

President Gene Minton called the meeting to order at 9:00 am with Board Members Bill Mixon, L. Stan Haywood, Carol Yates Day, and Andy Bowman present. Robert Graves was absent from the meeting. Also present were Executive Director Jay Campbell, Board Counsel Clint Pinyan, Associate Executive Director Ellen Vick, Director of Investigations Josh Kohler, Associate Director of Investigations Krystal Brashears Stefanyk, Financial and Administrative Services Director Gail Brantley, Director of Licensing Debbie Stump, and Director of Operations Kristin Moore. Present as visitors were: Brent Slaughter, NC Mutual Drug; Tori Mayer, Publix; Joey McLaughlin, Realo Drug; Christine Davis, Cardinal Health; Keith Vance, Board Member Elect; Tony Mitchum, Wal-Mart; Linda Goswick, NCAP; Ami Patel, UNC/ESOP; Shasta Grotewiel, Campbell Univ.; Dallas Wilson, Walgreens; Stephen Fu, Option Care; Ellie Hanson, UNC/ESOP; April Johnson, Campbell Univ.; Stacie Mason, NCBOP; Krystal Smith, NCBOP; Lisa Parker-Hawkins, NCBOP; and Kimberly Sims, NCBOP.

Ethics Statement & Welcome

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

Consideration of Minutes of the October 2016 Meeting Minutes and October 24, 2016 Conference Call Meeting Minutes

The members received the October 18, 2016 meeting minutes and the October 24, 2016 conference call meeting minutes prior to this meeting for review. It was moved by Mr. Bowman, seconded by Mr. Mixon, to accept the minutes as submitted. The motion passed with no dissenting votes.

Introduction of Lisa Parker-Hawkins and Kimberly Sims

Mr. Campbell introduced Lisa Parker- Hawkins as the Board's new Receptionist/Administrative Assistant. Ms. Parker-Hawkins replaces Nellie Jones, who retired earlier in the year, as the Board receptionist.

Mr. Campbell also introduced Kimberly Sims as the new Investigator/Inspector for the Northeast section of the state.

The Board members welcomed both Ms. Parker-Hawkins and Ms. Sims to the Board.

Board Meeting and PHC Schedule – June 2017 – May 2018

The Board Members were presented with a proposed board meeting and prehearing conference schedule for June 2017 – May 2018.

After discussion, on a motion from Mr. Mixon, seconded by Mrs. Day with no dissenting votes, the Board moved to approve the schedule as presented.

Discussion of Board Member Elections and Potential Amendments to Election Rule

Voter turnout for Board elections has dropped significantly since the 2011 election. At the September 2016 Board Member Retreat, the members, directed Mr. Campbell and Mr. Pinyan to investigate the feasibility and legal aspects of shifting the Board elections from the spring to the renewal period so that pharmacists may vote online when they are renewing licenses.

Mr. Campbell stated that he and Mr. Pinyan concluded that amendments to the rules governing the Board election to move the election time from the spring to run concurrently with the renewal period were within the Board's statutory authority. Mr. Campbell also stated that the "apprenticeship period" for new Board members would either need to be lengthened or shorted in order to avoid having to alter Board member terms (an action that would potentially raise statutory authority questions). After discussion the Board members agreed that a shorted apprenticeship period would not materially affect a new Board members ability to learn about the Board and the role of a Board member.

After discussion, on a motion from Mr. Bowman, seconded by Mr. Haywood with no dissenting votes the Board approved to be published for notice and comments amendments to the rules governing Board election to move the election period from the spring to the renewal period and shorten the "apprenticeship period" for new Board members.

Discussion of Potential Amendments to Examination Rules

Board staff has had an increase in the number of exam applicants who wish to take the NAPLEX and MPJE exams multiple times. NABP administers the exams and, to protect test integrity, has a default five (5) attempt limit on each test. At the October 2016 Board meeting, Mr. Campbell presented the results of the survey he conducted of how other states handle applicants who request more than five examination attempts. Of the 29 Boards that responded to his questionnaire regarding the testing limit, a majority of the Boards have some testing limitation. The Board members directed Mr. Campbell to draft a proposed amendment to the examination rule to limit the number of attempts to five (5).

Mr. Campbell presented a proposed rule amendment to 21 NCAC 46.1505, Examinations, which would limit the number of attempt to five (5). The Board members recommended a further amendment to change the passing score from 75 to a score determined by the testing organization.

After discussion, on a motion from Mr. Bowman, seconded by Mr. Haywood with no dissenting votes, the Board approved the amendment, with the addition of the changes to the passing score, to be published for notice and comments.

