

President Robert (Joey) McLaughlin, Jr. called the meeting to order at 9:00 am with Board Members Betty Dennis, Wallace Nelson and Stan Haywood present. Parker Chesson was absent. Also present were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Director of Investigations Karen Matthew, Director of Licensing Debbie Stump and Director of Operations Kristin Moore. Present as visitors were: Dave Moody, Mutual Drug; Sally Slusher, NCAP; Heidi Barefoot, Target Pharmacy; Mary Christine Parks, NCPRN; Danny Seavers, Kerr Drug; Christine Davis, Cardinal Health NPS; Chris Drum, CVS; Rick Smith, CU SOP; Matt Wiesmore, CVS/ UNC SOP; Steve Lundeen, UNC SOP; RPh. Hanley Abraham; Jamie Jurkiewicz, UNC SOP; RPh. Janet Conviser; Trudi Blackellar, ACP Student; Tom Readling, Mutual Drug; Lisa Collums, Kerr Drug; Joy Peters, NCPRN; Sheetal Patel-Haine, UNC SOP/ CVS; Karen Hammond, CVS; David Catalano, Walgreens.

Ethics Statement & Welcome

President 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 June 2009 Board Meeting

The members received the June 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.

Reinstatement Hearing – RPh. Janet Conviser, license #18572

RPh. Janet Conviser, license #18572, appeared before the Board in consideration of her reinstatement application. Executive Director Jay Campbell proceeded with the case and stated that Ms. Conviser reciprocated her pharmacy license from Georgia in 2006 and had voluntarily surrendered her pharmacist license November 28, 2007 for substance abuse. Mr. Campbell stated that Ms. Conviser was given a drug screen at work in which she tested positive and was terminated from her employment. She entered into the William Farley Center in Georgia for treatment of substance abuse. After a stay at the Center, she entered into an inpatient program at Ridgeview institute and at that time voluntarily surrendered her pharmacist license. Ms. Conviser signed a five year contract with NC Pharmacy Recover Network (PRN) in late 2007. Ms. Conviser, duly sworn, gave testimony on her history of drug abuse and her recovery process. NCPRN Interim Director Mary Christine Parks, duly sworn, gave testimony on Ms. Conviser's treatment program and stated that NCPRN advocates for reinstatement of Ms. Conviser's pharmacist license.

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

Rebecca Chater joined the meeting at 9:35am.

When open session resumed on a motion Mr. Nelson, seconded by Dr. Dennis with no dissenting votes, Mr. McLaughlin stated that, on a motion from Dr. Dennis, seconded by Mr. Nelson with no dissenting votes, the Board would allow Ms. Conviser to reinstate her license with conditions.

Reinstatement Hearing – RPh. Hanley Kuruvilla Abraham, license #19354

RPh. Hanley Kuruvilla Abraham, license #19354, appeared before the Board in consideration of his reinstatement application. Executive Director Jay Campbell proceeded with the case and stated that Mr. Abraham had reciprocated his pharmacist license from New York in 2007. Mr. Abraham did not renew his pharmacist license for 2009 and practiced pharmacy from March 1, 2009 until June 2009 without a valid pharmacist license. Mr. Abraham, duly sworn, testified that he lost the paper work for his continuing education (CE) courses during his move to North Carolina. He stated that he was not able to renew his license because he could not account for his CE credits. Mr. Abraham waited until June 2009 to enter his CE credits and submit a reinstatement application to Board staff.

After presentation of evidence and testimony, the Board moved into closed session to deliberate the matter on a motion from Mr. Nelson, seconded by Mrs. Chater with no dissenting votes. Open session resumed on a motion from Mr. Nelson, seconded by Mr. Haywood with no dissenting votes. Mr. McLaughlin stated that, on a motion Mr. Haywood, seconded by Mr. Nelson with no dissenting votes, the Board would reinstate Mr. Abraham's pharmacist license effective August 1, 2009. Upon reinstatement, Mr. Abraham's license would be suspended for 2 years to be served as a 3 months active suspension and the remaining 21 months served as a stayed suspension with conditions. The Board would also require that Mr. Abraham take and pass the Multistate Pharmacy Jurisprudence Exam (MPJE) before his active suspension would be lifted.

