

President Stan Haywood called the meeting to order at 9:00 a.m. with Board Members Wallace Nelson, Parker Chesson, Betty Dennis, Stan Haywood, Rebecca Chater and Joey McLaughlin present. Also present were Executive Director Jay Campbell; Board Counsel Clint Pinyan and Alex Elkan; Director of Investigations Karen Matthew; Director of Licensing Rachel Paris; DME Specialist Wendy Watson; Assistant Director of Licensing Debbie Stump; NCBOP Investigator Ken Wilkins. Present as visitors were: Sally Slusher, NCAP; Lori Setzer, CVS; Paul Peterson, PRN; Heidi Barefoot, Target Pharmacy; Bill Pickard, Campbell University; Sarah Roberts, Walgreens/Campbell University; Mona Benrashid, Walgreens; Alan Fulp, CVS/UNC SOP; Ellen Heath, CVS/ UNC SOP; Megan Schrock, Campbell University; Jonathan Lankford, CVS/UNC SOP; Kris Stein, Parata System; Jacquie Vitello, Walgreens; Ashley Powell, Walgreens/ UNC; David Catalano, Walgreens; Jacob Mathews, Walgreens; Yung Kim, Walgreens; Stephen J. Fu, UNC SOP/ Walgreens; Karen Hammond, CVS; Haywood Rhodes, UNC SOP; Ramonna Cvelich, UNC SOP; Kelly Martin, CVS; Kimberley Harris, CVS; Lisa Weeks, DMA; Ali Mchrizi; Morgan McKain, UNC SOP; April Lamm, Kroger Pharmacy; Beverly Barnhardt, Campbell University; Rachel Selinger, UNC SOP/ CVS; Jamie Jurkiewicz, Walgreens; Tarra Palyok, Walgreens; Beth Williams, WFUBMC; Jamie Hale, WFUBMC; Jeff Aldridge, Security Assessments International; Tonya Bell-Prince; Colin Chiles, Apotex; Matt Harris, Duke Medical Center; Jerry Moore, TEVA; Art Straughn, University of Tennessee; Amanda Fuller, NC Division of Public Health; Ashley Powell, Walgreens; David Work, NCBOP Executive Director Emeritus; David Moody, Mutual Drugs; Lisa Weeks, DMA; Paul Nunnally, Astellas; Steve Mitchell, Astellas; Martin Lasak, Astellas

#### 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 June 2009 and July 3, 2008 meeting

The members received the June 2008 meeting minutes and the July 3, 2008 meeting minutes prior to this meeting for review. It was moved by Mr. McLaughlin and seconded by Mrs. Chater to accept the Minutes as submitted. The motion passed with no dissenting votes.

#### WFUBMC Rule. 2510 Waiver Proposal for Use of Automated Pick-Up Devices

Beth Williams, Wake Forest University Baptist Medical Center (WFUBMC), appeared before the Board at the March 2008 meeting to request a Rule .2510 waiver to implement an enhanced technician responsibility program at Wake Forest University Baptist Medical Center Pharmacy. The proposal is based on the Broughton Hospital Pilot Project. Stan Haywood and Wallace Nelson visited WFUBMC previously to observe the proposed program. After discussion from the Board and presentation by Ms. Williams, on a motion from Mr. Nelson, seconded by Dr. Dennis with no dissenting votes, the Board approved the pilot program with updates from Ms. Williams every six months.

Jamie Hale, Wake Forest University Medical Center, appeared before the Board at the February 2008 meeting to request a Rule .2501 waiver to implement a kiosk-based refill dispensing system

for hospital employees. The Board had requested at the February meeting that Mr. Hale present a detailed proposal of the program. After presentation from Mr. Hale and discussion from the Board, it was decided that the Board would meet to discuss the matter at a separate time.

