

The September 2016 Board Member Retreat was held at the Holiday Inn Resort located in Wrightsville Beach, NC. President Gene Minton called the meeting to order at 2:05pm on September 8th, 2016 with Board Members Robert Graves, L. Stan Haywood, Bill Mixon, Dr. Andrew Bowman, and Carol Yates Day present. Also present were Executive Director Jay Campbell, Associate Executive Director Ellen Vick, Board Member Elect Keith Vance, and Board Counsel Clint Pinyan.

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.

Chapter 93B Training

Board members received their required biennial Chapter 93B training, which was conducted by Board counsel Clint Pinyan.

During the ethics training, a discussion was held concerning license reinstatement hearings and requests for disciplinary order modifications being heard in the first instance at a prehearing conference, with recommendations brought to the full Board. It was the consensus of the Board to use this process going forward.

The meeting adjourned at 5:00pm.

The Board members resumed the meeting on Friday, September 9th at 8:45am at the Holiday Inn Resort.

Consideration of the Minutes of the July 2015 Board Meeting, the August 1, 2016 conference call, and the August 5, 2016 Conference Call

On a motion from Mrs. Day, seconded by Mr. Mixon with no dissenting votes, the Board approved the minutes of the July 2015 Board meeting, the August 1, 2016 conference call, and the August 5, 2016 conference call.

Review and Adoption of FY 2016-17 Budget

The Board members reviewed proposed budget for the 2016-17 fiscal year as recommended by the Board Finance Committee (Day, Bowman, Graves).

After discussion, on a motion from Mr. Graves, seconded by Dr. Bowman, with no dissenting votes, the Board approved the budget as presented.

Consent Agenda

It was moved by Mrs. Day, seconded by Mr. Mixon with no dissenting votes, to approve the consent agenda as presented. The follow items were approved.

Prehearing ConferenceStaff Issued Letter of Warning

Medicap Pharmacy, permit #07829, was subject of a prehearing conference held Monday, July 18, 2016, heard by Bill Mixon, regarding allegations that between 2013 - 2015, Medicap pharmacy engaged in wholesale shipments into the state of Arizona, as well as other states, without having the required non-resident permits. Additionally, the permit shipped some of these drugs in opened, partial packages, which was not permitted by some or all of the states. Medicap Pharmacy made these shipments by using services provided by MatchRx to pair interested buying and selling pharmacies for overstocked prescription drugs. Recommendation: LETTER OF WARNING issued to the permit.

Consent Order and Letters of Warning

RPh. David Brian Mozingo, license #21356; RPh. Betsy Ramsay, license #08056; and CVS pharmacy, permit #10878 were subjects of a prehearing conference held June 20, 2016, heard by Mrs. Day, regarding allegations that RPh. Mozingo and CVS pharmacies #10856 and #10878, between August 2014 and May 2015, failed to provide adequate security, failed to maintain control over controlled substance storage, failed to maintain an appropriate inventory control system to detect and prevent the diversion of controlled substances, and failed to ensure appropriate supervision of personnel. This resulted in at least two (2) separate diversions occurring where over 6,000 dosage units of controlled substances were unaccounted for. Furthermore, while at CVS #10878, RPh. Mozingo failed to report the losses to the Board and DEA, coupled with the fact that he was allowed to take the controlled substance logs out of the pharmacy and to his residence.

In addition to these deficiencies, RPh. Mozingo, CVS #10856 and CVS #10878 were cited numerous times with violations during inspections from the Board on August 21, 2014, February 9, 2015, April 23, 2015, May 25, 2015, and November 12, 2015, all while under your direct supervision. Between August 2014, and November 2015, District Supervisor Betsy Ramsay was aware of RPh. Mozingo's behavior, and was actively enabling him, leading to the culmination of a complete lack of supervision and oversight as RPh. Mozingo's district manager. Recommendations: Staff issued LETTER OF WARNING be issued to RPh. Ramsay; CONSENT ORDER OF REPRIMAND to CVS, permit 10878; and CONSENT ORDER OF REPRIMAND with conditions to RPh. Mozingo.

