

President Stan Haywood called the meeting to order at 9:05 am with Board Members Parker Chesson, Betty Dennis, Joey McLaughlin and Stan Haywood present. Board Members Rebecca Chater and Wallace Nelson were not present. Also present were Executive Director Jay Campbell; Board Counsel Clint Pinyan; Director of Investigations Karen Matthew; Financial and Administrative Service Director Gail Brantley; Director of Licensing Debra Stump, Technician Specialist Wanda Andrews, Investigator Holly Price Hunt and Director of Operation Kristin Moore. Present as visitors were: Lori Setzer, CVS; Brenden O'Hara, Walgreens; David Moody, Mutual Drug; Tom Readling, Mutual Drug; Heidi Barefoot, Target Pharmacy; Christine Davis, Cardinal Health NPS; John Fratamico, CVS; Rod Presnell, Medco Health Solutions; Casey Cesnovar, Walgreens; Al Carter, Walgreens; Ronda Townsend; Michelle Berrong; Cynthia Syster; Elizabeth Young, CVS; Mary Christine Parks, NCPRN; Helen Cauthen, GEDA; Dan Lynch; GEDA; Dan Lynch, GEDA; Jim Bryant, GEDA; and Dennis Barry, GEDA.

#### Ethics Statement & Welcome

President Stan Haywood 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 Member.

President Haywood welcomed all visitors.

#### Minutes of February 17, 2009 Board Meeting

The members received the February 2009 meeting minutes prior to this meeting for review. It was moved by Mr. McLaughlin and seconded by Dr. Chesson to accept the Minutes as submitted. The motion passed with no dissenting votes.

#### Reciprocity Candidate – Cynthia Syster

RPh. Cynthia Syster appeared before the Board concerning her reciprocity application from Florida. Ms. Syster has been out of pharmacy practice for 25 years but kept her license active and current in Florida. Board policy states that applicants out of practice more than five years must obtain 1500 hours experience and pass NAPLEX and the Multistate Pharmacy Jurisprudence Exam (MPJE). Ms. Syster requested that the Board reconsider the policy in regards to her application since she has kept her license active and current in Florida. After presentation from Ms. Syster, it was moved by Dr. Dennis, seconded by Mr. McLaughlin to move into closed session to discuss the matter. When the Board returned to open session, Mr. Haywood stated that on a motion from Dr. Dennis, seconded by Mr. McLaughlin with no dissenting votes, the Board would allow Ms. Syster to reciprocate once she obtains 500 internship hours and that she may include the 60 hours she has already obtained in Florida. The Board noted that Ms. Syster had already successfully completed the Multistate Pharmacy Jurisprudence Examination, had maintained an active Florida license to practice pharmacy, had maintained her continuing education requirements under Florida law (which are roughly equivalent to the CE requirements for North Carolina pharmacists), and that her employment has always been in the pharmacy environment even when she was not actively practicing pharmacy.

Technician Reinstatement – Ronda Lea Townsend – Registration #11986

Technician Ronda Lea Townsend appeared before the Board to petition for reinstatement of her technician registration. Ms. Townsend had previously been employed at Vanceboro Pharmacy and was terminated under suspicion of diversion. Mr. Campbell stated that Board Investigator Josh Kohler investigated the case and found no evidence that Ms. Townsend diverted drugs from Vanceboro Pharmacy. On a motion from Dr. Dennis, seconded by Dr. Chesson with no dissenting votes the Board moved that Ms. Townsend's technician registration is eligible for reinstatement once she obtains employment.

Technician Reinstatement – Michelle Berrong – Registration #20146

Technician Michelle Berrong appeared before the Board to petition for reinstatement of her technician registration. Mr. Campbell stated that Ms. Berrong had voluntarily informed the Board of a guilty plea for felony embezzlement unrelated to the practice of pharmacy and had voluntarily surrender her technician registration. Ms. Berrong, duly sworn, gave testimony concerning her embezzlement of \$82,000 dollars from a volunteer fire department where she was treasurer. Ms. Berrong also stated that she is now in the process of putting her life back together and is making restitution for the money that was taken. On a motion from Mr. McLaughlin, seconded by Dr. Chesson with no dissenting votes the Board moved that Ms. Berrong's technician registration is eligible for reinstatement once she obtains employment.

Legislative Update

Mr. Campbell presented to the Board a bill introduced by Senator Kinnaird that would give access to certain state agencies and licensing boards a list of persons who have been granted expunctions of felony convictions. It was the consensus of the Board to have Mr. Campbell send a letter to Senator Kinnaird requesting that the North Carolina Board of Pharmacy be added to the list of agencies given access to the list of expunged convictions.

David Moody gave an update to the Board of the current state health plan bill which would require state employees to register with a network that would require state employees to receive prescription from mail order pharmacies. It was the consensus of the Board that Mr. Campbell draft a letter to Senator Rand expressing the concerns of the Board with the proposed bill.

Update on Board Elections

Operations Director Kristin Moore and IT Manager Tom Buedel gave the Board a demonstration and answered question on the new electronic election application that will be used for the upcoming May 2009 elections.

2009 Pharmacy Leaders' Forum Report

Mr. Campbell presented the results of the Leaders' Forum survey sent to the attendees of the 2009 Leaders' Forum.

2008 Pharmacist Licensed by Exam

Mr. Campbell presented to the Board a list of all pharmacist licensed by exam in 2008 to be included in the March 2009 minutes.

#### Statement of Economic Interest

Mr. Campbell reminded Board members that their 2009 Statement of Economic Interest is due by April 15<sup>th</sup> 2009. He also reminded Board members of upcoming classes for their required Ethics Training course.

The Board recessed for a 15 minute break at 10:30am and reconvened at 10:45am.

