pharmacist manager.

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 Reinstatement Order – RPh. Michael Best, License #09356

RPh. Michael Best, license #09356, appeared before the Board to request modification of his January 20, 2009 Order Reinstating License. He requested that the Board lift the restrictions on obtaining prior approval of employment from the Board's Executive Director, to provide any potential employer a copy of his deferred prosecution agreement, to comply with the terms of his deferred prosecution agreement, not serve as pharmacist manager, not serve as preceptor, and to not be employed as a pharmacist for more than 30 hours per week. Mr. Best, duly sworn, testified on his recovery progress. He also stated that he has complied with his deferred prosecution agreement and the charges linked to the agreement have been dismissed. Cindy Clark, duly sworn, stated that NCPRN supports lifting the restrictions. Mr. Campbell stated that staff has no objections to requested modifications.

After presentation of evidence and testimony, on a motion from Mr. Mixon, seconded by Mrs. Day with no dissenting votes, the Board moved in to closed session to deliberate the matter. Open session resumed on a motion from Mr. McLaughlin, seconded by Mr. Marks with no dissenting votes. Mr. Minton stated that on a motion from Mr. McLaughlin, seconded by Dr. Chesson with no dissenting votes, the Board granted the requested modifications.

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 Reinstatement Order – RPh. Clyde Mills, License #12644

RPh. Clyde Mills, license #12644, appeared before the Board to request modification of his January 20, 2009 Order Reinstating License. He requested that the Board lift the restrictions on obtaining prior approval of all employment from the Board's Executive Director, to not serve as a pharmacist manager, to not serve as a preceptor, and to not be employed as a pharmacist more than thirty (30) hours per week. Mr. Mills, duly sworn, testified on his recovery progress and stated his reasons for requesting the modification of his order. Cindy Clark, duly sworn, stated that NCPRN supports lifting the restrictions. Mr. Campbell stated that staff has no objections to the requested modifications.

After presentation of evidence and testimony, on motion from Mr. Marks, seconded by Mr. McLaughlin with no dissenting votes, the Board moved to grant the requested modifications to Mr. Mills's Order Reinstating License.

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 Reinstatement Order – RPh. Sue Calverley, License #08068

RPh. Carolyn Sue Calverley, license #08068, appeared before the Board to request modification of her October 19, 2010 Order Reinstating License. She requested that the Board lift the restrictions on to not serve as a pharmacist manager and to not be employed as a pharmacist more than 30 hours per week. Ms. Calverley, duly sworn, testified on her recovery progress. Cindy Clark, duly sworn, stated that NCPRN supports the requested modifications. Mr. Campbell stated that staff has no objections to lifting the restrictions.

After presentation of evidence and testimony, on a motion from Mr. Marks, seconded by Mr. McLaughlin with no dissenting votes, the Board granted the requested modifications to Ms. Calverley's reinstatement order.

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

Reports to the Board

No one spoke during the Reports to the Board agenda session.

The Board recessed for lunch at 12:30pm and resumed open session at 1:15pm.

Consideration of Request for Reinstatement – RPh. Larry Dale Cole, License #08576

RPh. Larry Cole, license #08576, appeared before the Board to request reinstatement of his pharmacist license. Board counsel John Buford proceeded with the case and stated that Mr. Cole's pharmacist license was summarily suspended May 18, 2007. Mr. Buford submitted into evidence stipulations that showed that Mr. Cole was exchanging Tramadol for sexual favors with at least one patient. Mr. Cole requested reinstatement of his license at the July 17, 2007 Board

meeting but his request was denied. Richard Yeoman, attorney for Mr. Cole, stated that Mr. Cole acknowledges significant wrong doing and has been in treatment for sexual addiction.

The Board recessed for a break at 3:03pm and resumed open session at 3:17pm.

After presentation of evidence and testimony, Mr. Buford stated that staff recommends that the Board deny Mr. Cole's request for reinstatement and revoke his pharmacist license. Mr. Yeoman stated that Mr. Cole is in recovery from sexual addiction and is willing to accept any restrictions that the Board deems fit so that he may return to the practice of pharmacy.

On a motion from Mr. McLaughlin, seconded by Mr. Mixon with no dissenting votes, the Board moved into close session to deliberate the matter. Open session resumed on a motion from Mr. McLaughlin, seconded by Dr. Chesson with no dissenting votes. Mr. Minton stated that on a motion from Mr. McLaughlin, seconded by Dr. Chesson with no dissenting votes, the Board would grant Mr. Cole's request for reinstatement with conditions including taking and passing the MPJE, receiving 1500 hours of internship, not serving as a pharmacist manager, and not serving as a preceptor.

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

Dr. Chesson left the meeting at 4:35pm.

Tech Ratio Request – Greer Pharmacy

RPh. Kevin Plant appeared before Board to request an increase in technician to pharmacist ratio for Greer Pharmacy, permit #08225. Greer pharmacy is a closed door specialty compounding pharmacy which specializes in compounding allergy immunotherapy prescription for physicians and veterinary clinics. Because of the repetitive nature of the compounding by technicians, it causing a high number of repetitive motion injuries. The hope is to relieve some of these injuries by rotating technicians during the compounding process.

