

**ARKANSAS STATE BOARD OF PHARMACY**  
**101 E. Capitol, Suite 218**  
**Little Rock, AR 72201**

The Arkansas State Board of Pharmacy met for a board meeting on June 12-13, 2012. The meeting was held at the Arkansas State Board of Pharmacy office at 101 E. Capitol, Ste. 218, Little Rock, AR.

**Tuesday, June 12, 2012**

The meeting was called to order by Marilyn Sitzes, P.D., President. Members present were Justin Boyd, Pharm.D., MBA; Joyce Palla; Ronnie Norris, P.D.; Stephanie O'Neal, P.D. and Lenora Newsome, P.D. Staff members present were John Kirtley, Pharm. D., Executive Director; Brenda McCrady, P.D, Assistant Director, Inspector Ron Ewing, P.D.; Inspector Rusty McSpadden, P.D.; Inspector Clyde Frazier, P.D.; Erika Gee, Legal Counsel; Dana Brown, CFO and Kelly Kendall, Administrative Assistant.

The minutes of the February, 2012 meeting were reviewed.

**BOARD ACTION:**

Dr. Boyd made the motion that the minutes of the meetings be approved with the changes by Dr. Bryant. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

The financial report was reviewed.

**BOARD ACTION:**

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

Dr. Bryant arrived at the meeting.

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:

Emily Abbott	Aimee Brown	Wesley Darland
John Barretta	Spencer Brown	Jason Greene
Ashley Bartlesmeyer	Christopher Cantwell	Beverly Guess
Robert Breeden, Jr.	David Castro	Kimberli Henry
Vickie Bridges	Carol Chung	Ryan Hopper

Jessica Kotches

Alberto Lopez

Deborah Mack

Anthony Marasco

Nicholas Maroulis

Primus Mbawuike

Parixit Modi

Mohamed Mouissat

Adam Myers

Reina Natero

Robert Nolan

Robert Olson

Kimberly Pietropola

Kevin Plant

Jacqueline Pozarek

Gregory Rockers

Nhi Schupbach

Allen Scorsatto

Karol Seydel

Nagy Shahid

Susan Sink

Kenneth Taylor

Bincy Varghese

Robert Walker

Douglas Williams

**BOARD ACTION:**

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

The Board interviewed candidates for Reciprocity who have not completed the application process. Each applicant was asked to complete a questionnaire regarding practice history, type of business and background. The following candidates were present:

Michelle Balanda

Douglas Cammann

Dena Hollman

Benjamin Myatt

Mary White

Robert Wright

**BOARD ACTION:**

Dr. Newsome made the motion to approve the above applicants for reciprocity upon successful completion of all the requirements. Dr. Norris seconded the motion. The vote for the motion was unanimous.

The following applicants for reciprocity were interviewed by the Board. Each applicant was asked to complete a questionnaire regarding practice history, type of business and background.

Waldo Roth

Gary Umland

**BOARD ACTION:**

Dr. Norris made the motion to approve the above applicants for. Dr. Boyd seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley informed the applicants of the CE requirements for the 2014-2015 renewal period. These requirements are a total of 30 hours, of which 12 must be live and 12 must be ACPE accredited. The live and ACPE requirement may overlap.

Dr. Norris provided information about the Arkansas Pharmacist Association to the applicants.

Ms. Brown updated the Board on the search for a new office building to house the ASBP. The discussion was tabled, to be revisited when time permits.

Julie Kissack, and Julie Hixson-Wallace of Harding University College of Pharmacy appeared before the Board asking for a limited use permit for a non-dispensing facility for educational purposes.

**BOARD ACTION:**

Dr. Boyd made the motion to approve the request. Dr. Norris seconded the motion. The vote for the motion was unanimous.

Dr. Bryant addressed the issue of clinical rotations beginning in the second week of the month. The Board also discussed the issues of the law exam being presented to students earlier in the curriculum and an exam for interns prior to entering rotations in a pharmacy.

Ryan Butler, Regional Manager for Genoa and Pamela West, Pharm D appeared before the Board to discuss dispensing medication samples for psychiatric patients at their Hot Springs, AR location.

**BOARD ACTION:**

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

Ms. Brown returned to discuss the building issue.

**BOARD ACTION:**

Dr. Bryant made the motion to support the potential move to the Mann Building and move forward. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

The Board discussed the topic of hydrocodone combination drugs being moved to Scheduled II.

**BOARD ACTION:**

Dr. Bryant made the motion that the Board oppose the move of hydrocodone combination medications to Schedule II. Dr. Boyd seconded the motion. The vote for the motion was unanimous.

The Board broke for lunch

Gary Butler appeared before the board to discuss the processing of called in prescriptions in electronic systems. The Board also discussed record retention and audit rules.

