

President Rebecca Chater called the meeting to order at 9:00 am with Board Members Dr. Betty Dennis, Gene Minton, and E. Lazelle Marks present. Board Members Dr. Parker Chesson and Joey McLaughlin were absent from the meeting. Also present were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Financial and Administrative Services Director Gail Brantley, Director of Investigations Karen Matthew, Director of Licensing Debbie Stump, Board Investigator Krystal Brashears, Board Investigator Loretta Wiesner, and Director of Operations Kristin Moore. Present as visitors were: Mary Christine Parks, NCPRN; Cindy Sugg, NCPRN; Christine Davis, Cardinal Health; Tom Readling, NC Mutual; Danny Seavers, Kerr Drug; April Sloan, Target; Frances Martin, GSK; Brian Bergey, Campbell/COP; RPh. Sue Calverley; Morgan Noms, NCAP; Karen Hammond, CVS; Craig Sherman, Hope Pharmaceuticals; Wendy Cox, UNC/SOP; RPh. Sherry Denning; Brittany Denning; Melanie Kolasen; Tyisha Scoggins, DTCC; Felicia Vielbaum, DTCC; Brittany Miller, DTCC; Kevin Biss, DTCC; and Abraham Zachariah, DTTC.

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 September 2010 Board Meetings

The members received the September 21, 2010 meeting minutes prior to this meeting for review. It was moved by Mr. Minton and seconded Dr. Dennis to accept the Minutes as submitted. The motion passed with no dissenting votes.

Consideration of Reciprocity Candidate – RPh. Frances Maida Martin

RPh. Frances Maida Martin appeared before the Board for review of her reciprocity application. Mr. Campbell stated that Ms. Martin has not practiced retail pharmacy for over five (5) years and has asked for a variance from Board's reinstatement policy for pharmacists out of practice more than five (5) years. Ms. Martin spoke to the Board about her work history with GlaxoSmithKline.

On a motion from Mr. Marks, seconded by Mr. Minton with no dissenting votes, the Board moved into closed session to deliberate the matter. Open session resumed on a motion from Dr. Dennis, seconded by Mr. Minton with no dissenting votes. Mrs. Chater stated that on a motion from Mr. Minton, seconded by Mr. Marks with no dissenting votes, the Board would allow Ms. Martin to reciprocate her license contingent on her taking and passing the MPJE and obtaining 600 internship hours. The Board stated that, as a reminder, she would need to obtain 15 hours of CE for the current year.

Consideration of Reciprocity Candidate – RPh. Michael Dean Blanton

RPh. Michael Dean Blanton appeared before the Board for review of his reciprocity application. Mr. Campbell stated that Mr. Blanton answered “no” to the question on his NC Board of Pharmacy data questionnaire that asked if he had ever been disciplined by another Board of Pharmacy when, in fact, he was disciplined by the South Carolina Board of Pharmacy in 2000 and 2002. Mr. Blanton, duly sworn, testified that he thought the discipline had been expunged from his record.

After presentation of evidence and testimony, the Board moved into closed session to deliberate the matter on a motion from Mr. Minton, seconded by Dr. Dennis with no dissenting votes. The Board resumed open session on a motion from Dr. Dennis, seconded by Mr. Marks with no dissenting votes. Mrs. Chater stated that on a motion for Mr. Marks, seconded by Mr. Minton with no dissenting votes, the Board would deny Mr. Blanton request to reciprocate his license.

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

Reinstatement Request – RPh. Carolyn Sue Calverly, license #08068

RPh. Carolyn Sue Calverly appeared before the Board to request reinstatement of her pharmacist license #08068. Ms. Calverly voluntarily surrendered her license March 4, 2009 for diverting controlled substances for personnel use. Mr. Calverly entered into a contract with the NC Pharmacist Recovery Network (PRN) in March 2009. Mr. Calverly, duly sworn, testified on her recovery process. Cindy Sugg, NCPRN, duly sworn, testified on Ms. Calverly’s recovery process and stated that NCPRN supports her reinstatement with appropriate conditions. Mr. Campbell stated that staff does not have an objection to Ms. Calverly’s reinstatement request with appropriate conditions.

After presentation of evidence and testimony, on a motion from Mr. Minton, seconded by Dr. Dennis with no dissenting votes, the Board approved Ms. Calverly’s reinstatement request with conditions.

A copy of the Order Reinstating Ms. Calverly’s license can be found elsewhere in the Minutes and are incorporated by reference herein.

