

President Joey McLaughlin called the meeting to order at 9:10 am with Board Members Betty Dennis, Wallace Nelson and Stan Haywood present. Also present were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Director of Investigations Karen Matthew, Director of Licensing Debbie Stump, Technician Specialist Wanda Andrews and Director of Operations Kristin Moore. Present as visitors were: Lori Setzer, CVS; Heidi Barefoot, Target Pharmacy; Mary Christine Parks, NCPRN; Danny Seavers, Kerr Drug; Rick Paderocl, CSC; Robin Breeden, Wingate University; Rachel Reed, CVS; Dianna Lee, Walgreens; Sean Valdez, Walgreens; Jeremy Sen, GSK/ UNC SOP; Amy Hodorwicz, GSK/UNC SOP; Tim Humlicek, Kerr Drug/Drake; Amanda Kolb, Kerr Drug/Wingate SOP; Genevieve Lynn Ness, GlaxoSmithKline; Elizabeth Neuffer, GlaxoSmithKline; Gray Stewart, GlaxoSmithKline; Lisa Collums, Kerr Drug; Gene Minton, Drugco; RPh. Roy Johnson; Genese Anderson, Campbell SOP/Target; Christine Davis, Cardinal Health NPS; Kajal Bhika, GlaxoSmithKline.

Ethics Statement & Welcome

President Joey McLaughlin 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 McLaughlin welcomed all visitors and asked that they introduce themselves to the Board members and state their pharmacy affiliation.

Minutes of May 2009 Board Meeting

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

Consideration of Reciprocity Application – RPh. Roy Johnson

RPh. Roy Johnson appeared before the Board in consideration of his reciprocity application from Oklahoma. Mr. Campbell proceeded with the case and stated that RPh. Johnson answered truthfully on his reciprocity application that he was dismissed from his job at Wal-Mart pharmacy. RPh. Johnson, duly sworn, testified that while working as a floater for Wal-Mart pharmacy in Oklahoma, he had four dispensing errors within a year and was discharged per Wal-Mart policy. RPh. Johnson gave testimony on the four dispensing errors.

Dr. Parker Chesson joined the meeting at 9:22am.

Mr. Campbell stated that staff does not object to RPh. Johnson's reciprocity application but does have a concern about the appearance of a "run on errors". Mr. Campbell stated that staff recommends the Board require RPh. Johnson to complete an error reduction continuing education course as a condition of reciprocity.

After presentation of evidence and testimony, the Board moved into closed session to deliberate the matter on a motion from Mr. Nelson, seconded by Dr. Chesson with no dissenting votes.

When open session resumed, Mr. McLaughlin stated that, on a motion from Mr. Nelson, seconded by Mr. Haywood with no dissenting votes, the Board would allow RPh. Johnson to proceed with the reciprocity process but would require him to take an error reduction course within six months of reciprocation.

State Court Order Concerning Sheriff Access to Prescription Records in NC Judicial District 30A (Cherokee, Graham, Clay, Macon and Swain Counties)

Mr. Campbell presented to the Board a court order from a superior court judge that would authorize access to pharmacy records in District 30A (Cherokee, Graham, Clay, Macon and Swain counties) to the Sheriff of Cherokee County or his/her designee. It was the consensus of the Board to inform pharmacies in District 30A of the order.

Inquiry from Community Free Clinic Pharmacy in Concord concerning scanning of prescription records and daily log

Mr. Campbell presented to the Board an inquiry from a Free Clinic Pharmacy in Concord, North Carolina concerning scanning of prescription records and daily logs onto disc. Under statute, a pharmacy may scan prescriptions but under federal law pharmacies must keep original controlled substance prescription. Mr. Campbell asked the Board their opinion on the scanning of daily logs. It was the consensus of the Board to discuss the issue at the August 2009 Board retreat.

Update on Board Elections & DME Election

Executive Director Jay Campbell updated the Board on the May 2009 elections progress. Mr. Campbell stated that the run-off election voting for the Central District would end June 26th 2009 and the vote would be tabulated on June 30th, 2009. Mr. Campbell also stated that the DME Subcommittee election voting would end on June 30th, 2009 and both election results would be certified at the July Board meeting.

Investigations/Inspection Report

Karen Matthew, Director of Investigations, presented the Investigative Statistics for May and June 2009.

April 2009 Financials

Executive Director Jay Campbell presented the May 30, 2009 financial statistics to the Board. Mr. Campbell stated that the 2008 Annual Report would be completed by July 1, 2009. Mr. Campbell stated that there was a pending bill that would change the deadline for the annual report to October 31st. Mr. Campbell will present to the Board a proposed budget at the August 2009 Board retreat.

August 2009 Board Retreat

Mr. Campbell reminded Board members that the Board retreat would be held August 26 – 27, 2009 at the Board office with a dinner at the Weathervane Restaurant on August 26th.

Consent Agenda

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

Consent Order

RPh. Ronald Sandritter, license #07089, was subject of a prehearing conference held April 20, 2009, heard by Wallace Nelson, regarding allegations of dispensing Amlodipine Besylate 5mg on a prescription for Diazepam 5mg. As an aggravating factor the Board considered the history of five informal staff letters concerning dispensing errors. Recommendation: **License suspended indefinitely/stayed for three years with conditions.**

Increase Technician Ratio

- 1) Kroger Pharmacy # 05062 Raleigh, NC Kimberly Ailes RPh App. 5/29/2009
- 2) Kroger Pharmacy # 05563 Raleigh, NC Elizabeth Baker RPh App. 5/29/2009
- 3) CVS # 06550 Asheville, NC Patricia D Etheredge RPh App. 5/29/2009
- 4) Kerr Drug # 06502 Angier, NC Pamela Lech RPh App. 6/4/2009
- 5) Wal-Mart Pharmacy # 10021 Granite Falls, NC Amanda Taylor RPh App. 6/4/2009
- 6) Gateway Pharmacy # 08506 Kernersville, NC Roy Lewter RPh App. 6/4/2009

CPP Applicants

The Board adjourned for a break at 10:28am and returned to open session at 11:09am.

Legislative Update

Mike James updated the Board on various legislative issues.

Rebecca Chater joined the meeting at 11:18am.

Parker Chesson left the meeting at 11:38am.

The Board adjourned for lunch at noon and resumed open session at 1:31pm.

Remote Order Entry – Bill Irvin

Bill Irvin, Director of Regulatory Compliance for CVS Pharmacy, presented to the Board a plan for a pharmacy permitted Call Center in Rhode Island that would target certain phone call pharmacy questions which would divert them from local pharmacies and be addressed by the

Call Center staff. After the presentation, Mr. McLaughlin stated that the Board would consider the matter during the August Board retreat.

Consent Order

On a motion from Dr. Dennis, seconded by Mr. Haywood with no dissenting votes, the Board members accepted the following Consent Order:

RPh. Lawrence Guerke, license #14800, was subject of a prehearing conference held May 11, 2009, heard by Parker Chesson, regarding allegations of creating forty-one unauthorized prescriptions for himself, family members and his pets. Recommendation: **Thirty day suspension(15 day active / 15 days stay two years).**

There being no further business, the meeting adjourned at 2:47 p.m.

R. Joseph McLaughlin, Jr., President

Betty Dennis., Vice President

Wallace E. Nelson

J. Parker Chesson, Jr.

Stan Haywood

Rebecca W. Chater