#### Florida reciprocity

The Florida legislature has passed a bill that will eliminate the requirement that a pharmacist have passed the North American Pharmacist Licensure Examination within the previous 12 years as a condition of reciprocity. The Florida governor signed the bill into law in June 2008. On a motion from Mr. Nelson, seconded by Ms. Chater with no dissenting votes, the Board approved reciprocity with Florida.

#### Internship Hours for Foreign Graduates as Condition of taking the NAPLEX

Debbie Stump, Assistant Director of Licensing and Mr. Campbell presented Board staff's request to implement a policy change that would require foreign graduates to obtain the Foreign Pharmacy Graduate Equivalency Committee (FPGEC) certification before beginning to acquire internship hours toward licensure in North Carolina. This would assure that foreign graduates are obtaining the required education before beginning internship in North Carolina. On a motion from Ms. Chater, seconded by Dr. Chesson with no dissenting votes, the Board implemented the policy change effective August 1, 2008.

Rule .1507 states "Candidates who are found to be eligible for admission to the examinations in all respects except that of practical experience or age or both, may be admitted to all divisions of the examinations except the examination in practical pharmacy. Such a candidate may later take the practical examination when the experience requirement has been satisfied". Mr. Campbell stated that this rule is allowing foreign graduates to become licensed in North Carolina without ever intending to practice here and putting undue burden on administration. On a motion from Dr. Dennis, seconded by Mr. Nelson with no dissenting votes, the Board moved to begin proceedings to have Rule .1507 repealed.

#### DEA proposes E-Prescribing Processing System

Mr. Campbell informed the Board of a proposed DEA rule that, if adopted, would allow electronic prescribing of controlled substances. The public comment period runs through September 25, 2008. All written comments must reference "Docket No. DEA-218" and be addressed to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/ODL, 8701 Morrisette Drive, Springfield, VA 22152. Electronic comments may be delivered to: [dea.diversion.policy@usdoj.gov](mailto:dea.diversion.policy@usdoj.gov). Mr. Campbell stated that Board staff STRONGLY encourages pharmacists to review DEA's proposed rules in detail and provide comments.

#### Walgreens "Stickerless" Prescription Processing System– David Catalano

Dave Catalano, Walgreens, presented to the Board a request for approval for a "Stickerless" Prescription Processing System. This system would only be used for non-controlled substances prescriptions. Mr. Campbell stated that he detected no legal impediment on implementing the system. On a motion from Mr. Nelson, seconded by Ms. Chater with no dissenting votes, the Board found no legal impediment with the system.

Financial Update

Financial and Administrative Services Director Gail Brantley presented the financial statistics for June 2008. Ms. Brantley stated that she would make arrangements with the Finance Committee to review the budget for the upcoming year.

Meeting and Pre-Hearing Conference Schedule 2008-2009

Mr. Campbell asked Board members to review the Pre-hearing Conference schedule for the 2008-2009 year and note any conflicts with the schedule. No conflict was noted.

Consent Agenda

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

Staff Issued Letters

Bonita Fulk – RPh. License #05774, Jonelle Simmons – RPh. License #16084 and RxCare – permit #08382 were subjects of a prehearing conference held June 16, 2008, heard by Joey McLaughlin, regarding allegations that while Bonita Fulk was acting as pharmacist manager at RxCare, a pharmacist at that location refilled prescription drugs without authorization from prescribers in 2006. Also, Ms. Fulk failed to maintain an adequate system of record-keeping and control in order to prevent the incident. Recommendation: **Staff Issued Letter of Caution** to pharmacist Bonita Fulk and RxCare; **Staff Issued Letter of No Action** to pharmacist Jonelle Simmons.

Brett Michel – RPh. License #17523, Susan Beck – RPh. License # 13284 and Wal-Mart Pharmacy – permit #07993 were subjects of a prehearing conference held June 16, 2008, heard by Joey McLaughlin, regarding allegations of dispensing Minoxidil 10 mg instead of prescribed Minoxidil 2.5 mg possibly causing medication related death of a patient. Investigation determined that RPh. Brett Michel dispensed the errant medication. Recommendation: **Staff Issued Letter of No Action** to RPh. Susan Beck and Wal-Mart pharmacy; **Staff Issued Letter of Warning** to RPh. Brett Michel.