Consideration of Request for Amendment to Consent Order – RPh. Karen McKissick, license #14265

Clint Pinyan, Board counsel, presented an Amended Consent Order Reinstating License with Conditions for RPh. Karen L. McKissick, license #14265. Ms. McKissick received a consent order in March 2010 which reinstated her license with conditions. Ms. McKissick has met those conditions for reinstatement and requested a wording change in the consent order. On a motion from Dr. Dennis, seconded by Mr. Marks with no dissenting votes, the Board approved the amended consent order and the reinstatement of Ms. McKissick’s pharmacist license.

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

Request for Exemption for Emergency Preparedness Medications – Craig Sherman, MD, Hope Pharmaceuticals

Craig Sherman MD, Hope Pharmaceuticals, appeared before the Board to request an exemption to Rule 21 NCAC 46 .2901 (governing the return of outdated drugs) for sodium nitrite, which is distributed for use as an antidote to cyanide poisoning. Dr. Sherman stated that sodium nitrite was on the Center for Disease Control's (CDC) list for Emergency Preparedness Medications and that it was expected that these drugs may never be used. The rule discourages wholesalers from selling these emergency medications knowing they may never be used and will be returned for refund. After discussion, it was the consensus of the Board to not enforce Rule .2901 where sodium nitrite is distributed for use as a cyanide antidote and requested that Mr. Campbell research a proposed rule change to Rule .2901 to deal with this issue.

End of Fiscal Year 2010 Statistics

Director of Licensing Debbie Stump presented the Board the statistics for 2010. Mr. Stump also stated that pharmacists and technicians would not be able to renew their license and registration for 2011 without updating their employment status.

September 2010 Financial Report

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

October 2010 Investigative Statistics

Karen Matthew, Director of Investigation, presented the investigative statistics for October 2010.

Spring 2011 Board Elections for Northern and Western District Seats

The elections from the Northern and Western District Board seats currently held by Dr. Dennis and Mrs. Chater will be held in the spring of 2011. Kristin Moore, Director of Operations, stated that the voting will be done online.

Consent Agenda

Following a review of the consent agenda, it was moved by Mr. Minton, seconded by Dr. Dennis, 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 No Action and Warning

Eric David Montijo, license # 18963, and Walgreens Pharmacy, permit #08825, were subjects of a prehearing conference held September 20, 2010, heard by Mr. Minton, regarding allegations of a dispensing error. Recommendation: **Staff issues a Letter of Warning** to RPh. Montijo and a **Letter of No Action** to permit.

Staff Issues a Letter of Warning

RPh. Karen H. Bratton, license #11768, was subject of a prehearing conference held September 20, 2010, heard by Mr. Minton, regarding allegations that in 2008 and 2009, RPh. Bratton dispensed Augmentin to a patient who did not have a valid prescription. Recommendation: **Staff Issues a Letter of Warning** to RPh. Bratton.

Staff Issues a Letter of Caution

RPh. Lindsay Woodberry McColl, license #18087, was subject of a prehearing conference held September 20, 2010, heard by Mr. Minton, regarding allegations of failure to take adequate steps to keep controlled substances safe and secure and failure to keep an adequate inventory of controlled substances to prevent or detect diversion. Recommendation: **Staff Issues a Letter of Caution** to RPh. McColl.

Staff Issues a Letter of Caution with Error Reduction Course and Consent Order

RPh. Ruth Evelyn Pleasants, license #16391, and Rite Aid Pharmacy, permit #09617, were subjects of a prehearing conference held September 20, 2010, heard by Mr. Minton, regarding allegations of a dispensing error, failure to keep controlled substances safe and secure to prevent diversion, and operating without a pharmacist manager. Recommendation: **Staff Issues a Letter of Caution** to RPh. Pleasants and **seven (7) day suspension/stayed one (1) year** to permit.

