

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

The Arkansas State Board of Pharmacy met for a board meeting on March 18,19, 20143. The meeting was held at the Arkansas State Board of Pharmacy office at 322 South Main St., Suite 600, Little Rock, AR.

Tuesday, March 18, 2014

The meeting was called to order by Steve Bryant, P.D., President. Members present were Justin Boyd, Pharm.D., MBA; Stephanie O'Neal, P.D.; Larry Ross; Thomas Warmack, P.D.; Lenora Newsome, P.D., Kevin Robertson, Pharm.D.; and Joyce Palla. Staff members present were John Kirtley, Pharm. D., Executive Director; Brenda McCrady, P.D, Assistant Director; Inspector Clyde Frazier, P.D.; Brandon Robinson, Legal Counsel; and Dana Cargile, CFO. The minutes of the October, 2013 meeting were reviewed.

BOARD ACTION:

Dr. Warmack made the motion that the minutes of the meetings be approved. Dr. O'Neal seconded the motion. The vote for the motion was unanimous.

Mrs. Cargile presented the Board with the financial report was reviewed.

BOARD ACTION:

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

The Expense Reimbursement for Upcoming Meetings was reviewed.

BOARD ACTION:

Dr. Newsome made the motion to approve the expense reimbursements. Dr. Warmack seconded the motion. The vote for the motion was unanimous.

The Board discussed the Approval of Accredited College of Pharmacy for Intern Training.

BOARD ACTION:

Dr. Newsome made the motion to accept the ACPE list. Dr. O'Neal seconded the motion. The vote for the motion was unanimous.

BOARD ACTION:

Dr. Newsome made the motion to accept the current list of ACPE accredited colleges of pharmacy. Dr. Boyd seconded the motion. The vote for the motion was unanimous.

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:

Abbott, David Carl

Abboud, Della

Amezquita Lara, Gloria Ilse Tatiana

Andrusko-Furphy, Kathryn Tremaine

Armour, Amirio Jonte

Ashley, Samantha Nicole

Baker, Patrick Daniel

Beranek, Thomas Leo

Blaise, Lindsay Nichole

Bond, Christina Lynn

Bostwick, Thomas Ryan

Branam, Nicolas Levi

Broom, Craig Alan

Burg, Christine Marie

Chowdhry, Atta E Karim

Clark, Kim Young

Connors, Dana Korpan

Copi, Michael William

Curtis, Klinton Kyp

Dershak, Aaron David

Doenges, Jason Scott

Drapeau, Stephen Louis

Duffy, Christopher J

Evans, Picton Timothy

Feldman, Seth David

Fingerhut, Mitchell R

Flanary, Mark Anthony

Frost, Amy Ann

Hayes, Crandall Savalas

Hennings, Bradley Duane

Jawad, Rawan Dajani

Joe, Helen

Johnson, David Kent

Johnson, Spencer Douglas

Jowers, Rheana Young

Kain, Kelly Michael

Kottmer, William Joseph

Krajco, Vanessa Idalia

Kuratko, Michael J.

Lorenzo, Cristina Milagros

McGee, Tracy Renee

Meade, Amy

Merchant, Sakina A

Nielson, Philip Everett

Norton, Rhonda Lou

Ocmand, Jared Anthony

Ortolani, Christopher Scott

Ortolani, Jennifer Hardung

Painter, Jacob

Pember, Dana Brooke

Pierce, William Christopher

Pucillo, Christopher Michael

Puga, Jacqueline Eileen

Ramser, John Daniel

Reed, Kristina Elizabeth

Riogi, Caroline Kerubo

Rolling, John Mark

Ross, Lee Allen

Rostamnezhad, Behrouz

Rowland, Kathleen Lindsey

Salisbury, Anne F

Schilling, Maile Marie

Sedberry, Tai Antoinette

Shorter, Maureen Elizabeth

Silva, Alberto L.

Skinner, Mary Katherine

Stewart, Robyn Marie

Strike, Bruce Allen

Suh, Gina Sun

Twomey, Katherine Therese

Underwood, Elizabeth Lee

Waiman, Oliver

Walker, Cody Allen

Weston, Larry Glen

White, William David

Whitekus, Jonnell Ann

Williams, Pamela Jane

Wolfe, Gregory David

Wolter, Kristin Joy

Wright, David Killen

Zeinali, Arvin Khorrami

BOARD ACTION:

Dr. Newsome made the motion to approve the above applicants for reciprocity. Dr. Warmack seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley informed all of the applicants of the CE requirements for the 2014-2015 renewal period. These requirements are no CE and the \$150 renewal fee.

Dr. O'Neal provided information about the Arkansas Pharmacist Association to the applicants.

