

President Andy Bowman called the meeting to order at 10:07 am with Board Members Mischelle Corbin, Ashley Duggins, Wallace Nelson, Chris Sain, and Keith Vance in attendance.

Also in attendance were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Director of Inspections Krystal Stefanyk, Director of Investigations Gray Fullwood, Director of Licensing Missy Betz, Director of Operations Kristin Moore, Information Technology Administrator Antoine Pryor, Enforcement Manager Cindy Parham, Senior Investigator/Inspector Holly Price Hunt, Senior Investigator/Inspector Kimberly Sims, Investigator/Inspector James Fickling, Accounting Manager JP Brown, and Administrative Assistant Leslie Wilson.

Present as visitors were Syeda Ahsan, Anthony Jackson, Steve Samples, Lauren Paul, Ellesse Oujano, Karen Cieslak, Christine Heath, Brad Lynch, Andy Ellen, and Norris Buff.

Ethics Statement & Welcome

President Bowman read the Ethics Statement regarding conflicts of interest. No conflicts were noted by Board members.

Consideration of Meeting Minutes

The members received the January 2024 meeting minutes for review prior to the meeting. Ms. Corbin moved to approve and Mr. Nelson seconded. The motion passed unanimously.

Hearings

Petition for Reinstatement of Pharmacist License #18567, John Agyemang (*Pinyan*)

John Agyemang formerly held North Carolina license to practice pharmacy #18657. That license expired due to non-renewal on December 31, 2016.

Mr. Agyemang has filed an application to reinstate his North Carolina license. Board staff could not approve the reinstatement application due to Mr. Agyemang's criminal history post-dating the December 31, 2016 expiration of his North Carolina license. Mr. Agyemang has petitioned the Board for a hearing on his application to reinstate.

Mr. Agyemang has declined his right to be present for the hearing in person. He has instead provided a statement concerning his application for the Board's consideration.

Mr. Pinyan presented documentary evidence, including the statement provided by Mr. Agyemang.

After receiving testimony and documents, Mr. Nelson moved to deny the reinstatement petition. Dr. Duggins seconded. The motion passed unanimously.

Petition for Modification of Order, Steve Samples, License #08926 (Campbell)

In 2014, the Board reinstated Mr. Samples' license to practice pharmacy with conditions.

Mr. Samples is currently employed as a staff pharmacist at H&W Drug Company in Newton, NC, and has been since 2018. Mr. Samples has asked that the provision in his 2014 Order prohibiting him from serving as a pharmacist-manager be lifted to allow him to serve as pharmacist-manager for H&W Drug.

Mr. Samples made his request before the Board. Retired pharmacist Norris Buff testified to his high regard of Mr. Samples' character and work ethic.

After receiving testimony and documents, Dr. Sain moved to grant Mr. Samples' request. Dr. Vance seconded. The motion passed unanimously. President Bowman authorized Mr. Campbell to sign the consent order memorializing the modification on his behalf.

Financial Reports

Accounting Manager JP Brown presented the monthly financial report. The members received the report prior to this meeting. The members reviewed and had no questions.

Licensing Report (Betz)

2024 Renewal Season

Director of Licensing Missy Betz reported on the 2024 renewal season. Renewal has ended for all licensees and registrants (Pharmacist, Technician, Dispensing Physician, PA, NP, and CPP) For those that did not renew, their license/registration status has been moved to inactive status (effective 3/2/2024) and they have all been emailed a notice letting them know of the change in status. Ms. Betz noted that there have been several Pharmacist and Technician Reinstatement applications submitted since 3/2/2024.

The permittees (Pharmacy and DME) may still complete a late renewal during the month of March, with a late fee. Currently 99% of Pharmacies have renewed and 93% of DMEs.

Mr. Campbell noted that every year Ms. Betz identifies any speed bumps in the renewal process and works to smooth them over and that this was exceptionally true this year.

