

President Gene Minton called the meeting to order at 9:05 am with Board Members Dr. Parker Chesson, E. Lazelle Marks, Carol Yates Day, Robert J. McLaughlin, and Bill Mixon present. Also present were Executive Director Jay Campbell, Director of Investigations Karen Matthew, Director of Operations Kristin Moore, Director of Licensing Deborah Stump, and Financial and Administrative Services Director Gail Brantley. Present as visitors were: Mary Christine Parks, NCPRN; Cindy Clark, NCPRN; Tom Readling, NC Mutual; Christine Davis, Cardinal Health; David Catalano, Walgreens; Vann Day, Duke Med. Center; Tony Mitchum, Wal-Mart; Ashley Riggelman, Campbell Law/NCBOP; Lisa Collums, Kerr Drug; Lori Setzer, CVS; Karen Hammond, CVS; Brenda Shafer, Quarles & Brady, LLP; James Strickland, Windsor Point Pharmacy; Steve Dedrick, UNC/ESOP; Rich DeBenedetto, Walgreens; Laura Risley, UNC Student; John Schimmelfing, Mutual Drug; Gena Anderson, Mutual Drug; RPh. Ken Steinhauser; Gavin Magaha, WFBH; Jason Chou, WFBH; Melinda Zimmerman, Broughton Hospital; Jerry McKee, CCNC; Michael Nnadi, Novant; Wyt Ratanacharoensiri, UNC Student; Rich Palombo, Express Scripts; Caroline Meehan, UNC Student; Wallace Nelson, Vidant Chowan Hospital; Christine Tawfik, UNC Student; Betsy Ramsay, CVS; Allison Catoe, Wingate University; Lee Davis, UNC/ESOP; Emily Johnson, UNC/ESOP; Laura Meleis, UNC/ESOP; Pete Graham, UNC/ESOP; Shayna Smith, UNC/ESOP; Andrea Faison, UNCH; Som Siharath, UNCH; Sarah Clement, Forsyth Technical Comm. College; Chris Evans, BCBSNC; Chris Gauthier, NCAP; Evelyn Hawthorne, NCAP; and Krystal Brashears, NCBOP.

Ethics Statement & Welcome

President Minton read the Ethics Statement regarding any conflicts of interest and/or appearances of conflicts of interest of any Board member. No conflicts were noted by any Board member.

Minutes of the June 2012 Board Meetings

The members received the June 19, 2012 meeting minutes prior to this meeting for review. It was moved by Mr. McLaughlin and seconded by Mrs. Day to accept the Minutes as submitted. The motion passed with no dissenting votes.

Consideration of Reciprocity Candidate – Kenneth J. Steinhauser

RPh. Kenneth J. Steinhauser appeared before the Board concerning his reciprocity application. Mr. Steinhauser submitted an application to reciprocate his pharmacist license from New York. Mr. Steinhauser indicated on his application that in July 2009 he was asked to resign from Rite Aid Pharmacy due to multiple prescription errors. Mr. Steinhauser stated that most of the errors were made at the point of sale when the wrong prescription bag was given to patients but he did take full responsibility for the errors. He has also received continuing education in error reduction.

On a motion from Mr. Marks, seconded by Mr. McLaughlin with no dissenting votes, the Board moved into closed session to discuss the matter. Open session resumed on a motion from Dr. Chesson, seconded by Mr. McLaughlin with no dissenting votes. Mr. Minton stated that on a motion from Mr. Mixon, seconded by Mr. McLaughlin with no dissenting votes, the Board approved Mr. Steinhauser's reciprocity application.

Chronic Pain Management and Potential for Medication Misadventuring – Jerry McKee and Mike Lancaster

Jerry McKee and Mike Lancaster, on behalf of Community Care of North Carolina (CCNC), gave a presentation to the Board on a CCNC initiative to reduce the misuse, abuse, potential for diversion, and overdose from opioid medications. CCNC seeks opportunities to work with the Board to educate pharmacists and prescribers on opiate abuse detection and prevention. The Board directed CCNC to work with Board staff on education outreach.