Consent Orders

CVS pharmacy, permit #10796, was subject of a prehearing conference held May 9, 2016 heard by Mr. Mixon regarding allegations that on November 19, 2015 permit dispensed 120 dosage units of oxycodone/APAP 10/325mg instead of the prescribed hydrocodone/APAP 10/325mg. Workflow issues at the permit contributed to the error. Recommendation: CONSENT ORDER OF REPRIMAND

Village Pharmacy of Wake Forest, permit #10359, was subject of a prehearing conference held June 20, 2016, heard by Carol Yates Day, regarding allegations that

between 2001 and April 2015, the permit engaged in wholesale shipment into Arizona and other states where they did not hold an out of state wholesale by utilizing MatchRx. Recommendation: CONSENT ORDER OF REPRIMAND.

Medaus Inc., permit #08786, regarding a consent order between the parties approved by Mr. Minton on September 9, 2016- regarding previous discipline by Alabama Board regarding sterile compounding; Recommendation: CONSENT ORDER OF REPRIMAND and may not engage in sterile compounding or dispensing sterile compounded products until approved by Alabama Board and until July 1,2018

CPP Candidates

- Lisa Marie Bendz, PharmD #18914, Duke Outpatient Clinic, 4220 N. Roxboro Rd, Durham NC
- Autumn Carroll, PharmD #23380, Mission Hospital, 509 Biltmore Avenue, Asheville NC
- Anne Carter Carrington, PharmD #25046, Mission Medical Associates, 310 Long Shoals, Arden NC
- Amanda Johnson, PharmD #23335, Carolina Advanced Health, 6101 Quadrangle Dr, Suite 100, Chapel Hill NC
- Katina Nichelle Jones-Rice, PharmD #13507, Cornerstone Healthcare, 1208 Eastchester Dr Suite 107, High Point NC
- Ashley Pokallus, PharmD #25352, North Buncombe Family Medicine PA, 201 Flat Creek Village Dr, Weaverville NC
- Marissa Rochelle Rogoff, PharmD #26115, Mission MyCare Plus at Biltmore Park, 267 McDowell Street, Asheville NC
- Jay Vora, PharmD #22599, UNC HealthCare, 4400 Emperor Blvd, Durham NC

Increase in Pharmacists to Technician Ratio

1. Cape Fear LTC Pharmacy LLC, #11525, Lillington NC/Maria Jeffries, Pharmacist Manager
2. Cleveland County Health Department #04794, Shelby NC/Chris Breese, Pharmacist Manager
3. CVS Pharmacy #10175, Nashville NC/Allison M. Williams, Pharmacist Manager
4. HealthSmart Pharmacy #07811, Benson NC/Jodie Lumbrazo, Pharmacist Manager
5. Sam's Club Pharmacy #07858, Gastonia NC/Christopher Bell, Pharmacist Manager
6. Thomas Drug Store #09447, Dunn NC/Paige Thomas Houston, Pharmacist Manager
7. Triad Choice Pharmacy #11648, Winston Salem NC/Anthony Okafor, Pharmacist Manager
8. Walgreens #12197, Carolina Beach NC/Daniel Anthony Wittman, Pharmacist Manager
9. Walgreens #12301, Cary NC/Jacob Matthews, Pharmacist Manager
10. Walgreens #12260, Clayton NC/Stephanie Shurtleff, Pharmacist Manager
11. Walgreens #12454, Mocksville NC/Tina Nguyen, Pharmacist Manager
12. Walgreens #12275, Lincolnton NC /James Burrows, Pharmacist Manager
13. Walgreens #12708, Raleigh NC/Brooke E. Shaner, Pharmacist Manager
14. Walgreens #12371, Southport NC/Teresa Young, Pharmacist Manager
15. Walmart Pharmacy #07960, Fayetteville NC/Roland Ntankeu, Pharmacist Manager

