

**ARKANSAS STATE BOARD OF PHARMACY**  
**322 South Main St., Suite 600**  
**Little Rock, AR 72201**

The Arkansas State Board of Pharmacy met for a regular scheduled Board meeting on June 9<sup>th</sup> and 10<sup>th</sup>, 2015. The meeting was held at the Arkansas State Board of Pharmacy office at 322 South Main St., Suite 600, Little Rock, AR.

**Tuesday, June 9, 2015**

The meeting was called to order by Lenora Newsome, P.D., President. Members present were Stephanie O'Neal, P.D.; Steve Bryant, P.D.; Thomas Warmack, P.D.; Kevin Robertson, Pharm.D.; Percy Malone, P.D.; Joyce Palla and Sheila Castin. Staff members present were John Kirtley, Pharm. D., Executive Director; Brenda McCrady, P.D, Assistant Director; Inspector Clyde Frazier, P.D.; Inspector Ron Ewing, P.D.; Inspector Rusty McSpadden, P.D.; Lana Whitmore, CFO; and Julie Chavis, Legal Counsel for the Board.

The Board interviewed candidates for Reciprocity. Each applicant was asked to complete a questionnaire regarding practice history, type of business, and background. The following candidates were present:

Shaun G Abernathie  
Tara Danielle Alexander  
Susan Lee Allen  
Getose Gabriel Altine  
Melissa Gillespie Anderson  
Diana Michel Zaki Attalla  
Oghenekevwe Lucia Aziza  
Jason John Beauch  
Loren Hamilton Beechner  
Carrie Jean Belsom  
Melissa Jean Bengé  
Shelly Renee Billington  
Cyreatha Louise Bryant  
Adrienne Yvelda Butler  
Timothy Joel Carroll  
Jeffrey Carl Castor  
Stephen Michael Chalker  
Tamie Lisa Chester Chamy  
Robert Wesley Chandler  
Alyssa Christine Charlton  
Bobbie Jean Cobb  
Lindsey Ballard Corlew  
Christopher David Daniels

Thomas Daniel Davis  
Seth Herbert DePasquale  
Tammy Roxanne Dessieux  
Ashley Walker Dick  
Katrina Susannah Dirkes  
Tina Le Doan  
Cari Elizabeth Dudenhoefter  
Cristina Escobedo  
Jennifer Lynn Essary  
Vincent George Fayette  
Donna B Filo  
Amee Jo Gasser  
Mary Ellen Giordano  
Odell Glenn  
Heather Lee Good  
Lauren Ortego Good  
Scott R Grigas  
Richard Gutoski  
Daniel Edward Hagerman  
Brian Thomas Hardy  
Robert Dale Harrison  
Sabeen Hasni  
Lance Frederick Henderson  
Brian D Henzig  
Jeffrey Clinton Hopkins  
Sean Matthew Johnston  
Gregory Alfred Jonas  
Praneetha Kadari  
Adam Michael Kersten  
Alan Michael Kruger  
Jessica Ann Lampe  
Stephanus Rocco Le Roux  
Linda Ann Lewis  
Monique Renee Lewis  
Kelly Marie Luzi  
Phong Quoc Ly  
Matthew Michael Manning  
Melvin Thomas McCue  
Isaac Samuel McGee  
Mary Bell McKinney  
Deborah Susan McNutt  
Timothy Gene Mitchell  
Heather Anne Mulvihill  
Thanh Huong Nguyen  
Chukwuemenem Chijidke Okpala

Joseph William Owen  
Sharonda Lynette Peete  
Lynh Thi-To Phan  
Rachel Michelle Phillips  
John Joseph Pierce  
Kelley Michelle Pipkin  
Sahar M Rashed  
Diane Tonner Raum  
Gregory Matthew Ruth  
Tamra Lynn Saam  
Erin Cannon Sego  
Scott Matthew Shank  
Lenard Neil Shaw  
Anna Shmayenik  
Jennifer Siefert  
Kristen George Smith  
William Anthony Soderlund  
Abigail Lea Sommer  
Kevin Leo Steger  
Melissa Vitek Sterns  
Zachary Allan Storer  
Tera Ann Teachout  
Gerry Gene Teague  
Harold Lloyd Thomas  
NaShawnda Ballard Thomas  
Sheeba Ann Thomas  
Tara Nicole Thompson  
Jennifer Anne Torrey  
Danny Man Tran  
Veneta P Tsonev  
Babi Linn Tucker  
Douglas Miles West  
Diana Lynn Williamson  
Robin Monique Willis  
Kelli Marie Wyant  
Myong Ha Yoo  
Kevin Yu  
Richard Maurer Zulick

**BOARD ACTION:**

Dr. Bryant made the motion to approve the above applicants for reciprocity.  
Dr. Malone seconded the motion. The vote for the motion was unanimous. Dr. O'Neal provided information regarding the Arkansas Pharmacist Association to the applicants. Dr. Kirtley informed the applicants of the CE requirements for the upcoming renewal period.