Report on Implementation of 21 NCAC 46.1418, Supervision of Unit Dose Medications Systems

Michael Nnadi, Novant; Jerry McKee, CCNC; Melinda Zimmerman, Broughton Hospital; and Jason Chou, WFUBMC spoke to the Board on the implementation of 21 NCAC 46.1418, Supervision of Unit Dose Medications Systems. Mr. Nnadi commended the Board on its progressive and historic decision to enact the rule. North Carolina is in the forefront of technician validation. Seventeen states have implemented some form of technician validation in the inpatient hospital setting, with three states specifically referencing the North Carolina model of technician validation of non-patient-specific stocking functions to begin their own rule implementation. In response to passage of Rule .1418, twelve community colleges in North Carolina now offer an A.A.S. degree in pharmacy technology. Several studies have shown (including a published paper by Jerry McKee and Melinda Zimmerman) that the rule has improved inpatient care and allows pharmacists to spend more time on clinical activities. The pilot program at Broughton Hospital showed the variance rate on medication errors was substantially lower than that of pharmacists in routine checking functions. Jason Chou of WFUBMC reported that quality assurance records from WFUBMC show the same and that the use of validating technicians to perform nonjudgmental end product checking is freeing pharmacists for more clinically oriented involvement in patient care. As a result, WFUBMC has committed over \$1 million to hiring additional clinical pharmacists. Novant Health and WFUBMC have hired or will be hiring a number of AAS pharmacy technology graduates.

The Board adjourned for a break at 10:28am and resumed open session at 10:50am.

Report on Legislative Action Concerning Pharmacist Vaccination Authority – Chris Gauthier and Evelyn Hawthorne

Chris Gauthier, Executive Director NC Pharmacist Association (NCAP) and Evelyn Hawthorne, NCAP, spoke to the Board regarding S246, which would have expanded pharmacist authority to vaccinate patients 18 years old and older. The Bill faced substantial opposition from physicians. It passed the Senate, but was not acted upon in the House. There is hope that there will be some communication from the General Assembly to the Pharmacy Board, Nursing Board, and Medical Board requesting recommendations for S246 for the 2013 long session.

Report of the Task Force on Revisions to Rules Governing Hospital and Long-Term Care Pharmacy Practice – Joey McLaughlin, Betty Dennis, Wallace Nelson, Tom Nicholson, Cecil Davis, James Strickland, Neelu Patil, Beth Williams

Wallace Nelson, Tom Nicholson, and James Strickland, representing the LTC/Hospital Task Force, presented a report of recommended changes to rules governing long term care/hospital

pharmacy practice. Mr. Campbell stated that the task force has worked diligently for the past year to review the rules governing long term care/ hospital practice, after the Board saw a need to modernize and update these rules. The Board's Task Force consisted of Joey McLaughlin, Betty Dennis, Wallace Nelson, Tom Nicholson, Cecil Davis, James Strickland, Neelu Patil, and Beth Williams.

After discussion, the Board stated that they would further review the recommended changes and provide input to Mr. Campbell.

General Assembly 2012 Short Session Report on Actions Affecting Board Activities

Mr. Campbell updated the Board on two bills that passed in the NC General Assembly Short Session

H799 requires licensing boards to allow licensure by endorsement for military personnel and military spouses. It was the consensus of the Board that Mr. McLaughlin and Bill Pickard meet to review the bill and make recommendations to the Board on any rule or procedural changes that may be necessary to implement the statute.

H614 Voluntary Health Care Service Act allows registered sponsoring organizations to arrange for voluntary provision of health care services in North Carolina, relieving the providers of voluntary health care services from additional licensure requirements and providing limited protection from civil liability. This statute would allow an out-of-state pharmacist to volunteer in North Carolina for seven days without obtaining licensure. The Board would be given a list of volunteers and would be required to determine whether the volunteers' out-of-state licenses are in good standing. The Board will be able to determine standing through NABP, but would not have access to any pending investigations.

Open Mike

There were no presentations during the Open Mike portion of the meeting.

The Board adjourned for lunch at 11:50am and resumed open session at 12:52pm.

Reinstatement Request – Amanda Greenwood Soles, License #16536

RPh. Amanda Greenwood Soles, license #16536, appeared before the Board to request reinstatement of her pharmacist license. Ms. Soles voluntarily surrendered her license November 23, 2010, after diverting medication from Wake Medical Center for personal use. Ms. Soles, duly sworn, spoke to the Board about her recovery progress. Mary Christine Parks, Executive Director NC Pharmacist Recovery Network (PRN), duly sworn, spoke to the Board about Ms. Soles' recovery and stated that NCPRN advocates for her reinstatement with appropriate conditions.

On a motion from Mr. McLaughlin, seconded by Mrs. Day with no dissenting votes, the Board moved into closed session to deliberate the matter. Open session resumed on a motion from Mr. McLaughlin, seconded by Mr. Marks with no dissenting votes. Mr. Minton stated that on a

motion from Mr. McLaughlin, seconded by Dr. Chesson with no dissenting votes, the Board would grant Ms. Soles' reinstatement request with conditions.

A copy of the Reinstatement Order can be found elsewhere in the Minutes and is incorporated by reference herein.