Implementation of Dispensing Optometrist Registration

Effective Friday, March 1, 2024, optometrists may register with the Board of Pharmacy to dispense certain prescription drugs. Ms. Betz and her team have implemented a registration system. It is operating and the North Carolina Board of Optometry Examiners executive director Bill Rafferty became dispensing optometrist #1.

Mr. Campbell noted for the record that Mr. Pinyan, Mr. Rafferty and NC Board of Optometry counsel Johnny Loper were integral with the process due to their collegial and professional approach.

Investigations and Inspections Report (Stefanyk)

Inspector and Investigator Compounding Summit (Stefanyk)

Krystal Stefanyk, Director of Inspections, reported on the success of the inspector and investigator Compounding Summit. She expressed her appreciation to Ms. Wilson, Mr. Pryor, and Ms. Moore for their help in the planning and execution of the event.

Investigative Statistics (Stefanyk)

Ms. Stefanyk presented the investigations report and current caseload.

Legislative Report (Pinyan, Campbell)

Mr. Campbell reported there were no changes in the legislative report since the retreat in November 2023. He touched briefly on a conversation he had with Representative Sasser concerning the regulatory landscape of pharmacies dispensing methadone as a “medication unit” affiliated with a federally-certified opioid treatment program (“OTP”). Neither state nor federal law prohibit a community pharmacy from collaborating with an OTP in this way.

Rulemaking (Pinyan, Campbell)

Rulemakings in Progress:

Proposed Adoption of 21 NCAC 46 .2516, Emergency Closure

Proposed Amendment to 21 NCAC 46 .2201, Continuing Education – Hours: Records: Providers Correspondence: Reciprocity

Mr. Campbell noted that the two amendments had been discussed earlier in the public hearing. The public comment period remains open through April 1, 2024.

For Action by the Board:

Approve Proposed Amendment to 21 NCAC 46.1613, Extension of Time for Certain Members of the Armed Forces

This is a proposed amendment to the rule governing extensions of the license/registration renewal deadline for certain members of the armed forces. The amendment adds dispensing optometrists (granted dispensing authority pursuant to SL 2023-129) to the list of covered Board of Pharmacy licensees and registrants.

The comment period was open through February 13, 2024. A public hearing was held on Monday, January 8, 2024. Board staff received no written comments on the rule, and no one appeared at the public hearing.

Mr. Nelson moved to approve the amendment. Dr. Duggins seconded. The motion passed unanimously.

Board Counsel Clint Pinyan will shepherd the amended rule through the Rules Review Commission process.

Consider Publishing for Notice and Comment Proposed Amendments to 21 NCAC 46.2504, Patient Counseling

The Patient Counseling Rule Amendment Committee recommends amendments to Rule .2504, Patient Counseling. The amendments focus on two principal goals: (1) updating the rule so that it will not be read as inhibiting the use of various technologies to achieve patient education goals; (2) reorganizing the rule so that it goes through requirements in a “workflow” way, making it easier for the regulated community to understand.

Other amendments are focused on: (1) separating out DME counseling requirements for clarity; (2) harmonizing the rule with other recent rulemaking changes, particularly the DTP system rule; and (3) eliminating redundant language.

Dr. Vance thanked Mr. Campbell and Mr. Pinyan for their hard work.

Ms. Corbin moved to publish the proposed amendment for notice and comment. Dr. Vance seconded. The motion passed unanimously.

Committee Progress Reports

Budget & Finance Committee – *Duggins, Corbin, Sain* (members); *Campbell, Jones, Brown* (staff) Next anticipated meeting is in the spring to propose a FY2024-25 budget.

Health-System Rules Review – *Nelson, Sain* (members); *Campbell, Pinyan, Stefanyk* (staff). The Committee convened its working group during the Board's February workday. Working Group members discussed a number of substantive issues. Good engagement and progress on a number of issues. The committee will next meet during April workday, at which, among other things, the committee will consider draft amendments to rules governing emergency department dispensing and permitting of "satellite" locations in health systems.