The Board adjourned for a break at 10:50am and returned to open session at 11:00am.

Election Results, North Eastern & Central District

Executive Director Jay Campbell reported the election results for the North Eastern and Central Districts elections. The Northeast District election results were as follows:

<u>Candidates</u>	<u>Vote Percentage</u>
Gene Minton	42.4%
Tony L. Mitchum	17.5%
Brenden O'Hara	30.5%
Mahendra "Mac" Patel	9.6%

Mr. Gene Minton received more than 40% of the votes cast and was deemed the winner of the election.

The Central District election results were as follows:

<u>Candidates</u>	<u>Vote Percentage</u>
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Robert “Bob” Beddingfield	24.5%
Michael J. Gabriel	15.9%
E. Lazelle Marks	27.6%
Max Gardner Reece, Jr.	20.7%
Scott Romesburg	11.3%

No candidate for Central District received more than 40% of the votes cast during the election. Mr. Robert “Bob” Beddingfield received the second highest percentage of the votes cast and, per election rule, requested a runoff election against Mr. E. Lazelle Marks who received the highest percentage of votes cast.

The Central District runoff election results were as follows:

<u>Candidate</u>	<u>Vote Percentage</u>
Robert “Bob” Beddingfield	46.5%
E. Lazelle Marks	53.5%

Mr. E. Lazelle Marks received the highest percentage of votes cast and was deemed the winner of the runoff election.

On a motion from Mr. Haywood, seconded by Mrs. Chater with no dissenting votes the Board certified the results of the elections and requested that Mr. Campbell notify the North Carolina Governor’s office of the election results.

Mr. Campbell stated that he would invite the newly elected Board members to the August 26 – 27, 2009 Board retreat.

Mr. Campbell also stated that a bill passed that would amend the Oversight of Occupational Licensing Board Statutes which would change the Annual Report deadline to October 31st of each year and sets forth some specific training requirements beyond ethics training for Board members. Board counsel Clint Pinyan and staff are in the process of developing a training program for Board members.

DME Election Update

Executive Director Jay Campbell updated the Board on the Durable Medical Equipment (DME) Subcommittee elections progress. Mr. Campbell stated that the DME election closed June 30, 2009 with no candidate receiving over 40% of the votes cast and two candidates, tying for first place, requesting a runoff. A runoff election is being conducted through August 31, 2009. On a motion from Dr. Dennis, seconded by Mrs. Chater with no dissenting votes, the Board certified the DME Subcommittee election results and the runoff election.

Inquiry from John Boff, Medicine Shoppe Pharmacy, concerning multi-floor compounding facility

Mr. Campbell presented an inquiry from RPh. John Boff, Medicine Shoppe Pharmacy, concerning a proposed compounding facility on the second floor of the Medicine Shoppe

Pharmacy with the only access by an outside stairway. The technicians would be observed by a television monitor. A pharmacist would do a physical check and inspection of the product before dispensing. It was the consensus of the Board to approve the facility as long as a pharmacist was present on the premises at all times while technicians are preparing prescription drug products or otherwise participating in the dispensing process.

Open Mike Session

No pharmacy school representatives were present at the Board meeting.

Dispensing of Aldara by RN's

Mr. Campbell presented an inquiry from RPh. Denise Perry, Wake County Health Department, on whether Aldara would qualify as an anti-infective approved to be dispensed by registered nurses in a health department. It was the consensus of the Board that Aldara would not qualify as an anti-infective. Board members asked that the RPh. Perry be advised that if changes to the health department dispensing rules are needed, the Board will be happy to receive proposals.