**The Arkansas State Board of Pharmacy held a public hearing at the Arkansas State Board of Pharmacy, 322 South Main, Suite 600, Little Rock, AR 72201. The following regulation changes were considered:**

**Regulation 03 – Pharmacy Technicians**

Proposed changes will modify language to increase the number of pharmacy technicians that may be supervised by pharmacists. This change will also remove antiquated language that held restrictions for the manner in which a pharmacy technician could obtain a permit to remove an obstacle from this process. This regulation change will also clarify that pharmacy students on education rotations would not count in the intern:pharmacist ratios.

The floor was opened for public comment. Dr. Kirtley presented letters in favor of the regulation change from Wal-Mart Corporate, CVS Health, and NACDS. Lisa Fox Terry, P.D., spoke against the regulation change.

**BOARD ACTION:**

Dr. Warmack made the motion to approve the amendment to Regulation 03 as presented. Mrs. Castin seconded the motion. The vote for the motion was unanimous.

**Regulation 05 – Long Term Care Facilities**

Proposed changes will modify language allowing the use of emergency kits in licensed in-patient Hospice Care Facilities and Nursing Homes.

The floor was opened for public comment. Dr. Kirtley presented letters in favor of the regulation change from St. Bernard's, Hospice of the Ozarks, and Carl Collier, P.D.

**BOARD ACTION:**

Dr. O'Neal made the motion to approve the amendment to Regulation 05 as presented. Dr. Malone seconded the motion. The vote for the motion was unanimous.

**Regulation 09 – Pharmaceutical Care/Patient Counseling**

Proposed changes will update language regarding the Medications Administration Advisory Committee to reflect language in Act 1100 of 2015.

No public comment for or against.

**BOARD ACTION:**

Dr. Bryant made the motion to approve the amendment to Regulation 09 as presented. Dr. Warmack seconded the motion. The vote for the motion was unanimous.

**Regulation 11 – Criminal Background Checks**

Proposed changes will remove any exemptions from obtaining a criminal background check for pharmacists outside of Arkansas. This regulation is being updated to reflect changes to Arkansas Law pursuant to Act 532 of 2015.

No public comment for or against.

**BOARD ACTION:**

Dr. Robertson made the motion to approve the amendment to Regulation 11 as presented. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

The Public Hearing was closed at 11:59 am.

The minutes from the February, 2015 meeting was reviewed.

**BOARD ACTION:**

Dr. Bryant made the motion that the minutes of the October 2014 meeting be approved. Dr. O'Neal seconded the motion. The vote for the motion was unanimous.

Mrs. Whitmore presented the Board with the financial report for review.

**BOARD ACTION:**

Dr. O'Neal made the motion to accept the financial report. Dr. Warmack seconded the motion. The vote for the motion was unanimous.

The Board discussed the UAMS Rural Scholarship Loan Program.

**BOARD ACTION:**

Dr. Malone made the motion to allocate the funds to the UAMS loan program. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

Craig Meek, Director of Pharmacy, Drew Memorial Hospital Pharmacy, and Jeff Lackman, Rx Solutions, appeared before the Board to request approval for Off-Site Order Entry. Mr. Lackman appeared before the Board in February to gain authority to solicit business in Arkansas. Dr. Meek explained to the Board that currently nurses are doing the order entry at night and he believes the off-site order entry is a way to better ensure patient safety.

**BOARD ACTION:**

Dr. Robertson made the motion that the request for Off-Site Order Entry be approved. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

Renee Marchard and Derek Sapone – Institutional Pharmacy Solutions (IPS), Virginia Beach, VA; Martha Luginbill, PD08463 – Valley Behavioral Health System, Barling, AR; Eleanor McDonald, PD10286 – Vantage Point of NW Arkansas, Fayetteville, AR; and David Narens, PD12516 – Riverview Behavioral Health, Texarkana, AR, appeared before the Board to request approval to operate a Call Center Service and Remote Order Entry processing for the represented pharmacies after normal hours. The Board discussed the policies and procedures with those that appeared and with Inspector Ron Ewing.