Rulemaking in Progress

Report on Publication of Proposed Amendments to 21 NCAC 46.2201, Continuing Education.

At the September 2016 Board Member retreat, the Board approved and directed staff to publish an amendment to rule .2201, Continuing Education, that would discontinue allowing five (5) hours of continuing education to carry over each year; change the

number of annually required contact CE hours from eight (8) to five (5); and add an exemption for pharmacists who qualify under 21 NCAC 46.1613 or who practice entirely in another state and meet that state's continuing education requirements. The proposed rule change would require pharmacists to receive their continuing education requirements from ACPE or NCAP accredited courses or by precepting at least 160 hours for one of the four pharmacy schools in the state.

Mr. Campbell stated that the rule has been published for notice and comments. Staff has received some comments. The public hearing on the rule will be conducted on January 17, 2016.

Proposed New Rule 21 NCAC 46.1615, e-Profile Identification for Permits, Licenses, and Registrations

At the October 2016 Board meeting, the Board approved publishing for notice and comments a proposed rule requiring pharmacists, technicians, and permits to obtain e-Profile numbers from NABP and supply it to Board staff for their records.

Mr. Campbell stated that the rule has been published for notice and comments and has received no comments. The public hearing on the rule will be conducted on February 21, 2016.

The Board adjourned for a break at 9:55am and resumed open session at 10:15am.

Recommendation of Finance Committee to Alter Investment Strategy with First Citizens Bank

The Board Finance Committee reviewed and approved a recommendation from Brandon Whitley, the Board's account manager with First Citizens Bank, to shift the investment mix for the reserve fund which would still comply with the parameters of the Board's investment policy.

After discussion, on a motion from Mr. Bowman, seconded by Mr. Haywood with no dissenting votes, the Board moved to approve the proposed investment recommendations.

Proposed Agreement for Board Participation in NABP's VPP Blueprint Program

Associate Executive Director Ellen Vick and Associate Director of Investigations and Inspection Krystal Brashears Stefanyk spoke to the Board regarding the possibility of entering into an agreement with National Association of Board of Pharmacy (NABP) whereby states can agree to certain responsibilities so that their inspections will be deemed to be sufficiently rigorous by other states

There are certain requirements to be admitted in the program including inspecting low and medium risk sterile compounding facilities, who ship into other states, every 18 months. The Board inspection policy already requires high risk sterile compounding facilities to be

inspected on an annual basis. Board staff would have to ascertain how many of their permitted sterile compounding facilities ship into other states before they would commit to the program. The Board sterile inspection form already complies with the requirements of the VPP program so there would be no need to update the Board's sterile inspection form.

Financial Report

Gail Brantley, Financial and Administrative Services Director, presented the October 2016 financial report to the Board.

Ms. Brantley also reported to the Board that the database upgrade restricted fund balance has been adjusted to 0, the \$180,000 earmarked for that restricted fund has been paid out. The IT infrastructure rebuild restricted fund balance has been adjusted to \$780,000, reflecting \$220,000 paid to the IT infrastructure rebuild vendor.

On a motion from Mr. Mixon, seconded by Mr. Bowman with no dissenting votes, the Board approved the financial report and the adjustments to the restricted fund balances.

Investigations and Inspection Report

Joshua Kohler, Director of Investigations and Inspection, presented the November 2016 investigative report.

Mr. Joshua Kohler presented a slide show on some of the damage resulting from Hurricane Matthew to pharmacies in the eastern part of the state. Board staff took the pictures while conducting random site visits of pharmacies affected by the hurricane to offer any help or guidance that they may need.

Annual Report Required by NCGS Chapter 93-B

The Board has submitted their FY 2015-16 annual report to the state as required by NCGS Chapter 93-B. The financial audit has not been completed to date and will be submitted in early 2017 once it has been approved by the members.

Update on, and Discussion of, Office of State Auditor Review of Inspection Program

The Office of the State Audit had finished its review of the changes Board staff has implemented in the inspection program since the 2013 audit. They have supplied staff with a draft report of their findings. Board staff has until November 30, 2016 to provide a written response to their report.

After discussion, it was the consensus of the Board that Mr. Minton would review the Board response to the audit report before it is submitted.

Reports to the Board

Linda Goswick updated the Board on current happenings with the North Carolina Association of Pharmacists (NCAP).

Consent Agenda

It was moved by Mr. Bowman, seconded by Mrs. Day with no dissenting votes to approve the consent agenda. The motion carried with no dissenting votes. The following items were approved.