Opioid Settlement – *Corbin, Vance, Nelson* (members); *Campbell* (staff). The committee met during the Board's February workday to discuss staff-to-staff discussions among the North Carolina Association of County Commissioners (NCACC), Board, and North Carolina Association of Pharmacists (NCAP). The committee members were particularly interested in, and supportive of, uses of opioid settlement monies to increase access to SUD treatment services. Committee members discussed how pharmacists and pharmacies can play a crucial role in increased access, and on how projects could be implemented to make long-term impacts on the public health costs of SUD. The committee instructed staff to continue liaising with NCACC.

NCPHP Resources and Needs – *Corbin, Sain* (member); *Campbell, Jones, Brown* (staff). Appointed by President Bowman at the November retreat, the committee met during the Board's February workday to review with Joe Jordan and Cindy Clark (of NCPHP), the history of PHP's working relationship with the Board, the growth of services provided to pharmacy personnel (in depth and breadth), and the resource needs NCPHP has identified to maintain the depth and breadth of services. The committee members were most appreciative of the public health good that the Board's relationship with – and financial support of – NCPHP has provided, and continues to provide. The members will make a recommendation to the Board's Budget & Finance Committee concerning a potential increase in the Board's direct financial support of NCPHP.

SEIs Due to Ethics Commission by April 15, 2024

NABP Annual Meeting, May 14 – 17, 2024 Fort Worth, TX

All that are attending the meeting have registered.

MALTAGON Annual Meeting, September 8-11, Rogers, AR

The annual MALTAGON meeting is scheduled for September 8-11 in Rogers, Arkansas. The Board's bimonthly regular business meeting is scheduled for Tuesday, September 10. As there was significant interest among Board members to attend MALTAGON, it was agreed to move the September meeting to September 17th, with the prehearing conferences on September 16th.

November 2024 Annual Retreat Planning

Back at the 2023 Annual Retreat it was decided that the 2024 Annual Retreat would be in November. The Board agreed to make The Proximity Hotel in Greensboro, NC their destination this year and, perhaps, for years to come.

Consent Agenda

The following items were approved.

Consent Orders

Consent Order Reinstating License with Conditions: Pharmacist Zachary Wayne Orman, License #17534

Consent Order Granting Pharmacist License with Conditions: Pharmacist Marian B. Gergis, Reciprocity Application #GERG-IQD7V2

Final Consent Order: Out Of State Permit Application of MixMyRx Ventures LLC

Staff Issued Letters of Warning and No Action: Walgreens Pharmacy, Permit #12414 and Pharmacist Allyson Dean, License #25375

Reciprocity Candidates

License Number	First Name	Last Name	License Type	License Status	Licensed Date	Licensure Method
32860	Stephanie	Mariak	Pharmacist	Active	2024-01-10	Reciprocity
32859	Cindy	Johns	Pharmacist	Active	2024-01-10	Reciprocity
32861	Franck	Kacou	Pharmacist	Active	2024-01-11	Reciprocity
32862	Amanda	Hess	Pharmacist	Active	2024-01-11	Reciprocity
32863	Tuanh	Duong	Pharmacist	Active	2024-01-12	Reciprocity
32866	Breanne	Gallagher	Pharmacist	Active	2024-01-18	Reciprocity