**BOARD ACTION:**

Dr. O'Neal made the motion that based on the discussion and the assurance that the policies and procedures will be amended with respect to the "on-site pharmacist," the request from IPS to be a Call Center Service provider in Arkansas is approved. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

**BOARD ACTION:**

Dr. O'Neal made the motion that IPS is approved to service the three pharmacies. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

Dr. O'Neal told the representatives from the three pharmacies that she would like for them to report back to the Board, in six months to one year, regarding how the process is progressing and if the pharmacists are satisfied with it.

Dr. Kirtley presented the Board with the following Voluntary Surrenders for approval:

Kyle Shell, PT94906  
Joshua Ray Tatum, PT86739  
Amy Michelle Bagwell, PT98413

**BOARD ACTION:**

Dr. Bryant made the motion to accept the Voluntary Surrenders for the licensees as presented. Mrs. Castin seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley presented the Board with the following Consent Agreements for approval:

Candice Grissom, PT02057  
E.P. Buerkle, PD06403

Buerkle Drug, AR12774  
Marcy Lynn Epperson, PD12831  
National Compounding Co., Inc., OS02437  
Walgreens #5789, AR00109  
Becky Ross, PD07444  
Stephanie Carole Cox, PD07870  
Deborah P Liles, PD07739  
Exel, Inc., LC00306  
Exel, Inc., WD04012  
KVK-Tech, Inc., WD03337  
Medi-Nuclear, LLC, WD04070  
Ortho Clinical Diagnostics, WD04169  
Onyx Pharmaceuticals, Inc., WD04150  
Thrift Pharmacy, Pompano Beach, FL (Not Licensed)  
Advance Scripts, Schaumburg, IL (Not Licensed)

Dr. Kirtley presented the Board with the following Voluntary Order of Suspension:

Chris Grant Watson, PD08721

**BOARD ACTION:**

Dr. Bryant made the motion to accept the Consent Agreements and Voluntary Order of Suspension for the licensees/facilities as presented. Dr. Warmack seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley presented the Board with the Authorization to Conduct Board of Pharmacy Oversight Activities approval letter. This allows the Board of Pharmacy Executive Director, Assistant Director, and Inspectors authorization to enter pharmacies and review records on behalf of the Board.

**BOARD ACTION:**

Dr. Bryant made the motion to allow Dr. McCrady, Dr. Kirtley, Dr. McSpadden, Dr. Frazier, and Dr. Ewing to conduct Board Oversight Activities through June 30, 2016. Dr. O'Neal seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley discussed the Board of Pharmacy's recent ACIC audit and some of the changes that has been made in the office as far as criminal background check processes because of the audit and new requirements.

Dr. Kirtley explained to the Board that he has had a request from a foreign pharmacist who is in the process of licensing in Florida to transfer his scores to Arkansas. As it stands now, he can get licensed in Florida and reciprocate to Arkansas in six months. This pharmacist wants to work in Arkansas right away. Our Regulations state foreign

graduates have to work 500 hours under direct supervision of a licensed preceptor. The Board determined staff needs to follow the requirements of the regulations.

The Board election for officers was held. Dr. Kirtley reminded the Board that elections were held at the February meeting due to the early resignation of Mr. Ross.

**BOARD ACTION:**

Dr. Malone made the motion to keep the officers as they are – Dr. Newsome – President, Dr. O’Neal – Vice President, and Dr. Warmack – Secretary. Ms. Palla seconded the motion. The vote for the motion was unanimous.

**Wednesday, June 10, 2015**

The meeting was called to order by Lenora Newsome, P.D., President. Members present were Stephanie O’Neal, P.D.; Steve Bryant, P.D.; Thomas Warmack, P.D.; Kevin Robertson, Pharm.D.; Percy Malone, P.D.; Joyce Palla and Sheila Castin. Staff members present were John Kirtley, Pharm. D., Executive Director; Brenda McCrady, P.D, Assistant Director; Inspector Clyde Frazier, P.D.; Inspector Ron Ewing, P.D.; Inspector Rusty McSpadden, P.D.; Lana Whitmore, CFO; and Julie Chavis, Legal Counsel for the Board.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of pharmacy technician applicant, **Lindsey F. Carpenter**. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Charlie Moulton. Attorney Julie Chavis, of the Attorney General’s Office, represented the Board staff. Ms. Carpenter was not present at the hearing.