16. Walmart Neighborhood Market #12525, Goldsboro NC/Hitesh D. Vasnani, Pharmacist Manager
17. Walmart Pharmacy #10540, Raeford NC/Savannah Harris, Pharmacist Manager
18. Walmart Neighborhood Market #12695, Wilson NC Mohamed Emam, Pharmacist Manager
19. Walmart Neighborhood Market #12101, Winston Salem NC/Janet Foster, Pharmacist Manager

Reciprocity Candidates

Candidates License by Reciprocity 7/20/2016 -9/13/2016					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Claud	Chawky	Khater		AL	7/20/2016
Lauren	Marie	Verbosky		FL	7/20/2016
Aimee	Marie	Dassner		NJ	7/20/2016
Sarah	Anne	Nisly		KS	7/20/2016
Lauren	Taylor	Devine		OK	7/20/2016
Clara		Ni		GA	7/20/2016
Lacie	June	McKamey		TN	7/20/2016
Graham	David	Garcia		PA	7/20/2016
Travis	Michael	Shiple		FL	7/20/2016
Beth	Helena	Becker		OR	7/27/2016
Joel	Bernard	Huffman		FL	7/27/2016
Daniel	Lawrence	Israel		OH	7/27/2016
Rupal	M.	Patel		MO	7/27/2016
Marlia	Ann	Burke		FL	7/27/2016
Gina	N.	Kula		NJ	7/27/2016
Brian	Wayne	Logue		CO	8/3/2016
Jennifer	Lynn	Craven		IA	8/3/2016
John	Michael	Kantz		UT	8/3/2016
Swati		Sahib		MI	8/3/2016
Amber	Rose	Adams		AL	8/3/2016
Kelly	Marie	Jones		FL	8/3/2016
Pamela	McElveen	Poston		SC	8/3/2016
Elizabeth	Thanh-Huong	Tien		MD	8/10/2016
Catherine	Susan	Lee		WA	8/10/2016
Morgan	Marie	Wesner		NY	8/10/2016
Dana	Pritchard	Frye		SC	8/10/2016
David	Robert	Cailler		NH	8/10/2016
Jennifer	E.	Tryon		WI	8/10/2016
Jessica	Lynn	Yost		WV	8/10/2016

Candidates License by Reciprocity 7/20/2016 -9/13/2016					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Roger	Dale	St. Clair	Jr.	VA	8/10/2016
Rosanna	Chrys	Ressing		NY	8/10/2016
Fei		Wang		FL	8/17/2016
Lakeisha	Tiara	Stephens		IN	8/17/2016
Latousha	Parker	Jackson		VA	8/17/2016
Nicholas	John	Lomenzo		DC	8/17/2016
Rodney	Lynn	Burris		AR	8/17/2016
Amy	Beth	Fawcett		TX	8/17/2016
Jasmin	C.	Hicklen		SC	8/17/2016
Michelle	Nicole	Davids		NE	8/17/2016
Barbara	Bohacova	Shannon		VA	8/17/2016
Michael	W.	Anneken		KY	8/24/2016
Diti	N.	Shah		IL	8/24/2016
Grace	Uche	Iwekuba		IN	8/24/2016
Laurel	D.	Park		IL	8/24/2016
Ashlee	Marie	Seaborne		VA	8/31/2016
Jennifer	Lynn	Green		SC	8/31/2016
Erica	Nicole	Howell		WV	8/31/2016
Kathryn	Elizabeth	Owen		IA	9/8/2016
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Possible Changes to Continuing Education Requirements for Pharmacists

Mr. Campbell presented a proposal (developed with Board Member Bowman and Director of Licensing Debbie Stump) to streamline the CE process. The proposal would include accepting educational courses from the Accredited Council for Pharmacy Education (ACPE) or the North Carolina Association of Pharmacists (NCAP), as well as credit for precepting at least 160 hours for one of the four pharmacy schools in the state.