#### Investigative Statistics

Karen Matthew, Director of Investigations, presented the Investigative Statistics for March 2009.

#### Consent Agenda

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

##### Consent Order

CVS Pharmacy – permit #06745 and RPh. William Roberson – license #07379, were subjects of a prehearing conference held February 16, 2009, heard by Stan Haywood, regarding allegations of erroneously dispensing Propanolol 60mg instead of the prescribed Isosorbide Monohydrate 60 mg. Recommendation: **Consent Order of Reprimand** to CVS and **Active 15 day suspension** to RPh. Roberson

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

#### Reciprocity Candidates

<b>Candidates Licensed by Reciprocity 3/17/09 and 3/18/09</b>					
<b>FNAME</b>	<b>MNAME</b>	<b>LNAME</b>	<b>SUFFIX</b>	<b>RCPSTATE</b>	<b>DTREGIST</b>
Charles	David	Ancell		MS	3/17/2009
Giridhar	Venkata Naga	Athmakuri		NJ	3/17/2009
Venkata	Gangadhar	Bodduluri		MD	3/17/2009
John	Joseph	Borkowski		WV	3/17/2009
Rick	Allan	Buchanan		FL	3/17/2009
Umesh	Kumar	Chaudhary		MI	3/17/2009
Christopher	John	deHoll		SC	3/17/2009
Mona		Fiuzat		GA	3/17/2009

<b>Candidates Licensed by Reciprocity 3/17/09 and 3/18/09</b>					
<b>FNAME</b>	<b>MNAME</b>	<b>LNAME</b>	<b>SUFFIX</b>	<b>RCPSTATE</b>	<b>DTREGIST</b>
Christopher	David	Gates		FL	3/17/2009
Adrienne	Maria	Guenther		IN	3/17/2009
Ayman	A	Guirguis		NJ	3/17/2009
Susan	Mary	Jay		NY	3/17/2009
Patrick	Joseph	Marks		NY	3/17/2009
James	Keeley	Martaindale		AR	3/17/2009
Ann	Marie	McRorie		NY	3/17/2009
Andrea	Marie	Mesaros		PA	3/17/2009
Robert	Allen	Milnes		PA	3/17/2009
Mary	James	Pace		SC	3/17/2009
Jaime	Ann	Pierson		UT	3/17/2009
Meyyappan		Ramanathan		TN	3/17/2009
Cynthia		Riddagh		NY	3/17/2009
Richard	Julian	Rosenfeld		IL	3/17/2009
Kelley	Howard	Russell		SC	3/17/2009
Lisa	Schierl	Selvey		SC	3/17/2009
Kristine	Diane	Selzer		NY	3/18/2009
James	William	Sianis		PA	3/18/2009
Segmia	Kenna	Tata		MA	3/18/2009
Tanyifor	Manga	Tohnya		VA	3/18/2009
Gary	Angelo	Tomaino		FL	3/18/2009
Donna	Lynn	Topping		TN	3/18/2009
Deborah	Klutz	Walker		GA	3/18/2009
Cynthia	Roy	Winters		TX	3/18/2009
Zakia	Ayana	Woods		OH	3/18/2009

#### Increase in Pharmacists to Technician Ratio

1. Walgreens # 08135 Fayetteville, NC Fatima N. Shaik RPh App. 3/9/2009
2. CVS # 06639 Gastonia, NC Jeffrey W. Hines RPh App. 3/9/2009
3. Wal-Mart # 08009 Shelby, NC Mark O. Brooks RPh App. 3/9/2009
4. CVS # 06609 Durham, NC Mark Bailey RPh App. 3/9/2009
5. Cane Creek Pharmacy # 5784 Fletcher, NC Patricia Halvorsen RPh App. 3/9/2009
6. CVS # 06811 Wilmington, NC Marsha Gail Holcomb RPh App. 3/9/2009

Closed Session

On a motion from Mr. McLaughlin, seconded by Dr. Dennis with no dissenting votes, the Board moved into closed session to discuss the possible summary suspension of 2 technicians and to discuss a matter of litigation. After closed session the Board recessed for lunch and resumed open session at 1:30pm. When the Board returned to open session, Mr. Haywood stated that technicians Heather O'Sullivan tech #23247 and Anna K Vann tech # 12060 were summarily suspended.

Greensboro Economic Development Alliance Presentation on Automated Pharmacies

Dennis Barry with Greensboro Economic Development Alliance (GEDA) accompanied by Jim Bryant, Dan Lynch and Helen Cauthen appeared before the Board concerning the Board's 1997 'Pharmacist Workload Policy'. GEDA is a non-profit organization that works to attract business and jobs to Greensboro and Guilford County. One of the industries that GEDA has target for the Greensboro area is businesses that utilize comprehensive automated pharmacy systems, such as specialty and mail order pharmacies. GEDA ask the Board to make an exemption to the workload policy as it concerns automated pharmacy. After discussion from the Board, Mr. Haywood stated that the Board would take the matter under advisement.

Prehearing Conference Schedule for 2009 – 2010

Mr. Campbell presented the proposed schedule for 2009 – 2010 prehearing conference. There were no conflicts noted by any Board member and the schedule was accepted as submitted.

February 2009 Financials

Gail Brantley, Financial and Administrative Service Director, presented the February 28, 2009 financial statistics to the Board.

Pharmacist Recovery Network (PRN) Interim Executive Director

Mr. Campbell introduced Interim PRN Executive Director Mary Christine Parks to the Board. Mr. Campbell also stated that PRN has acquired new office space in Apex, NC.

There being no further business, the meeting adjourned at 2:20 p.m.

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L. Stan Haywood, President

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R. Joseph McLaughlin, Jr., Vice President

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Wallace E. Nelson

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J. Parker Chesson, Jr.

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Betty H. Dennis

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Rebecca W. Chater