32869	Lindsay	Celauro	Pharmacist	Active	2024-01-19	Reciprocity
32871	Jessica	Hillery	Pharmacist	Active	2024-01-19	Reciprocity
32870	Robert	Hickey	Pharmacist	Active	2024-01-19	Reciprocity
32874	Chi	Luu	Pharmacist	Active	2024-01-22	Reciprocity
32872	John	Copeland	Pharmacist	Active	2024-01-22	Reciprocity
32875	Laura	Culver	Pharmacist	Active	2024-01-23	Reciprocity
32876	Dhaval	Mehta	Pharmacist	Active	2024-01-23	Reciprocity
32877	Amanda	Violette	Pharmacist	Active	2024-01-23	Reciprocity
32881	Lane	Cheramie	Pharmacist	Active	2024-01-25	Reciprocity
32882	Vicki	Jung	Pharmacist	Active	2024-01-29	Reciprocity
32883	Lauren	D'Anna	Pharmacist	Active	2024-01-31	Reciprocity
32884	Eudia	Wanjau	Pharmacist	Active	2024-01-31	Reciprocity
32886	Alicia	Carr	Pharmacist	Active	2024-02-01	Reciprocity
32888	Michael	Behnam	Pharmacist	Active	2024-02-02	Reciprocity
32889	Janet	Palmer	Pharmacist	Active	2024-02-02	Reciprocity
32892	Belinda	Mang	Pharmacist	Active	2024-02-08	Reciprocity
32891	Victoria	Fazio	Pharmacist	Active	2024-02-08	Reciprocity
32896	Brett	Kowalski	Pharmacist	Active	2024-02-09	Reciprocity
32897	Brooke	Murling	Pharmacist	Active	2024-02-09	Reciprocity
32898	Christopher	Angelo	Pharmacist	Active	2024-02-12	Reciprocity
32899	Sandy	Mathurin	Pharmacist	Active	2024-02-13	Reciprocity
32902	Theresa	Do	Pharmacist	Active	2024-02-14	Reciprocity
32903	James	Green	Pharmacist	Active	2024-02-15	Reciprocity
32905	Venus	Nguyen	Pharmacist	Active	2024-02-19	Reciprocity

32906	Michael	Findley	Pharmacist	Active	2024-02-20	Reciprocity
32909	Nicholas	Crocker	Pharmacist	Active	2024-02-22	Reciprocity
32913	Charles	Uduma	Pharmacist	Active	2024-02-23	Reciprocity
32912	Rakesh	Patel	Pharmacist	Active	2024-02-23	Reciprocity
32911	Rajay	Patel	Pharmacist	Active	2024-02-23	Reciprocity
32915	Jacqueline	Montoya	Pharmacist	Active	2024-02-26	Reciprocity
32919	Cheryl	Sierra	Pharmacist	Active	2024-02-27	Reciprocity
32920	Kevin	Rodick	Pharmacist	Active	2024-02-28	Reciprocity
32921	Moadh	Masoud	Pharmacist	Active	2024-02-29	Reciprocity
32922	Judy	Do	Pharmacist	Active	2024-03-01	Reciprocity
32923	Mohammad	Salameh	Pharmacist	Active	2024-03-01	Reciprocity
32925	Alexander	Plumer	Pharmacist	Active	2024-03-04	Reciprocity
32928	Jane	Goldstein	Pharmacist	Active	2024-03-05	Reciprocity
32929	Sarah	Jones	Pharmacist	Active	2024-03-07	Reciprocity
32930	Kristen	Graves	Pharmacist	Active	2024-03-08	Reciprocity
32931	Amy	Cohen	Pharmacist	Active	2024-03-12	Reciprocity
32933	Marian	Gergis	Pharmacist	Active	2024-03-12	Reciprocity

CPP Candidates

License Number	First Name	Last Name	License Type	License Status	Licensed Date
700505	Erin	Eberwein	Clinical Pharmacist Practitioner	Active	2024-01-15
700506	Elizabeth	Eubanks	Clinical Pharmacist Practitioner	Active	2024-01-15
700507	Sushama	Tata	Clinical Pharmacist Practitioner	Active	2024-01-17

700508	Grace	Monti	Clinical Pharmacist Practitioner	Active	2024-01-17
700509	Emily	Cramer	Clinical Pharmacist Practitioner	Active	2024-01-18
700511	Mona	Modi	Clinical Pharmacist Practitioner	Active	2024-01-30
700512	Aubrie	Hammond	Clinical Pharmacist Practitioner	Active	2024-01-30
700513	Katherine	McLaurin	Clinical Pharmacist Practitioner	Active	2024-01-30
700514	Bryan	Robinette	Clinical Pharmacist Practitioner	Active	2024-01-30
700515	Jazmine	Robertson	Clinical Pharmacist Practitioner	Active	2024-01-31
700517	Jigna	Patel	Clinical Pharmacist Practitioner	Active	2024-02-06
700516	Austyn	Posey	Clinical Pharmacist Practitioner	Active	2024-02-06
700519	Steven	Sytsma	Clinical Pharmacist Practitioner	Active	2024-02-08
700520	Allison	Dery	Clinical Pharmacist Practitioner	Active	2024-02-08
700521	Jenna	Januszka	Clinical Pharmacist Practitioner	Active	2024-02-08
700518	Ashley	Leary	Clinical Pharmacist Practitioner	Active	2024-02-08
700522	Yousef	Lafi	Clinical Pharmacist Practitioner	Active	2024-02-14
700523	Cavell	Hutchings	Clinical Pharmacist Practitioner	Active	2024-03-07
700524	Lindsay	Elliott	Clinical Pharmacist Practitioner	Active	2024-03-07