Forged Letter – Impersonation of Board Staff

Mr. Campbell informed the Board of three separate incidents of pharmacists reporting to Board staff that someone contacted a pharmacy impersonating Board investigative staff. Mr. Campbell presented a forged letter to a pharmacist claiming to be from Board investigative staff stating falsely that the pharmacist was under investigation. There were also two incidents of pharmacist receiving phone calls from someone claiming to be Board investigative staff.

Investigations/Inspection Report

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

April 2009 Financials

Gail Brantley, Financial and Administrative Service Director, presented the June 30, 2009 financial statistics to the Board.

Consent Agenda

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

Staff Issue Letter of Caution

RPh. Jennifer Weathers Etheridge, license #15923, was subject of a prehearing conference held June 15, 2009, heard by Joey McLaughlin, regarding allegations that while Ms. Etheridge was employed as pharmacist-in-charge, technician Clinton Dunaway, registration #10357, was filling prescriptions for himself and family members

without verification of a pharmacist and practicing pharmacy beyond the scope of a technician. Recommendation: **Staff Issue Letter of Caution** to RPh. Etheridge.

Reciprocity Candidates

Candidates Licensed by Reciprocity 7/21/2008					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Luyang		Chen		IL	7/22/2009
Mir	Abdul	Hakim		NY	7/22/2009
David	William	Napoli		NJ	7/22/2009
Nathan	Alan	Smith		PA	7/22/2009
Jaimie	Ann	Bertino		IN	7/22/2009
Nelli	Simonian	Amosah		TN	7/22/2009
Vincnet	Charles	Badalamenti		NJ	7/22/2009
Nicole	Renee	Bartlett		OH	7/22/2009
Jayde	Louise	Bednarik		MA	7/22/2009
Eddie	Lamar	Black	Jr.	SC	7/22/2009
Alanna		Breckenridge		GA	7/22/2009
Sherry	Jean	Brinster		ND	7/22/2009
Paul	William	Bush		MI	7/22/2009
Jeannine	Kisha	Carew		FL	7/22/2009
Aixa	Consuelo	DeJames		FL	7/22/2009
Carmine	Gerard	Esposito		NJ	7/22/2009
Milene		Elessort		FL	7/22/2009
Jessica	Marie	Figueroa		FL	7/22/2009
Jane		Forish		PA	7/22/2009
Alexander		Ganetsky		PA	7/22/2009
Alexander	Nejad	Gashti		MD	7/22/2009
Dan	Kim	Giang		MA	7/22/2009
Patricia	Thomas	Guy		TN	7/22/2009
Michael	Travis	Holbrook		VA	7/22/2009
Roy	Alan	Johnson		OK	7/22/2009
Jodi	Lynn	Judd		MI	7/22/2009
Rajesh	M.	Kataria		WA	7/22/2009
Kristen	Leigh	Keller		OH	7/22/2009
Ashley	Nicole	Lewis		SC	7/22/2009
Lidia		Malaty		OH	7/22/2009
Jennifer	Agatha	Mowry		PA	7/22/2009
Michael	Ezzat	Nakhla		OH	7/22/2009

Candidates Licensed by Reciprocity 7/21/2008					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Andrew	Kojo	Otoo		IN	7/22/2009
Nikhil	J.	Patel		MI	7/22/2009
Sonia	Dipak	Patel		NJ	7/22/2009
Heather	Christine	Rienbeck		NY	7/22/2009
Donna	Stevens	Roberson		VA	7/22/2009
Josephine	Kwan	Sarau		GA	7/22/2009
Randy	Lee	Seys		IL	7/22/2009
Joanna	G	Simmons		SC	7/22/2009
Deidra	McIntosh	Simpson		KY	7/22/2009
Sharon	R	Smith-Wollner		FL	7/22/2009
Amanda	M.	Smolen		NY	7/22/2009
Carmen	Michelle	Suedmeier		CT	7/22/2009
Ryan	Daniel	Tabis		AZ	7/22/2009
LeAnne	Honeycutt	Varner		GA	7/22/2009
Latasha		Weeks		MD	7/22/2009
Daniel	Anthony	Wittman		FL	7/22/2009