Charles B. Pace – RPh. License #05640 was subject of a prehearing conference held June 16, 2008, heard by Joey McLaughlin, regarding allegations that RPh. Pace dispensed Cipro 750mg in a vial labeled as Cipro 750mg but was actually contained Flagyl mixed in with the prescription for Cipro. Recommendation: **Staff Issued Letter of Caution** to RPh. Pace.

William D. Mitchell – RPh. License #06692 and Walgreens – permit #08528 were subjects of a prehearing conference held June 16, 2008, heard by Joey McLaughlin, regarding allegations of dispensing errors. Recommendation: **Staff Issued Letters of Warning** to RPh. Mitchell and Walgreens pharmacy

Rite Aid Pharmacy – permit #09689 was subject of a prehearing conference held June 16, 2008, heard by Joey McLaughlin, regarding allegations of an dispensing error and failing to properly counsel patient: **Recommendation: Staff Issued Letter of Warning** to Rite Aid pharmacy.

### Consent Order

Nicole Samantha Lee Williams – RPh. License #18053 was subject of a prehearing conference held June 16, 2008, heard by Joey McLaughlin, regarding allegations that respondent's South Carolina pharmacist license was temporarily suspended as a result of an investigation by South Carolina Board of Pharmacy. As a result Respondent's North Carolina was summarily suspended on December 21, 2006. **Recommendation: Active 18 month suspension** deemed served during summary suspension, remainder of suspension stayed indefinitely with conditions.

### Technician Ratio

1. CVS # 06562 Burnsville, NC - Matthew D Raines RPh. - Approved 6/24/2008
2. CVS # 06571 Chapel Hill, NC - Han Su RPh. - Approved 6/24/2008
3. CVS # 06672 Hendersonville, NC - Tonya Baker RPh. - Approved 6/24/2008
4. CVS # 06673 Hendersonville, NC - Cindy Swanner RPh. - Approved 6/24/2008
5. CVS # 09016 Arden, NC - Greg Yount RPh. - Approved 6/24/2008
6. CVS # 06784 Spruce Pine, NC - William Holleman RPh. - Approved 6/24/2008
7. CVS # 06759 Rockwell, NC - Kelly M Taylor RPh. - Approved 6/24/2008
8. CVS # 07145 Matthews, NC - Rola Hadded RPh. - Approved 6/24/2008
9. CVS # 06743 North Wilkesboro, NC - Marcia Reynolds RPh. - Approved 6/24/2008
10. CVS # 06868 Newland, NC - April Franklin RPh. - Approved 6/24/2008
11. CVS # 06553 Black Mountain, NC - Kristen Moretz RPh. - Approved 6/24/2008
12. Kroger # 06157 Raleigh, NC - Amanda Williford RPh. - Approved 6/24/2008
13. CVS # 06831 Winston-Salem, NC - Tammy Gabard RPh. - Approved 7/8/2008

### CPP Applicants

Mary Beth Bobek - RPh. #15593 New Hanover Regional Medical Center-Wilmington  
Jena Ivey - RPh. #17232 Eshelman School of Pharmacy-UNC-Chapel Hill

### Reciprocity Candidates

Candidates Licensed by Reciprocity 7/3/2008 – 8/21/2008					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Snehal	Yogesh	Trivedi		NJ	7/31/2008
Ashraf	M	Meikheil		PA	8/18/2008
Atiya	Ann	McNeal		OH	7/15/2008
Saba		Badalamenti		NJ	7/15/2008
Diane	Thibault	Cahill		MD	7/15/2008
Michelle	Nicole	Chaffins		OH	7/15/2008
Phillip	R	Edelblute		OK	7/15/2008