Increase in Pharmacist: Technician Ratio

License Number	License Type	Process Type	Status	Complete Date	PT Ratio
11436	Pharmacy	PT Ratio Change	Complete	12-Jan-24	1:3
12068	Pharmacy	PT Ratio Change	Complete	12-Jan-24	1:5
12420	Pharmacy	PT Ratio Change	Complete	12-Jan-24	1:4
12432	Pharmacy	PT Ratio Change	Complete	17-Jan-24	1:5

13438	Pharmacy	PT Ratio Change	Complete	22-Jan-24	1:4
13393	Pharmacy	PT Ratio Change	Complete	22-Jan-24	1:4
14286	Pharmacy	PT Ratio Change	Complete	25-Jan-24	1:5
13780	Pharmacy	PT Ratio Change	Complete	25-Jan-24	1:5
2741	Pharmacy	PT Ratio Change	Complete	25-Jan-24	1:5
10916	Pharmacy	PT Ratio Change	Complete	30-Jan-24	1:4
2183	Pharmacy	PT Ratio Change	Complete	30-Jan-24	1:3
10799	Pharmacy	PT Ratio Change	Complete	06-Feb-24	1:5
14247	Pharmacy	PT Ratio Change	Complete	06-Feb-24	1:3
9924	Pharmacy	PT Ratio Change	Complete	08-Feb-24	1:4
13744	Pharmacy	PT Ratio Change	Complete	09-Feb-24	1:3
12767	Pharmacy	PT Ratio Change	Complete	09-Feb-24	1:5
13683	Pharmacy	PT Ratio Change	Complete	29-Feb-24	1:5
13134	Pharmacy	PT Ratio Change	Complete	04-Mar-24	1:5
4938	Pharmacy	PT Ratio Change	Complete	06-Mar-24	1:5

Mr. Campbell asked that public record reflect that Board members Ms. Corbin and Dr. Vance recused themselves from cases over which they had presided as pre-hearing officers. Dr. Duggins moved to approve the consent agenda. Dr. Sain seconded. The motion passed unanimously.

President Bowman announced that due to personal and career reasons, he would be stepping down from the Board at the May meeting. Mr. Campbell and members of the Board expressed their appreciation for his work and dedication to the Board for the past 8 years. Mr. Campbell said he would email the Board the process on selecting a new Board member.

On a motion from Ms. Corbin, seconded by Dr. Duggins, passed unanimously, the Board moved into closed session to discuss possible summary suspensions. Mr. Campbell noted that after closed session, there would not be any more items on the agenda.

When open session resumed on a motion from Dr. Vance, seconded by Mr. Nelson, passed unanimously, President Bowman stated that the Board summarily suspended Pharmacist License No. 26763 issued to Cole Dixon Moore, Pharmacist License No. 14507 issued to Regina Deidra Hrush, Technician Registration No. 39394 issued to Travis Lee Cutshaw, Technician Registration No. 57412 issued to Marissa Alvarez Hernandez, and Technician Registration No. 78392 issued to Teresa Sanders McManus.

Dr. Vance moved to adjourn. Mr. Nelson seconded. The motion passed unanimously.

Dr. Andy Bowman, President

Dr. Chris Sain, Vice President

Mischelle Corbin

Dr. Ashley Duggins

Wallace Nelson

Dr. Keith Vance