CPP Applicants

Mr. Mason Christopher Hemberg

Increase in Pharmacists to Technician Ratio

- 1.) CVS Permit # 06612 Eden, NC Corinne Brooks RPh App. 6/26/2009
- 2.) CVS Permit # 06566 Cary, NC Roger Queen RPh App. 7/10/2009
- 3.) CVS Permit # 09033 Charlotte, NC Kristen Catley RPh App. 7/10/2009
- 4.) CVS Permit # 06721 Matthews, NC Maura Maflin RPh App. 7/10/2009
- 5.) CVS Permit # 06584 Charlotte, NC John Bentz RPh App. 7/10/2009
- 6.) CVS Permit # 07110 Richfield NC Victoria Sokol RPh App. 7/10/2009
- 7.) CVS Permit # 10116 Burlington, NC Laurie Downs RPh App. 7/10/2009
- 8.) CVS Permit # 06724 Mebane, NC Lorretta Pearson RPh App. 7/10/2009

The Board adjourned for lunch at 11:45am and resumed open session at 1:15pm. Rebecca Chater was not present for the afternoon agenda.

Computer Generated Prescription Forgeries – RPh. Matt Cartrette

RPh. Matt Cartrette spoke to the Board of his concerns with prescription forgeries.

Presentation by Centice Corp. – PASS Rx system

Centice Corporation appeared before the Board at the recommendation of Mr. Haywood to demonstrate a system to verify prescription medications through the prescription bottles.

Reinstatement Hearing – RPh. Benjamin Michael Cooper, license #09385

RPh. Benjamin Michael Cooper, license #09385, appeared before the Board in consideration of his reinstatement application. Executive Director Jay Campbell proceeded with the case and stated that Mr. Cooper did not renew his pharmacist license by February 28, 2009 and had practiced pharmacy from March 1, 2009 until July 20, 2009 without a valid pharmacist license. Mr. Cooper, duly sworn, testified that his employer mistakenly informed him that they had renewed his pharmacist license for 2009. Mr. Cooper had not discovered the error until July 20, 2009 when he attempted to enter CE credits to the NCBOP website.

After presentation of evidence and testimony, the Board moved into closed session to deliberate the matter on a motion from Dr. Dennis, seconded by Mr. Nelson with no dissenting votes. Open session resumed on a motion from Dr. Dennis, seconded by Mr. Nelson with no dissenting votes. Mr. McLaughlin stated that, on a motion Dr. Dennis, seconded by Mr. Nelson with no dissenting votes, the Board would reinstate Mr. Cooper's pharmacist license effective August 1, 2009. Upon reinstatement, Mr. Cooper's license would be suspended for 2 years to be served as a 30 days active suspension and the remaining 23 months served as a stayed suspension with conditions.

Closed Session

On a motion from Mr. Haywood, seconded by Dr. Dennis with no dissenting votes, the Board moved into closed session to discuss the possible summary suspension of three technicians and one pharmacist. On motion from Dr. Dennis, seconded by Mr. Nelson with no dissenting votes, the Board resumed open session. Technicians Joanne E. Joseph, registration #04163, Melissa Marcum, registration #25500, and Laura E. Dalton, registration #18329, were summarily suspended. RPh. William T. Walker, license #05445, was summarily suspended.

Mr. Haywood requested to rent the Board office for a medical school graduation party for his son. It was the consensus of the Board to allow the Board office to be rented by Mr. Haywood.

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

Robert J. McLaughlin, Jr., President

Betty Dennis., Vice President

Wallace E. Nelson

J. Parker Chesson, Jr.

Stan Haywood

Rebecca W. Chater