After discussion, on a motion from Mr. Graves, seconded by Mr. Bowman with no dissenting votes, the Boards approved a proposed rule change to 21 NCAC .2201 that would discontinue allowing five (5) hours of continuing education to carry over each year; change the number of annually required contact CE hours from eight (8) to five (5); and add an exemption for pharmacists who qualify under 21 NCAC 46.1613 or who practice entirely in another state and meet that state's continuing education requirements. The proposed rule change would require pharmacists to receive their continuing education requirements from ACPE or NCAP accredited courses or by precepting at least 160 hours for one of the four pharmacy schools in the state.

The members directed Mr. Campbell and Mr. Pinyan to publish the proposed amendments for notice and comment.

The Board Members adjourned for a break at 10:05 am and resumed open session at 10:20am.

Technician Certification Exams

Currently, the Board recognizes the Pharmacy Technician Certification Board (PTCB) for technician certification examinations. ExCPT has appeared before the Board on two occasions to request the Board to recognize their technician examination for certification. On the last occasion the Board requested that ExCPT open up their exam to an independent evaluation of the examination standards. To date, ExCPT has not done so. Accordingly, it was the consensus of the Board that there is no reason to re-open discussion of this issue at this time.

Pharmacy Security in North Carolina

Board Member Andy Bowman spoke to the members regarding his concerns with pharmacy security and whether there were steps the Board members could take to ensure safety in pharmacies. After discussion, it was the consensus of the members to use Board resources to develop guidance on security and place it on the Board's website. Mr. Campbell was directed to contact the North Carolina Sheriff's Association to explore their development of a program for pharmacies.

Board Policy Manual

Mr. Campbell inquired whether the Board members would like to develop a policy manual for members to outline Board policies such as travel and other reimbursement issues. After discussion, it was the consensus of the Board that existing member policies and the NABP member manual provide appropriate guidance.

Board Election

Each year, voter turnout for Board elections has dropped significantly since the 2011 election. Mr. Campbell inquired what the members and staff could do to encourage pharmacists to vote in elections. He also inquired whether any re-districting should be considered.

After discussion, it was the consensus of the members that re-districting is not needed. The Board directed Mr. Campbell and Mr. Pinyan to investigate the feasibility and legal aspects of shifting the Board elections from the spring to the renewal period so that pharmacists may vote online when they are renewing licenses.

Once Mr. Campbell and Mr. Pinyan report back, the Board will further consider the matter.

Decennial Review of Board Rules

The General Assembly enacted legislation that requires all state agencies to review and (potentially) re-adopt all the rules the agency has promulgated once every ten (10) years. Mr. Campbell stated that by October 17, 2017, Board staff will create a list classifying each rule as unnecessary, necessary without substantial public interest, or necessary with substantial public interest. Staff will publish the list, with Board approval, for public comment. The Board will

then form a committee to review the rules and comments for final determination of classification. The information will be sent to the Rules Review Commission which will file a report with the Joint Legislative Administrative Procedure Oversight Committee (APO).

Rulemaking Topics

Board staff has had an increase in the number of exam applicants who wish to take the NAPLEX and MPJE exams multiple times. NABP administers the exams and, to protect test integrity, has a default five (5) attempt limit on each test. NABP will, however, accept a Board of Pharmacy's direction to afford a candidate additional testing attempts. Mr. Campbell asked the members if they would like to adopt a rule to limit the number of times an applicant may take an exam.

After discussion, the Board directed Mr. Campbell to research how other states handle applicants who request more than five examination attempts. Once Mr. Campbell reports this information, The will further consider the matter.

Other Topics

At the June 2016 Board meeting, Bill Cover, NABP Member Relations and Government Affairs Director, presented an overview of NABP e-Profile and VPP programs. Mr. Campbell asked the Board members if they would like to adopt rules requiring pharmacists, technicians, and permits to obtain e-Profile numbers from NABP and supply it to Board staff for their records.

After discussion, the Board directed Mr. Campbell to draft a proposed rule. Once the Board has a proposal, it will further consider the matter.

There being no further business, the meeting adjourned at 12:15pm.

Gene Minton, President

L. Stan Haywood, Vice-President

Robert Graves

Bill Mixon

Andy Bowman

Carol Yates Day