Fran Flener, State Drug Director, updated the Board on the ongoing work planning the third Prescription Drug Summit. The Summit this year will focus on prevention, education, advocacy and treatment. Dates this year are September 9th and 10th, 2014. Ms. Flener also discussed the upcoming election year and the possible ballot initiatives for medical marijuana.

Stephanie Gardner of the UAMS COP and Jeff Mercer of HUCOP appeared before the board to present updates on the Colleges of Pharmacy.

Angela Powell of Baxter Regional Medical Center appeared before the Board to give an update on the pilot program that was approved at the June 2013 Board meeting. In the time period of 1 year there were no errors detected for doses picked by the McKesson PROmanager-Rx device. With the time saved by the Pharmacists that are no longer picking doses, Baxter Regional has increased pharmacist involvement in readmission prevention and transition of care. Three of the BRMC pharmacists also continue to work toward the completion of the Society of Infectious Disease Pharmacist Antimicrobial Stewardship Certificate Program.

Dr. Kirtley updated the Board on numbers provided by Denise Robertson regarding the usage of the PMP program.

Rhiannon Michelle Hatton interviewed for Reciprocity. She was asked to complete a questionnaire regarding practice history, type of business and background.

BOARD ACTION:

Mr. Ross made the motion to approve the above applicant for reciprocity. Dr. Warmack seconded the motion. The vote for the motion was unanimous.

David White, COO Pipeline Rx, Chris Ciolko, Senior VP Pipeline RX, and Terry Baughman, regional Pharmacy Director for Community Health Systems, appeared before the Board to discuss Remote Order Entry. Pipeline Rx employees act as a corporation to contract with hospital's to provide Remote Order Entry either through a business office with a licensed pharmacist or through a secure home office with a licensed pharmacist. They are requesting this for 5 of Community Health Systems Hospitals which had previously been approved by the Board for Remote Order Entry by sister hospitals.

BOARD ACTION:

Dr. Robertson made the motion to approve Pipeline Rx for the 5 CHS Hospitals (Forrest City, Newport, Helena, Siloam Springs, and El Dorado) to do Remote Order Entry from a business office. In addition, to utilize the home secure model, the Board will require a letter from CHS Corporate compliance that the home, secure site model is approved by corporate compliance. Any additional hospitals would have to come before the Board for individual approval. Pipeline Rx will also be required to reappear before the Board in 1 year to give an update. Any changes to the security protocol must also be approved by the Board. Dr. O'Neal seconded the motion. The vote for the motion was unanimous.

James Wellborn, Director of St. Bernard's Medical Center appeared before the Board to request authorization to add Remote Order Entry for facilities in Wynne and Walnut Ridge.

BOARD ACTION:

Mr. Ross made the motion to approve. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

Carrie Crotts, Clinical Coordinator with Mercy Hospital, appeared before the Board to request approval for Off Site Order Verification for Mercy Hospital in Booneville.

BOARD ACTION:

Mr. Ross made the motion to approve. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

Delica Barnes and Cindy Pearson with Maxor Correctional Pharmacy Services appeared before the Board to request the ability to supply stock medications to correctional facilities. Once approved they will apply for Institutional permits for each of the correctional facilities. Any changes to the lists of stock medications shall be preapproved by the Board.

BOARD ACTION:

Dr. O'Neal made the motion to approve. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley presented the Board with a spreadsheet of Orders for approval. The following orders were presented.

Probation Consent Order

| | |
|------------------------|---------|
| Linda Susan O'Keefe | PD07106 |
| Hyland Charles Herring | PD11283 |
| Kristopher Kannett | PT20875 |

Preliminary Consent Orders

| | |
|--------------------------|---------|
| Mark C. Price | PD10482 |
| Charles Alexander Crouse | PT00410 |

**Consent to Conditional
Registration**

Mary Catherine Woodiel

**Consent to Conditional
Licensure**

Everest Pharmacy, LLC

Lifecheck # 19

Agreed Temporary Order

| | |
|-------------|---------|
| Brooke Dean | PT98730 |
|-------------|---------|

Consent Orders

| | |
|---------------------|---------|
| Valerie Thilo | PD11661 |
| Aaron Kyle Priest | PD09862 |
| Cindy Marie Jackson | PD08459 |
| Robert Sandstrom | PD10146 |

Voluntary Surrenders

| | |
|-----------------------|---------|
| Stefanie Oates | PT97632 |
| Amanda Wallace-Husser | PT85230 |
| Chaylin Renee Garrett | PT00641 |

BOARD ACTION:

Mr. Ross made the motion to accept the Orders for the licensees. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley presented the Non-Disciplinary Agreements to the Board for approval.

BOARD ACTION:

Mr. Ross made the motion to accept the Non-Disciplinary Agreements. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley discussed the physician ownership or financial agreement that seems to be a trend in Compounding pharmacies that are compounding non-sterile pain creams. Some of these creams are very high dollar and have the propensity for fraudulent claims. Staff will continue to verify ownership and financial partnerships of these pharmacies.