Revocation of Technician Registration #27586, Reginald Jamel Heath

Board staff was notified by North Carolina Child Support Enforcement, Division of Social Services, Department of Health and Human Services that technician Reginald Jamel Heath, registration #27586, was delinquent in his child support obligations. As required by G.S. § 110-142.1., staff sent notice of intent to revoke Mr. Heath's pharmacy technician registration via certified mail, return receipt requested. The letter returned unclaimed. Board staff sent the required notice of intent to Mr. Heath's email address on July 9, 2012. The email message went unanswered. Mr. Campbell attempted to contact Mr. Heath at the telephone number listed on his Board of Pharmacy registration. The phone call was not returned. Mr. Campbell then obtained a different phone number from one of Mr. Heath's employers. He successfully contacted Mr. Heath at that number of July 9, 2012, and explained the DHHS notice. Mr. Heath instructed the Mr. Campbell to electronically transmit the notice to a second email address. As to date, Board staff had not received acknowledgement that Mr. Heath is compliant with his child support obligations. On a motion from Dr. Chesson, seconded by Mr. McLaughlin with no dissenting votes, the Board moved to revoke Mr. Heath technician registration.

A copy of the Order Revoking Registration can be found elsewhere in the Minutes and is incorporated by reference herein.

NABP District III Annual Meeting – Reminder

The 2012 NABP/AACP District III meeting will be held August 11-13, 2012 in Savannah, GA. Mr. Campbell reminded Board members to inform staff if they wish to attend the meeting.

MALTAGON Annual Meeting – Reminder

The 2012 MALTAGON meeting will be held September 9-13, 2012 in Tulsa, OK. Mr. Campbell reminded Board members to inform staff if they wish to attend the meeting.

NABP Interactive Member Forum – September 19-20, Northbrooke, IL

Mr. Campbell stated that NABP is conducting the 2012 Meeting Triathlon starting in the fall. The first meeting is the NABP Interactive Member Forum on September 19-20, 2012, in Northbrook, IL. NABP requested that Boards of Pharmacy pick one member to attend these meetings.

Annual Chapter 93B Report Filed

Mr. Campbell stated that the 2010 – 2011 NC Board of Pharmacy Annual report has been filed with the state and presented a copy to each Board member.

Financials

Gail Brantley, Financial and Administrative Services Director, presented the June 2012 financial statistics to the Board.

Investigative Statistics

Director of Investigations Karen Matthew presented the investigative statistics for July 2012.

Consent Agenda

Following a review of the consent agenda, it was moved by Mr. McLaughlin, seconded by Mr. Mixon to approve the consent agenda as presented. Mr. Mixon recused himself in the matter of Belmar Pharmacy. The motion carried with no dissenting votes. The following items were approved.

Prehearing Conference**Staff Issued Letter of Warning with Error Reduction Course**

RPh. Larry Ross Cloer, license #06115, was subject of a prehearing conference held June 18, 2012, heard by Mr. Minton, regarding allegations of dispensing prescription with wrong dosage, failing to transfer prescription from Kerr Drug to U Save It, misbranding prescription by placing it in old prescription vial from Kerr Drug, and failing to keep record of drug dispensed. Recommendation: **Staff Issued Letter of Warning with Error Reduction Course** to RPh. Cloer.

Staff Issues Letters of No Action and Consent Orders

RPh. Amos Q. Brinson, license #06011; CVS Pharmacy, permit #10823; RPh. Myra C. Rochelle, license #09239; CVS Pharmacy, permit #10791; RPh. April M. Rogers, license #10118; CVS Pharmacy, permit #10878; RPh. Lauralyle J. Weaver, license #06795; CVS Pharmacy, permit #10847; RPh. Edmund M. Wellons, license #05971; CVS Pharmacy, permit #10738; RPh. Nathaniel D. Brooks, license #20567; CVS Pharmacy, permit #10867; RPh. Robert C. Jones, license #08987; and RPh. James R. LeCroy, license #06802 were subjects of a prehearing conference held June 18, 2012, heard by Mr. Minton, regarding allegations that the above pharmacists participated in immunization program administered by CVS that was inadequate. Board staff sent letters instructing CVS and pharmacists not to immunize until they were re-trained. The pharmacists administered vaccines before retraining. Recommendation: **Consent order restricting immunizing for 4 months & complete certified immunization program before immunizing** to RPh. Brinson, RPh. Rochelle, RPh. Rogers, RPh. Weaver, RPh. Wellons and RPh. Brooks. **Consent order restricting permits from vaccinating for 2 years** to permits. **Staff Issues Letters of No Action** to RPh. Jones and RPh. LeCroy.