<b>Candidates Licensed by Reciprocity 7/3/2008 – 8/21/2008</b>					
<b>FNAME</b>	<b>MNAME</b>	<b>LNAME</b>	<b>SUFFIX</b>	<b>RCPSTATE</b>	<b>DTREGIST</b>
James	Mauritz	Glombowski		MI	7/15/2008
Jeffrey	A	Gross		OH	7/15/2008
Ginger	Renee	Gutting		VA	7/15/2008
Rajesh	Dattatreya	Handral		ME	7/15/2008
Soula	A	Kalsi		IL	7/15/2008
Franklin	D	Glover	Jr	DC	7/15/2008
Anna	Ibrahima	Manneh		AK	7/15/2008
Yvonne	Nhut	Pham		NV	7/15/2008
Michelle	Lynn	Rajakrishnan		IL	7/15/2008
Jennifer	Jo	Rohner		GA	7/15/2008
Fred	Fielding	Sharpe		GA	7/15/2008
Kenneth	Noel	Webster		MD	7/15/2008
Gregory	L	Alston		NV	7/15/2008
Amie	J	Hatch		NY	7/15/2008
Eghe	Jerry	Igbinovia		NV	7/15/2008
Michael	David	Rynearson		OH	7/15/2008
Kristy	Jo	Spetz		PA	7/15/2008
Zachary	Alan	Weber		IN	7/15/2008
Lakshmi	G	Kamath		TN	7/15/2008
William	M	Palmer		MD	7/15/2008
Mariann		Pata		OH	7/15/2008
Andrea	Nicole	Parker		IN	7/29/2008
Ivey	Leonard	McCook	III	GA	7/15/2008
Timothy	Fred	Snyder		CO	7/15/2008
Jessica	Lynn	Crable		PA	7/15/2008
Alexandra		Arocha-Atkins		VA	7/15/2008
Christine	Mary	Bohoslawec		CT	7/15/2008
Matthew	Peter	Borota		IA	7/15/2008

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

The Board adjourned for lunch at 10:55 a.m. and return to open session at 1:00 pm. Board member Parker Chesson was not in attendance for the afternoon session.

#### Open Mike Session

Mike James updated the Board on various legislative issues.

Disciplinary Hearing – Tonya Bell-Prince RPh. License #11705

Tonya Bell-Prince, license #11705, accompanied by her attorney Charles Everage, appeared before the Board to answer charges that she failed to comply with a Consent Order she signed on October 18, 2006 and that the Board accepted on November 21, 2006. Rebecca Chater refused herself in the matter of Ms. Bell-Prince's disciplinary hearing due to her participation in the prehearing conference. Alex Elkan, Board counsel, proceeded with the case and stated that one of the conditions of Ms. Bell-Prince's November 21, 2008 Consent Order was to enter into a zero-tolerance PRN contract which addressed the fact that no dilute drug screening would be acceptable. Mr. Elkin stated that counsel would prove that Ms. Bell-Prince entered three dilute drug screens during her contract and was later terminated from her PRN contract.

After testimony from Board Executive Director Jay Campbell, Dr. Thomas Eschen M.D., PRN Executive Director Paul Peterson, Medical Director of Riverview Medical Clinic Dr. Robert D. Lesslie, Certified Substance Abuse Counselor Ellie Rothmel, Carolina Medical Center Behavioral Center Women's Substance Abuse Counselor Maria Howard, and Tonya Bell-Prince, the Board moved into closed session, on a motion from Mr. Nelson and seconded by Mr. McLaughlin, to deliberate the matter. When the public session resumed, President Haywood stated that the Board found Ms. Bell-Prince guilty of violating the November 21, 2006 consent order and the Board would continue the disciplinary proceeding to the October 2008 Board meeting.

There being no further business the meeting adjourned at 6:13 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