**BOARD ACTION:**

Dr. Boyd made the motion to pursue changes in Regulation 7 concerning verbal prescriptions. Dr. Norris seconded the motion. The vote for the motion was unanimous.

**BOARD ACTION:**

Dr. Boyd made the motion to stress that hard copies and written prescriptions be kept for two years and that faxed and electronic prescriptions must not be kept in printed form as long as it is readily retrievable for two years. Dr. Norris seconded the motion. The vote for the motion was unanimous.

The Board discussed the issue of dispensing products without matching NDC numbers in their computer systems.

**BOARD ACTION:**

Dr. Bryant made the motion that it is the direction of the Board for pharmacists to make every reasonable attempt to use correct NDC numbers when dispensing prescriptions. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

Eddie Glover of US Compounding and Andrew Mize of Collier Drug appeared before the Board to discuss Central Fill for Compounded Prescriptions. Dr. Glover and Dr. Mize will put together a proposal to be discussed at the October Board meeting.

Dr. Nathaniel Smith and Dr. Naveen Patil of the Health Department appeared before the Board with an update about treating sexual partners for STD's without seeing those people and storage of TB medications.

**BOARD ACTION:**

Dr. Bryant made the motion to treat STD prescriptions that treat partners similar to the protocol of the Colorado Board of Pharmacy by entering the prescription with the patients name "and partner". Dr. Newsome seconded the motion. The vote for the motion was unanimous.

**BOARD ACTION:**

Dr. Newsome made a motion to accept a proposed draft on the TB program. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley presented the Board with a Preliminary Consent Order for **Casey M. Stephenson, #PD10152**. By signing the Preliminary Consent Order, Respondent Stephenson agrees to comply with the stipulations of this Order.

Dr. Kirtley presented the Board with a Preliminary Consent Order for **Rebecca Jackson, #PD09688**. By signing the Preliminary Consent Order, Respondent Jackson agrees to comply with the stipulations of this Order.

**BOARD ACTION:**

Dr. Norris made the motion to accept the Preliminary Consent Orders for the pharmacists mentioned above. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley presented the Board with a Probation Consent Order for **Rebecca Wright, #PD09133**. By signing the Probation Consent Order, Respondent Wright agrees to the stipulations of this Order.

**BOARD ACTION:**

Dr. Newsome made the motion to accept the Probation Consent Order for Rebecca Wright, #PD09133. Dr. Norris seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley presented the Board with a Consent Order for **Hunter's Precision Pharmacy, LLC, Applicant**. By signing the Consent Order, Respondent Hunter's Precision Pharmacy, LLC has agreed to pay a civil penalty of \$15,000 within thirty (30) days of the date this Order is accepted by the Board.

Dr. Kirtley presented the Board with a Consent Order for **Ginger Allen Teekell, #PD08818**. By signing the Consent Order, Respondent Teekell has agreed to have her license suspended for a period to coincide with the suspension of her Louisiana pharmacist license, commencing immediately upon the execution of this agreement and terminating on February 1, 2017; have this suspension stayed so long as Respondent satisfactorily complies with the conditions of probation imposed by this Order and comply with all applicable federal and state laws and regulations with regard to pharmacy, controlled substances and legend drugs.

**BOARD ACTION:**

Dr. Bryant made the motion to accept the Orders mentioned above. Dr. Norris seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley presented the Board with a Consent Agreement for **Natalie Ellis Bean, #PD09122**. By signing the Consent Agreement, Respondent Bean has agreed to

submit documentation to the Board of nine (9) hours of CE, four (4) of which shall be live contact hours, and pay a monetary penalty of four hundred fifty dollars (\$450) to the Board on or before August 31, 2012.

Dr. Kirtley presented the Board with a Consent Agreement for **Jeffrey Alan Clanton, #PD09346**. By signing the Consent Agreement, Respondent Clanton has agreed to submit documentation to the Board of two and one-half (2.5) hours of CE, and pay a monetary penalty of one hundred twenty-five dollars (\$125) to the Board on or before August 31, 2012.

Dr. Kirtley presented the Board with a Consent Agreement for **Julie Anne Dornblaser, #PD11286**. By signing the Consent Agreement, Respondent Dornblaser has agreed to submit documentation to the Board of eight (8) hours of CE, eight (8) of which shall be live contact hours, and pay a monetary penalty of four hundred dollars (\$400) to the Board on or before March 31, 2012.

Dr. Kirtley presented the Board with a Consent Agreement for **Shannon Kay Finfrock, #PD11235**. By signing the Consent Agreement, Respondent Finfrock has agreed to submit documentation to the Board of twenty-four (24) hours of live CE, and pay a monetary penalty of five hundred dollars (\$500) to the Board on or before June 30, 2012.

