

President Robert J. McLaughlin called the meeting to order at 9:16 am with Board Members Carol Yates Day, Gene Minton, and Bill Mixon present. Board Member Lazelle Marks was absent due to illness. Also present were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Associate Executive Director Ellen Vick, Director of Investigations Josh Kohler, Director of Operations Kristin Moore, Director of Licensing Deborah Stump, and Financial Services Director Gail Brantley. Present as visitors were: Valanda Nelson, NCPRN; Heidi Barefoot, Target; Tom Readling, Mutual Drug; David Moody, Mutual Drug; David Catalano, Walgreens; Lisa Collums, Kerr Drug; Elaine Vu, UNC Hospital; M. Jillian Decamp, Poyner Spruill; RPh. Elvis Tanyi; Van Lieu, Campbell Univ.; Sandy Sands, Nexsen Pruet; Keith Mentz, Fresenius Medical Care; Andrew Howard, Fresenius Medical Care; Javit Thekkumkattil, Fresenius Medical Care; Katherine Baker, UNC/ESOP; Lisa Mondie, CVS; Pam Ku, UNC/ESOP; Wendy Watson, NCBOP; Lisa Mendez, NCBOP; Leslie Wilson, NCBOP; Krystal Brashears; and Missy Betz, NCBOP.

#### Ethics Statement & Welcome

President McLaughlin read the Ethics Statement regarding any conflicts of interest and/or appearance of conflicts of interest of any Board member. No conflicts were noted by Board members.

#### Public Hearing on Amendments to 21 NCAC 46.2401 and .2403 to Allow Dispensing of Epinephrine Auto-Injectors by Health Department Nurses to School Personnel

The Board held a public hearing on proposed amendment to rules 21 NCAC 46.2401 and .2403 to allow health department nurses to dispense epinephrine auto-injectors to school personnel. The proposed amendments were in response to the Current Operations and Capital Improvements Appropriations Act of 2014 passed by the General Assembly. Section 8.23.(a) of the statute requires that school systems provide schools two (2) emergency epinephrine auto-injectors for the use in emergency medical aid to persons suffering from anaphylactic reaction. Trained school personnel, designated by the principal, will acquire non-patient specific prescriptions for epinephrine auto-injectors from physicians, physician assistants, or nurse practitioners from local health departments. It also requires that the North Carolina Board of Pharmacy adopt rules addressing the statute within sixty (60) days of the act becoming law. The proposed amendments received supportive comments for the Department of Health and received no negative comments. No one spoke during the hearing.

#### Minutes of October 2014 Board Meeting

The members received the October 21, 2014 meeting minutes prior to this meeting for review. It was moved by Mr. Mixon, seconded by Mr. Minton, to accept the minutes as submitted. The motion passed with no dissenting votes.

#### Consideration of Amendments to 21 NCAC 46.2401 and .2403 to Allow Dispensing of Epinephrine Auto-Injectors by Health Dept. Nurses to School Personnel

The Board members discussed the proposed amendments to rules 21 NCAC 46.2401 and .2403. On a motion from Mr. Minton, seconded by Mr. Mixon, the Board voted 2 to 1 to approve the proposed amendments and send them to the Rules Review Commission.

Dr. Chesson arrived at the meeting at 9:32am.

Petition for Modification of Order – RPh. Elvis Tanyi, License #19478

RPh. Elvis Tanyi, license #19478, accompanied by his attorney Jillian DeCamp, appeared before the Board to request modification of his November 19, 2013 consent order to lift the prohibitions on his not serving as a pharmacist manager or a preceptor.

After presentation of evidence and testimony, on a motion from Mr. Mixon, seconded by Mrs. Day with no dissenting votes, the Board lifted the prohibitions on Mr. Tanyi serving as a pharmacist manager or a preceptor.

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

Petition for Modification of Reinstatement Order – RPh. Amanda Gatlin, License #11866

RPh. Amanda Gatlin, license #11866, appeared to petition the Board for modification of her January 2010 Reinstatement order by lifting the restrictions on her not serving as a pharmacist manager, not serving as a preceptor, and obtaining prior approval of employment as a pharmacist by the Board's Executive Director. Ms. Gatlin, duly sworn, testified on her recovery from substance abuse and stated that she wishes to lift the restrictions before the end of her NCPRN contract in 2015. Valanda Nelson, Executive Director NCPRN, duly sworn, stated that NCPRN supports Ms. Gatlin's request for modification of her order.

After presentation of evidence and testimony, on a motion from Mr. Minton, seconded by Mr. Mixon with no dissenting votes, the Board granted Ms. Gatlin request for modification of her reinstatement order.

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

Fresenius Medical Presentation Regarding a "Clinic Delivery Process"

Keith Mentz, Andrew Howard, and Javit Thekkumkattil, Fresenius Medical Care, appeared before the Board to discuss a proposed "clinic delivery process" whereby Fresenius would ship certain end stage renal disease medications from their North Carolina permitted out-of-state pharmacies to Fresenius clinics in North Carolina where the medication would be dispensed to patients at the clinics.