Cheryl Bryant, pharmacy supervisor with Walgreens, appeared before the Board to provide an update on the new pharmacy concept pilot program previously approved by the Board.

BOARD ACTION:

Dr. O'Neal made the motion to extend the pilot program. An update will be given by Dr. Bryant when there are 6 Arkansas based stores operating under the new format or again in 1 year. Dr. Warmack seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley discussed proposed the following changes in the ARPSG member contracts with the Board.

• **Support Group Contracts**

Discuss terminal agreements and final appearance before informal committee to end probation & monitoring requirements after 5 or 10 year contract completion

1. The time period of the five-year probation under this Order shall be extended for any period of time in which Respondent is not employed as a pharmacist in the State of Arkansas. If Respondent ceases to be employed as a pharmacist in Arkansas, he/she shall notify the Board within 10 days in writing of the last date he/she practiced pharmacy in Arkansas.
2. Respondent furthermore agrees to abstain completely from the use of any and all alcohol or mood or mind altering drugs, substances or chemicals while he/she is a licensed pharmacist in the state of Arkansas unless he/she has a legitimate medical prescription for such medication to which he/she will;
 - a) Provide a copy of the prescription to the Board staff within 24 hours of the date of said prescription,
 - b) refrain from practicing as a pharmacist while taking any prescribed controlled drug, substance or chemical; and
 - c) Destroy all remaining drugs after completing the prescribed course of treatment.
3. Respondent agrees that they will willfully cooperate and be subject to random drug screening tests as requested by the Board, Board staff or other agent designated by the Board while he/she is a licensed pharmacist. Respondent further agrees to provide a requested sample for drug testing within 24 hours of any Board request; and
4. Respondent acknowledges and agrees that if any drug test is found to be positive for any prohibited substance or chemicals while he/she is a licensed

pharmacist, Respondent will voluntarily surrender her license for summary suspension, pending a formal hearing.

BOARD ACTION:

Dr. O'Neal made the motion to approve the changes. Dr. Robertson seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley requested the Board give written commendation to both Nancy Sweet and Jennifer Burgin for their hard work and performance while the Board offices are short one staff person.

BOARD ACTION:

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

Wednesday, March 19, 2014

Dr. Kirtley presented the Board with upcoming regulation changes that are currently in process at the Board.

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 01 – General Operations:

Proposed changes will update the physical address of the Arkansas State Board of Pharmacy to, 322 South Main Street, Suite 600, Little Rock, AR. 72201.

Regulation 02 – Pharmacists

Proposed changes will clarify that the intern training requirements for pharmacist licensure by examination in Arkansas may be obtained as part of the school curriculum for the colleges of pharmacy under Board approved conditions.

Regulation 04 – Pharmacy

Proposed changes will update language regarding the electronic recording of legend or schedule III, IV, or V controlled substance prescriptions transferred from a retail pharmacy to a Central Fill pharmacy. Changes will also expand the protocol for methadone clinics to utilize additional drugs in research, clean up language regarding electronic prescribing and make technical corrections within the regulation.

Regulation 05 – Long Term Care Facilities

Proposed changes will add language to allow licensed in-patient hospice facilities to have emergency kits with a limited supply of prescription medications for use in emergencies.

Regulation 07 – Drug Products/Prescriptions

Proposed changes will allow pharmacists to electronically receive and document prescriptions in accordance with Arkansas Act 1331 of 2013 and as allowed by federal regulations. Proposed changes will also update language according to Arkansas Act 176 of 2013 to allow a pharmacist to manually enter information into the electronic tracking database when utilizing a Military ID to purchase Schedule V ephedrine, pseudoephedrine or phenylpropranolamine products and update language to clarify the option for a pharmacist to either enter verbal orders directly into the pharmacy's electronic prescription system or promptly reduce the verbal order to writing.

Public comments were accepted until the conclusion of the public hearing. There were none.

The Public Hearing was closed at 12:54 pm.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Patricia Futrell Turner, PD07340**. Dr. Bryant called the meeting to order and turned the proceeding over to the Hearing Officer, Charlie Moulton. Attorney Brandon Robinson, of the Attorney General's Office, represented the Board staff. Dr. Turner was present and represented by Darren O'Quinn.

BOARD ACTION

Dr. Lenora Newsome made the motion that in the matter of **Patricia Futrell Turner, PD07340**, that all charges were proven and that respondent's pharmacist license be revoked immediately. Dr. Thomas Warmack seconded the motion. The vote for the motion was unanimous.

The meeting was adjourned.

Approved for the Board:


Brenda McCrady, Asst. Director


Steve Bryant, P.D., President