After discussion, on a motion from Mr. Mixon, seconded by Mr. McLaughlin with no dissenting votes, the Board moved to increase Greer Pharmacy's technician to pharmacist ratio to 5 to 1.

Request for Board Approval of NHA Exam for the Certification of Pharmacy Technicians

Lesa Pastor, presented a request from the National Healthcareer Association (NHA) that the Board recognize the National Technician Certification Exam (ExCPT) as an alternative to the Pharmacy Technician Certification Board (PTCB) exam for technician certification. After discussion, it was the consensus of the Board to take the matter under advisement.

Board Per Diem Policy

Mr. Campbell presented a pay schedule policy for Board members who are conducting official Board business. Official Board business would be considered meetings or conference calls of the Board or any of its committees, and service as the Board's duly appointed representative at meetings of professional associations or other conferences or conventions for which the Board

designates a representative. If a Board member conducts official Board business for two hours or less, they would receive \$25; for more than two hours but less than four hours, they would receive \$50; for four hours or more, they would receive \$100. With no dissenting votes the Board moved to accept the proposed pay schedule policy.

Progress of Pharmacist Immunization Authority Legislation

House Bill 832 was passed into legislation and 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, meningococcal, 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. Mr. Campbell presented to the Board immunization safety protocols questionnaire developed and agreed to by the North Carolina Academy of Family Physicians, the North Carolina Medical Society, the North Carolina Pediatric Society, the North Carolina Association of Community Pharmacists, the North Carolina Association of Pharmacists and the North Carolina Retail Merchants Association. After review and discussion, on a motion from Mrs. Day, seconded by Mr. McLaughlin with no dissenting votes, the Board moved to receive and accept the questionnaire.

Consideration of Adoption of Automated Dispensing Device Rule Amendments

A public hearing was held Tuesday, September 10, 2013 for the amendments to Automated Dispensing Device Rules that were approved by the Board at the April 16, 2013 Board Meeting. Mr. Campbell stated that the Board received eleven (11) written comments in favor of the proposed amendments during the public comment period. Two (2) speakers presented themselves at the public hearing to speak in favor of the proposed rule consolidations. There were no negative comments regarding the proposed rule changes received during the public comments period.

After discussion, on a motion from Mr. McLaughlin, seconded by Mr. Marks, the Board voted 3 -2 to adopt the proposed rule changes and send them to the Rules Review Commission.

Financial Report

Gail Brantley, Financial and Administrative Services Director, presented the August 2013 financial statistics to the Board. Ms. Brantley also presented the proposed budget for the upcoming fiscal year 2013-2014; a proposed deposit fund for Lincoln Financial Group Officer Insurance Policy for premiums to be paid for the next 5 years; a Software Development contract to improve the Board’s overall IT system; and a new retention agreement with Brooks Pierce law firm.

After discussion, on a motion from Mr. Mixon, seconded by Mrs. Day with no dissenting votes, the Board moved to approve the premium deposit fund for Lincoln Financial Group Officer Policy.

After discussion, on a motion from Mr. Mixon, seconded by Mr. McLaughlin with no dissenting votes, the Board moved to accept the proposed contract for improvements and updates to the Board's IT system.

After discussion, on a motion from Mr. Marks, seconded by Mr. Mixon, with no dissenting votes, the Board moved to accept the proposed retention agreement with Brooks Pierce law firm.

After discussion, on a motion from Mr. McLaughlin, seconded by Mr. Marks, with no dissenting votes, the Board approved the 2013-2014 Fiscal Year proposed budget.

Consent Agenda

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

Consent Order

RPh. Charity White, license #17724, was subject of a prehearing conference held July 8, 2013, heard by Mrs. Day, regarding allegations that on two (2) occasions RPh. White dispensed controlled substance medication before the date the prescriptions stated they could be filled. She also dispensed 20 Fentanyl patches to a patient in the parking lot of a Panera Bread Company on a prescription for only 13 patches. Recommendation: **Consent Order with a thirty (30) day suspension (seven (7) days active/ twenty-three (23) stayed two years).**

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

CPP Candidates

RPh. Jennifer Lee Hopson, License #16333
 RPh. Jaclyn Carson, License #16651
 RPh. Jennifer Evans Reel, License #18523
 RPh. Megan Lee Ducker, License #21828
 RPh. Jennifer Lauren Simon, License #22400
 RPh. Jamie Elizabeth, License #22569
 RPh. Delilah Jackson McCarty, License #19689
 RPh. Lindsay Logan Sheehan, License #21209

Reciprocity Candidates

Candidates Licensed by Reciprocity 9/19/2013					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Andrea	Marie	Adsit		NY	9/19/2013