After discussion, it was the consensus of the Board to take the matter under advisement while Fresenius looks at other possible operational models.

The Board adjourned for a break at 11:00am and resumed open session at 11:15am.

2015 Pharmacy Leaders' Forum Planning and Procedure

The Board hosted the pharmacy leaders' forum on October 3, 2014 in Greensboro, North Carolina. At the October 2014 Board Retreat, it was the consensus of the Board to direct Mr. Campbell to contact NCAP Executive Director Dan Barbara and pharmacy school deans for further discussion and planning. Mr. Campbell stated that the feedback from the forum has been good and the attendees liked the format of this year's meeting. Mr. Campbell presented suggestions from staff on procedures for planning the forum going forward.

After discussion, it was the consensus of the Board to keep the forum at the current size and continue to hold it at the Proximity Hotel in Greensboro. A representative from NCAP and one of the schools of pharmacy will serve on a forum planning committee along with a designated Board member. Each Board member will provide a list of three (3) to five (5) suggested attendees for the forum and from that list the Board president will determine the fifteen (15) attendees designated to the Board for the forum.

#### Renewal Update: CSRS Registration

At the October 2, 2014 Board member retreat, the Board members discussed ways to encourage pharmacists to use the Controlled Substance Reporting System (CSRS). The members directed Mr. Campbell to have staff add a question to the renewal form that asked if pharmacists were currently registered with CSRS and, if not, provide a link to the electronic registration portal. Mr. Campbell stated, of the pharmacist that have renewed, 13% have applied for new access to the CSRS. Since May 2013, when the electronic portal to register for CSRS became available through the Board website, 2500 pharmacists have applied for CSRS access.

#### Report from Work Group Considering a Potential NCPRN Grant-in-Aid Program

At the October 2, 2014 Board member retreat, the Board members discussed a grant program for NCPRN to offset the costs of treatment and monitoring for pharmacy students and technicians. It was the consensus of the Board to form a committee at the October 2014 Board meeting to investigate further. Mr. Campbell stated that the committee has met and has formulated an outline of a potential program. They will reconvene in January 2015 and will present a proposal for the program at the February 2015 meeting.

#### Approval of PHC/Board Meeting Schedule June 2015 – May 2016

A proposed schedule for prehearing conferences and Board meetings for June 2015 through May 2016 was presented to the Board. It was moved by Mr. Minton, seconded by Dr. Chesson with no dissenting votes, to approve the schedule as presented.

#### Board Member Candidate Interest Forum, January 2015, Wilmington, NC

The next Board election will be conducted in the spring of 2015 for Southeastern District seat currently held by Mr. McLaughlin. Mr. McLaughlin is in his second term as Board member and is not eligible to run again. Board staff will host a candidate interest forum at 7:00pm on January 8, 2014 at the Best Western Plus Coastline Inn in Wilmington, NC. The forum will explain to a

potential candidate the purpose of the Board, expectations of Board members, and answer any questions a potential candidate has concerning Board office.

### Ethics Commission Letter

Mr. Campbell that the Ethics Commission have sent letters to remind Board members, as members of the profession that they are regulating, to be aware of the potential conflicts of interest while serving on the Board.

### Investigations Department Report

Joshua Kohler, Director of Investigations and Inspection, presented the November 2014 investigative report.

### Financials

Gail Brantley, Financial Services Director, presented the October 2014 financial statistics to the Board. Ms. Brantley stated that the yearly audit for the Board was completed the first week of November and the audit report will be presented at the January 2015 Board meeting.

### Consent Agenda

Following a review of the consent agenda, it was moved by Mr. Minton, seconded by Dr. Chesson to approve the consent agenda as presented. The motion carried with no dissenting votes. The following items were approved.

#### **Prehearing Conference**

There were no prehearing conferences in October 2014

#### **Increase in Pharmacists to Technician Ratio**

1. Cannon Pharmacy, Charlotte NC, Permit #10527, Helen Moffat PM, Approved 10/30/2014
2. CVS/Pharmacy, Charlotte NC, Permit #10155, Kriska Woods PM, Approved 10/30/2014
3. Carolina Compounding & Nutritional Pharmacy (CCNP, Charlotte NC, Permit #10194, Robert Anderson PM, Approved 10/30/2014
4. Walmart Pharmacy, Raleigh NC, Permit #07998, Michael McMillian PM, Approved 10/30/2014
5. Long's Drugs of Charlotte #1, Charlotte NC, Permit #11837, Mary James Pace Miller PM, Approved 11/02/2014
6. Novant Health Pharmacy, Charlotte NC, Permit #09035, Chickham Syvanthong PM, Approved 11/02/2014
7. CVS Pharmacy, Elkin NC, Permit #10709, Monica Gentry PM, Approved 11/07/2014
8. CVS Pharmacy, Hickory NC, Permit 10421, Darren Crow PM, Approved 11/07/2014