Prehearing Conference

Consent Order

None

CPP Candidates

- *Amanda Rochelle Boykin PharmD #25316, CAMP Clinic, 4400 Emperor Blvd Durham NC 27703*
- *Drue Allison Clark PharmD #23480, Leicester Community Health Center, 711 New Leicester Hwy Asheville NC 28806*
- *Tegan Magsam PharmD #25082, CAMP Clinic, 4400 Emperor Blvd Durham NC 27703*

Reciprocity Candidates

Candidates License by Reciprocity 10/19/2016 – 11/15/2016

FNAME	MNAME	LNAME	SUFFIX	RCPSTATE	DTREGIST
Cynthia	Davies	Aebli		AL	10/19/2016
Russell	G.	Frick		SC	10/19/2016
Heather	LaMere	Greenfield		FL	10/19/2016
Hannah	Margaret	Carey		CA	10/19/2016
Jeby		Mathew		MI	10/19/2016
Dharmindra		Seoparsan		NY	10/19/2016
Avani	Patel	Arora		IL	10/19/2016
Donald	Churchill	Moore		MA	10/26/2016
Leena	D.	Hemrajani		TN	10/26/2016
Engy	W.	Derias		VA	10/26/2016
Victor	Paul	Long	III	CA	10/26/2016
Troy	Alan	Miller		NH	11/2/2016
Claudette	M.	Roberge		CT	11/9/2016
Diane	R.	Tedder		SC	11/9/2016
Rajiv		Kapoor		NJ	11/9/2016
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Increase in Pharmacists to Technician Ratio

1. CVS Pharmacy #12802, Michael William Koch/Pharmacist Manager, Burlington NC 27215
2. CVS Pharmacy #12847, Rebecca Mapel/Pharmacist Manager, Charlotte NC 28273
3. CVS Pharmacy #10432, Joshua Matthew Preshe/Pharmacist Manager, Matthews NC 28104
4. Realo Discount Drugs Stores of ENC, Inc, William Holland/Pharmacist Manager, Lillington NC 27546
5. Walgreens #12395, Chastity Emerald Conner/Pharmacist Manager, Ahoskie NC 12395
6. Walgreens #12396, Ryan Williams/Pharmacist Manager, Angier NC 27501
7. Walgreens #12302, Andrew S. Raska/Pharmacist Manager, Cary NC 27513
8. Walgreens #12364, Uzo Oforegubuliwe/Pharmacist Manager, Durham NC 27703
9. Walgreens #11129, Anthony Hedges/Pharmacist Manager, High Point NC 27263
10. Walgreens #12459, Thomas O'Reilly/Pharmacist Manager, Raleigh NC 27612
11. Walgreens #12217, Melessa Liebezeit/Pharmacist Manager, Raleigh NC 27603
12. Walgreens #12241, Tricia VanGraafeiland/Pharmacist Manager, Rocky Mount NC 27804
13. Walgreens #12288, Chad Cobus/Pharmacist Manager, Sanford NC 27330
14. Walgreens #12461, David Bryant/Pharmacist Manager, Tarboro NC 27886
15. Walgreens #12334, Jimmy Holman Andrews/Pharmacist Manager, Thomasville NC 27360
16. Walgreens #12339, Hal Walrod/Pharmacist Manager, Zebulon NC 27597
17. Walmart Pharmacy #11538, Vishal S. Patel/Pharmacist Manager, Greensboro NC 27407
18. Walmart Pharmacy #12767, Vincent L. Scavo/Pharmacist Manager, Newton NC 28658

Close Session

On a motion from Mr. Bowman, seconded by Mrs. Day with no dissenting votes, the Board moved into close session to discuss ligation matters and possible summary suspensions.

Open session resumed on a motion from Mr. Bowman, seconded by Stan with no dissenting votes. Mr. Minton stated that RPh. Christol Cole, license #22162; Technician Robin Knox, registration #47674; Technician Ciera Woods, registration #41630; and Technician Katie Burns, registration #35081 were summary suspended.

Mr. Minton also stated that on a motion from Mr. Bowman, seconded by Mr. Haywood with no dissenting votes, the Board will begin legal proceedings against BriovaRx of Nevada, located in Nevada, seeking an injunction against shipping medications into North Carolina without an out-of-state pharmacy permit.

The Board adjourned the meeting at 11:37pm.

Gene Minton, President

L. Stan Haywood, Vice-President

Dr. Andrew Bowman

William A. Mixon

Carol Yates Day

Robert A. Graves