**BOARD ACTION**

Dr. O’Neal made the motion that in the matter of pharmacy technician, **Lindsey F. Carpenter**, Case #2015-033, that Allegations A1 – A5 are true and that based on her absence at the hearing and the testimony given, her application be denied. Dr. Warmack seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of pharmacy technician applicant, **Kristi Knight**. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Charlie Moulton. Attorney Julie Chavis, of the Attorney General’s Office, represented the Board staff. Ms. Knight was not represented by counsel. Dr. Malone recused himself from the hearing.

### **BOARD ACTION**

Dr. O'Neal made the motion that in the matter of pharmacy technician, **Kristi Knight**, Case #2015-032, that Allegations A1 – A5 are true, and although we find that given the applicant's testimony, the Charge C-1 is true, the applicant shall be given a waived pharmacy technician permit. Ms. Palla seconded the motion. Dr. Robertson voted No, the remainder of the Board voted yes. The motion passes.

Partner discussions were held. Jeff Mercer was present to give the Board to give an update on Harding College of Pharmacy. He informed the Board that the P-4 rotations have started. He said 38 of the P-4 students were doing community mission services in pharmacy and clinical aspects in other counties. Harding is also planning the 7<sup>th</sup> annual Pharmacy Camps at the college. Twenty-eight high school juniors and seniors will participate in the week long camp, and will be able to do things that simulate pharmacy school. He said there were no accreditation issues and they are in the process of responding to the new standards. Associate Dean Kathryn Neill appeared before the Board to give an update on UAMS College of Pharmacy. Dr. Neill discussed the ongoing search for a new dean of the College of Pharmacy. She stated that a search firm is leading the process and that two applicants are scheduled for a full campus interview within the next two weeks. Dr. Neill also discussed the Rural Loan Scholarship Program. She said the third class has graduated and they are now able to collect more data and determine if scholarship recipients fulfilled the requirements and stated in a rural area for at least 36 months. Dr. Neill formally requested that the Board continue to provide UAMS with \$50,000 toward the Rural Loan Scholarship Program.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of pharmacy technician applicant, **Tyson Hughes**. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Charlie Moulton. Attorney Julie Chavis, of the Attorney General's Office, represented the Board staff. Mr. Hughes was not represented by counsel.

### **BOARD ACTION**

Dr. Robertson made the motion that in the matter of pharmacy technician, **Tyson Hughes**, Case #2015-031, that Allegations A1 – A5 are proven therefore, the application will be denied. Dr. Warmack seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Tommy Thompson**. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Charlie Moulton. Attorney Julie Chavis, of the Attorney General's Office, represented the Board staff. Mr. Thompson was not represented by counsel.

**BOARD ACTION**

Dr. Robertson made the motion that in the matter of **Tommy Thompson**, Case #2015-034, that Allegations A1 – A4 are true and that Charge C-1 is proven, therefore, the application will be denied. Dr. O’Neal seconded the motion. The vote for the motion was unanimous.

Denise Robertson with the Arkansas Prescription Monitoring Program was present to update the Board on the program.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **A to Z Pharmacy**. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Charlie Moulton. Attorney Julie Chavis, of the Attorney General’s Office, represented the Board staff. There was not a representative present from A to Z Pharmacy.

**BOARD ACTION**

Dr. Bryant made the motion approve a continuance in the matter of **A to Z Pharmacy**, Case #2015-034. Dr. Warmack seconded the motion. The vote for the motion was unanimous.

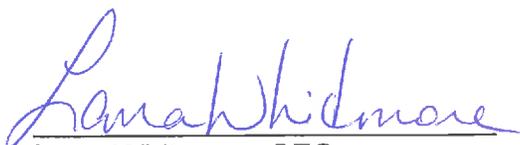
Randy Miller, Debbie Mack, and Phil Reynolds, representatives from Wal-Mart, appeared before the Board to request approval to utilize their central fill facility in Texas to process new prescriptions and prescription refills for Arkansas Wal-Mart Pharmacies.

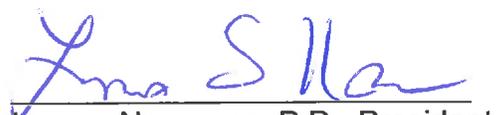
**BOARD ACTION**

Dr. O’Neal made the motion to proceed with the central fill process as it was outlined to the Board, and to re-appear before the Board at the June 2016 Board Meeting to provide a status update. Dr. Robertson seconded the motion. The vote for the motion was unanimous. Dr. Malone and Ms. Palla were not present at the vote.

The meeting was adjourned.

Approved for the Board:

  
Lana Whitmore, CFO

  
Lenora Newsome, P.D., President