Candidates Licensed by Reciprocity 9/19/2013					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Hegemengist	Lakew	Asegie		VA	9/19/2013
Jenna	Marie	Bognaski		TN	9/19/2013
Erin	Elizabeth	Boles		TN	9/19/2013
Michael	Vincent	Brown		SC	9/19/2013
Aaron	Steven	Burnette		TN	9/19/2013
Nicol	Kirsten	Carlson		FL	9/19/2013
Ashley	Jessica	Cinquino		NY	9/19/2013
Adam	Christopher	Cochran		VT	9/19/2013
Matthew	Owen	Cole		WI	9/19/2013
Anthony	Dennis	Czaplicki		FL	9/19/2013
Lawrence	Alan	DeYoung		FL	9/19/2013
Kallie	Marie	Dunlap		SD	9/19/2013
Michael	Richard	Ferguson		NJ	9/19/2013
Emily	Catherine	Flanagan		MD	9/19/2013
Christy	Cecil	Forehand		GA	9/19/2013
Lisa	Walters	Frazier		KY	9/19/2013
Jason		Hughes		PA	9/19/2013
Ezinne	Tochukwu	Igwegbe		NY	9/19/2013
Barbara	Ann	Johnson		TN	9/19/2013
Bethann	Fleenor	Johnson		SC	9/19/2013
Danielle	Christa	Kauffman		NY	9/19/2013
Debra	Mangus	Kempf		PA	9/19/2013
Cimeon	Israel	Koebel		GA	9/19/2013
Stephen	Rueyjer	Kung		NY	9/19/2013
Melissa	Dawn	Kuschel		OH	9/19/2013
Cassandra	Marie	LeBlanc		AZ	9/19/2013
Agnes	H.	Lee		AZ	9/19/2013
Alan	Matthew	Lyall		VA	9/19/2013
Tara	Nichole	Lyall		TN	9/19/2013
Taegan	Rena	Morgan		MO	9/19/2013
Robert	Michael	Moskowitz		MA	9/19/2013
Timothy	Robert	Pasquale		PA	9/19/2013
Chirag	N.	Patel		IL	9/19/2013
David	Craig	Phillips		OH	9/19/2013
Robyn	Marie	Reilly		FL	9/19/2013
Daryl	Gordon	Reynolds		GA	9/19/2013
Carmen	Hendrix	Riley		MS	9/19/2013
Rachel	Elizabeth	Rogers		NJ	9/19/2013

Candidates Licensed by Reciprocity 9/19/2013					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Teresa	Loree	Ruble		OH	9/19/2013
Lisa	N.	Schatz		OH	9/19/2013
Ritu		Singh		MA	9/19/2013
Andrew	P.	Stivers		OH	9/19/2013
Catrina	Hairston	Tull		VA	9/19/2013
Richard	Mark	Urbanski		PA	9/19/2013
Bernard	Samuel	Walker	Jr.	DE	9/19/2013
William	Scott	Wilkie		TX	9/19/2013
Amy	Christine	Willoughby		DE	9/19/2013
Jared	Donald	Wonders		OH	9/19/2013
Sung Hye	Mary	Woo		PA	9/19/2013

Increase to Pharmacists to Technician Ratio

1. Metcalf Pharmacy- Brevard, Steve Metcalf RPh, App. 7/3/2013
2. Walmart Pharmacy-Belmont, Tarek Othman RPh, App. 7/3/2013
3. CVS Pharmacy- Hendersonville, Rosemarie Howard RPh, App. 7/3/2013
4. Target Pharmacy –Wake Forest, Jana Ackley RPh, App. 7/29/2013
5. Walmart Pharmacy-Williamston, Latasha Weeks RPh, App. 8/1/2013
6. Oakboro Pharmacy- Oakboro, Angie O Smith RPh, App. 8/1/2013
7. Cannon Pharmacy-Kannapolis, Michael Rea RPh, App. 8/1/2013
8. Rite Aid Pharmacy- Raleigh, Brian Saylor RPh, App. 8/19/2013
9. CVS Pharmacy-Fletcher, Cynthia Swanner RPh, App. 8/19/2013
10. CVS Pharmacy-Raleigh, Veronica M Lewis RPh, App. 8/19/2013
11. CVS Pharmacy-Charlotte, Terrie Rallings RPh, App. 8/19/2013
12. Walmart Pharmacy-Goldsboro, Maria Fe Capuno Alday RPh, App. 8/19/2013
13. Food Lion Pharmacy-Salisbury, Andrew F Brown RPh, App. 9/6/2013

Closed Session

On a motion from Mr. Marks, seconded by Mr. Mixon with no dissenting votes, the Board moved into closed session to discuss possible summary suspensions. When open session resumed on a motion from Mr. McLaughlin, seconded by Mr. Marks, with no dissenting votes, Mr. Minton stated that no summary suspensions were issued by the Board during closed session.

There being no further business, the meeting adjourned at 6:00pm.

Gene Minton, President

E. Lazelle Marks, Vice-President

J. Parker Chesson, Jr.

Robert J. McLaughlin, Jr

Carol Yates Day

William A. Mixon