9. Haywood Regional Medical Center Pharmacy, Clyde NC, Permit # 12055, Jackie Evans PM, Approved 11/07/2014
10. Ingles Pharmacy, Asheville NC, Permit #08280, Ryan Tharp PM, Approved 11/07/2014
11. Walmart Pharmacy, Morrisville NC, Permit #10282, Apollo Lin PM, Approved 11/07/2014
12. HealthFIRST Pharmacy, Wake Forest NC, Permit #08879, Lynn Holt PM, Approved 11/14/2014
13. Walmart Pharmacy, Raleigh NC, Permit #08361, Charli Davis PM, Approved 11/14/2014

### **CPP Candidates**

Kristen Bova Campbell, License #16418

### **Reciprocity Candidates**

<b>Candidates Licensed by Reciprocity 11/19/2014</b>					
<b>FNAME</b>	<b>MNAME</b>	<b>LNAME</b>	<b>SUFFIX</b>	<b>RCPSTATE</b>	<b>DTREGIST</b>
Adebowale	Oluwafemi	Aremu		IL	11/19/2014
Kathryn	Dail	Agee		SC	11/19/2014
Somi	Imran	Arthur		PA	11/19/2014
Krishna	C.	Attoti		NJ	11/19/2014
Robert	C.	Becerra		FL	11/19/2014
Jessica	Gibbs	Bennett		MS	11/19/2014
Nazirhusain	Ibrahimhai	Bhata		MI	11/19/2014
John	G.	Cavalluzzi		NY	11/19/2014
Isabel	W.	Chan		IL	11/19/2014
Mathew	Allen	Cole		IN	11/19/2014
Cynthia	Ann	Cotor		SC	11/19/2014
Beth	Hiett	Daniel		TN	11/19/2014
Douglas	James	DeJong		TX	11/19/2014
Jonathan	V.	Doss		WA	11/19/2014
Kerry	Michael	Eberly		PA	11/19/2014
Molly	Megan	Evans		KS	11/19/2014
Christopher		Falato		MD	11/19/2014
Regina	Muljadi	Falato		MD	11/19/2014
Serena	Naja	Fallon		NY	11/19/2014
Dominic	Rinaldo	Finuoli		NY	11/19/2014
Niraj	Anil	Gandhi		IL	11/19/2014
Marc	F.	Gorski		WI	11/19/2014
Roy	Eugene	Graves		AR	11/19/2014
Jennifer	Lynn	Halikman		FL	11/19/2014
Christina	Marie	Hessler		WV	11/19/2014

<b>Candidates Licensed by Reciprocity 11/19/2014</b>					
<b>FNAME</b>	<b>MNAME</b>	<b>LNAME</b>	<b>SUFFIX</b>	<b>RCPSTATE</b>	<b>DTREGIST</b>
Brooke	Elysia	Hornberger		PA	11/19/2014
Gopi	Pintu	Hudka		MA	11/19/2014
Bryan	M.	Hurley		VA	11/19/2014
Laura	Nichole	Jeffcoat		SC	11/19/2014
Gregory	Alfred	Jonas		MI	11/19/2014
Lillie	Kelly	Mattox		SC	11/19/2014
Amy	Kimberly	Knaperek		GA	11/19/2014
Lindsey	Allison	Kuyk		SC	11/19/2014
Sybille	Regina	Lupee		IL	11/19/2014
Benjamin	George	Mancheril		TN	11/19/2014
James	Charles	McAllister	IV	WI	11/19/2014
Bradley	Aaron	McElya		IN	11/19/2014
Danielle	Jonice	Merritt Hogans		TN	11/19/2014
Alison	W.	Mills		SC	11/19/2014
Thomas	Blaine	Mudd		FL	11/19/2014
Lesley	Ann	Pahs		SC	11/19/2014
Kathryn	Leigh	Richards		TN	11/19/2014
Carly	Joy	Robinson		OH	11/19/2014
Tara	Marie	Rock		SC	11/19/2014
Sejal	Hemendra	Shah		FL	11/19/2014
Karen	Cox	Singleary		SC	11/19/2014
Jacqueline	Marie	Sweeting		FL	11/19/2014
Sarah		Sung		PA	11/19/2014
Michael	Pate	Vanderpoel		TX	11/19/2014
Jennifer	Zhangjie	Yu		GA	11/19/2014

### Reports to the Board

Mike James, NC Mutual, updated the Board on various legislative issues.

David Moody, Mutual Drug, introduced a new Mutual Drug staff member, Jenna Huggins, to the Board.

### Closed Session

On a motion from Mr. Mixon, seconded by Dr. Chesson with no dissenting votes, the Board moved into closed session to discuss a possible summary suspension of a Device and Medical Equipment (DME) permit. On a motion from Dr. Chesson, seconded by Mr. Mixon with no

dissenting votes, the Board resumed open session. Mr. McLaughlin stated that Horizon Home Respiratory and Medical Equipment LLC, permit #01616 was summarily suspended.

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

There being no further business, on a motion from Mr. Minton, seconded by Dr. Chesson with no dissenting votes, the meeting adjourned at 12:22pm.

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Robert J. McLaughlin, Jr, President

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E. Lazelle Marks, Vice-President

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J. Parker Chesson, Jr.

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Gene Minton

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Carol Yates Day

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William A. Mixon