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

Increase in Pharmacist to Technician Ratio

- 1) Wal-Mart Pharmacy Winston-Salem, Permit # 09444 Melody Davis Patterson RPh App. 9/13/2010
- 2) Wal-Mart Pharmacy Winston-Salem, Permit # 08030 Clement Ebhodaghe RPh App. 9/13/2010
- 3) Wal-Mart Pharmacy Salisbury, Permit # 08006 W. Scott Plyler RPh App. 9/13/2010
- 4) Wal-Mart Pharmacy Siler City, Permit # 08010 Lydia Lienau RPh App. 9/13/2010
- 5) Wal-Mart Pharmacy Elizabeth City, Permit # 07956 Emily Jane Walker RPh App. 9/13/2010
- 6) Wal-Mart Pharmacy Kannapolis, Permit # 07976 Julie A Evers RPh App. 9/17/2010
- 7) CVS Pharmacy Concord, Permit # 06594 Ali Mehrizi RPh App. 9/17/2010
- 8) Wal-Mart Pharmacy Oxford, Permit # 07996 Susan Currin Hill RPh App. 9/17/2010
- 9) Wal-Mart Pharmacy Asheville, Permit # 07940 Patricia L Hernandez RPh App. 9/17/2010
- 10) Wal-Mart Pharmacy Charlotte, Permit # 08531 Mark Eamer Haugh RPh App. 9/17/2010
- 11) Wal-Mart Pharmacy Williamston Permit # 08025 Allison C W Baynor RPh App. 9/17/2010
- 12) Wal-Mart Pharmacy Indian Trail, Permit # 09313 Marcus Cobey Riley RPh App. 9/17/2010
- 13) Wal-Mart Pharmacy Murphy, Permit # 07994 Rebekah Thompson RPh App. 9/17/2010
- 14) CVS Pharmacy Statesville, Permit # 06788 Thomas D Hesson RPh App. 9/17/2010

- 15) Wal-Mart Pharmacy Locust, Permit # 10306 Lori Kodikara RPh App. 9/17/2010
- 16) Rite Aid Pharmacy Southern Pines, Permit # 09767 Laurel Gentry RPh App. 9/17/2010
- 17) Wal-Mart Pharmacy Fayetteville, Permit # 07961 Royanna Sloan Morris RPh App. 9/17/2010
- 18) Ridgefield Pharmacy Asheville, Permit # 10539 James Trevor Sainsbury RPh App. 9/21/2010 (By Full Board Meeting)
- 19) Wal-Mart Pharmacy Gastonia, Permit # 08471 Melanie Sotomayor RPh App. 9/28/2010
- 20) CVS Pharmacy Murfreesboro, Permit # 06738 Diane Taylor Prince RPh App. 9/28/2010
- 21) CVS Pharmacy North Wilkesboro, Permit # 06743 Marcia G Reynolds RPh App. 9/28/2010
- 22) Wal-Mart Pharmacy Conover, Permit # 09442 Steve A Stinson RPh App. 9/28/2010
- 23) Alamance Regional Medical Center Burlington, Permit # 04663 Sandra Faucette RPh App. 10/7/2010
- 24) CVS Pharmacy Wilson, Permit # 06821 Ijeoma Uwakwe RPh App. 10/7/2010
- 25) Health Options Hudson, Permit # 06991 Gary M Hartley RPh App. 10/7/2010
- 26) /CVS Pharmacy Grantsboro, Permit # 06648 Darlene Molett RPh App. 10/7/2010

Open Mike Session

Wendy Cox, UNC Eshelman School of Pharmacy, updated the Board on the new pharmacy complex for the satellite campus in Elizabeth City, NC. The school is also moving forward with the Asheville satellite campus.

Joy Greene, Wingate University School of Pharmacy, updated the Board on the new facility for the pharmacy school and the new satellite campus in the Hendersonville region.

Consideration of Non-Residency Pharmacy Application – Coastal Meds, LLC.

Mr. Campbell presented a non-residency pharmacy permit application for Coastal Meds, LLC in Mississippi, which names RPh. Michael Gallotte as pharmacist manager. Mr. Gallotte informed Board staff that he had been subject to disciplinary actions in 2002 from the Mississippi Board of Pharmacy for substance abuse. Mr. Gallotte's Mississippi pharmacist license was reinstated in November 2008. Mr. Campbell stated that staff did not have an objection to the permit application. On a motion from Mr. Minton, seconded by Dr. Dennis, with no dissenting votes, the Board moved to approve the application for Coastal Meds, LLC with Mr. Gallotte as pharmacist manager.

The Board adjourned for lunch at 11:16 am and resumed open session at 12:35 pm.

There being no further business, on a motion from Mr. Marks, seconded by Mr. Minton with no dissenting votes, the meeting adjourned at 12:35 pm.

Rebecca W. Chater, President

Betty Dennis., Vice President

Gene Minton

J. Parker Chesson, Jr.

Lazelle Marks

Robert J. McLaughlin, Jr.