Consent Order

KEBD Enterprises, LLC d/b/a Belmar Pharmacy, permit #11304, waived formal hearing and agreed to consent order granting permit but placing that permit under indefinite suspension/ stayed 10 year with conditions for shipping prescriptions into North Carolina without a permit.

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

Reciprocity Candidates

Candidates Licensed by Reciprocity 7/18/2012 – 7/25/2012					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Ini	Paul	Akpabio		OK	7/18/2012
Lorne	Elliot	Basskin		FL	7/18/2012
Nilima		Bhatt		TX	7/18/2012
Timothy	James	Blanck		FL	7/18/2012
Kristen	Dane	Brightbill		VA	7/18/2012
Andrew	William	Bundeff		MA	7/18/2012
Sara	Elizabeth	Conway		GA	7/18/2012
Tiana	Marie	Corrado		MA	7/18/2012
Meghan	Michelle	Devine		GA	7/18/2012
Amanda	Rena	Dubil		SC	7/18/2012
Sarah	Barth	Eckrich		RI	7/18/2012
Peppi	Sara	Fowler		FL	7/18/2012
Ahmad	B.	Golchin		VA	7/18/2012
Megan	Marie	Goodale		OR	7/18/2012
Malcolm	Noyes	Goodwin	III	SC	7/18/2012
Bailey	Holland	Guest		GA	7/18/2012
Michelle	Ann	Hamilton		MD	7/18/2012
Chad	Jeffrey	Hatfield		OR	7/18/2012
David	Lee	Holmes		VA	7/18/2012
Matthew	A.	James		PA	7/18/2012
Teresa	Chia-yuh	Kam		IN	7/18/2012
Jennifer	Dawn	Kennedy		VA	7/18/2012
Farah	Ezat	Khorassani		NY	7/18/2012
Kristopher	Michael	Kopec		NV	7/18/2012
Brian	Andrew	Marlow		MD	7/18/2012
Kendall	Grizzard	Marlow		MD	7/18/2012
Lisa	Marie	Misener		NY	7/18/2012
Sini	Paul	Muckom		CO	7/18/2012
Ram	Rajnikant	Patel		MI	7/18/2012
Theodore	Evan	Pikoulas		PA	7/18/2012

Candidates Licensed by Reciprocity 7/18/2012 – 7/25/2012					
FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Robert	Douglas	Raiff		OH	7/18/2012
Anita	Elizabeth	Ray		NJ	7/18/2012
Douglas	George	Reed		OH	7/18/2012
Nancy	Lee	Scrugham		GA	7/18/2012
Kevin	Franklin	Stanley		VA	7/18/2012
Angela	Michelle	Stanton		PA	7/18/2012
Jesse	John	Tang		VA	7/18/2012
Rachel	Marie	Thomas		OH	7/18/2012
Ruby		Tiwari		MD	7/18/2012
Nikky	Nkechi	Ugwuoke		PA	7/18/2012
Patrizia	Giulia	von Vajna		FL	7/18/2012
Nadia	Lee	Vulcain		FL	7/18/2012
Julie	Elizabeth	Waycaster		SC	7/18/2012
Brittney	Denise	Wilkerson		DC	7/18/2012
Eric	Paul	Young		PA	7/18/2012
Irina		Zlochevskaya		NJ	7/18/2012
Felix	Peter	Zyra		PA	7/18/2012
Kenneth	Joseph	Steinhauser		NY	7/20/2012
Monica	Lynn	Randolph		OH	7/25/2012

CPP Candidates

RPh. Lauren Samford, License #21929

RPh. Rachel H. Selinger, License #20386

Increase in Pharmacist to Technician Ratio

- 1.) Food Lion Pharmacy Roxboro Permit # 08133, Daphne Hutchins RPh, App. 7/3/2012
- 2.) Walgreens Pharmacy Greensboro Permit # 08951, Andrew Siegfried RPh, App. 7/3/2012
- 3.) CVS Pharmacy Winterville Permit # 10301, Carly Sanfrey RPh, App. 7/3/2012

Closed Session

On a motion from Mr. Mixon, seconded by Dr. Chesson with no dissenting votes, the Board moved into closed session to discuss a possible summary suspension. Open session resumed on a motion from Mr. McLaughlin, seconded by Mr. Marks with no dissenting votes. Mr. Minton stated that technician Susan Renee Marsh (Dorsett), registration #22310 was summarily suspended.

A copy of Summary Suspension can be found elsewhere in the Minutes and is incorporated by reference herein.

There being no further business, the meeting adjourned at 1:50pm.

Gene Minton, President

E. Lazelle Marks, Vice-President

J. Parker Chesson, Jr.

Robert J. McLaughlin, Jr

Carol Yates Day

William A. Mixon