Dr. Kirtley presented the Board with a Consent Agreement for **Suzanne Elizabeth Hightower, #PD08180**. By signing the Consent Agreement, Respondent Hightower has agreed to submit documentation to the Board of four (4) hours of CE, and pay a monetary penalty of two hundred dollars (\$200) to the Board on or before July 31, 2012.

Dr. Kirtley presented the Board with a Consent Agreement for **Charles Wayne Jones, #PD09643**. By signing the Consent Agreement, Respondent Jones has agreed to submit documentation to the Board of twenty-four (24) hours of live CE, and pay a monetary penalty of five hundred dollars (\$500) to the Board on or before July 31, 2012.

Dr. Kirtley presented the Board with a Consent Agreement for **Cassie Lee Lawson, #PD09668**. By signing the Consent Agreement, Respondent Lawson has agreed to submit documentation to the Board of six (6) hours of CE, two (2) of which shall be live contact hours, and pay a monetary penalty of three hundred dollars (\$300) to the Board on or before August 31, 2012.

Dr. Kirtley presented the Board with a Consent Agreement for **Gary W. Rollans, #PD05924**. By signing the Consent Agreement, Respondent Rollans has agreed to submit documentation to the Board of fourteen (14) hours of CE, and pay a monetary penalty of five hundred dollars (\$500) to the Board on or before August 31, 2012.

Dr. Kirtley presented the Board with a Consent Agreement for **Melissa Roxanne Rohrbacher, #PD11561**. By signing the Consent Agreement, Respondent Rohrbacher has agreed to submit documentation to the Board of eighteen (18) hours of CE, four (4)

of which shall be live contact hours, and pay a monetary penalty of five hundred dollars (\$500) to the Board on or before June 30, 2012.

Dr. Kirtley presented the Board with a Consent Agreement for **Carlette Seng, #PD07448**. By signing the Consent Agreement, Respondent Seng has agreed to submit documentation to the Board of six (6) hours of CE, and pay a monetary penalty of three hundred dollars (\$300) to the Board on or before August 31, 2012.

Dr. Kirtley presented the Board with a Consent Agreement for **Keri Leigh Stuff, #PD07885**. By signing the Consent Agreement, Respondent Stuff has agreed to submit documentation to the Board of five (5) live contact hours, and pay a monetary penalty of two hundred fifty dollars (\$250) to the Board on or before August 31, 2012.

Dr. Kirtley presented the Board with a Consent Agreement for **Lien Thuy Pham, #PD09001**. By signing the Consent Agreement, Respondent Pham has agreed to submit documentation to the Board of twenty-eight, (28) hours of CE, and pay a monetary penalty of five hundred dollars (\$500) to the Board on or before September 30, 2012.

Dr. Kirtley presented the Board with a Consent Agreement for **Christopher Orlando Ford, #PD10944**. By signing the Consent Agreement, Respondent Ford has agreed to submit documentation to the Board of thirty-eight (38) hours of CE, sixteen (16) of which shall be live contact hours, and pay a monetary penalty of five hundred dollars (\$500) to the Board on or before August 31, 2012.

Dr. Kirtley presented the Board with a Consent Agreement for **E.P. Buerkle, #PD06403**. By signing the Consent Agreement, Respondent Buerkle has agreed to pay a monetary penalty of two hundred fifty dollars (\$250) to the Board within 30 days of the acceptance of this Agreement by the Board.

**BOARD ACTION:**

Dr. Newsome made the motion to accept the Consent Agreements for each licensee. Dr. Boyd seconded the motion. The vote for the motion passed.

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

- **Merrick Bland, #PT88558**
- **Robert B. McCoy, #PD04399**
- **Mary Ann Woolsey-Thompson, #PT82454**

**BOARD ACTION:**

Dr. Bryant made the motion to accept the Voluntary Surrenders for the licensees. Dr. Norris seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley presented the Board with updates on pseudoephedrine sales, the recent Drug Summit and the Drug Takeback program. 10,556 pounds of medication was returned in the April program. A total of 33,845 pounds have been returned in four programs. Arkansas makes up 66% of the total amount taken back in a four state region while being the smallest state in the region.

Dr. Kirtley informed the Board of the positive changes that the new website has had. He also discussed changing the newsletters from paper printed and mailed by NABP to electronic newsletters that can be produced and distributed in the Board office.

**BOARD ACTION:**

Ms. Palla made the motion to not renew the contract for printing and mailing paper newsletters and move toward electronic newsletters. Dr. Boyd seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley presented the Board with the issuance of Gold Certificates. It is the understanding of the Board that if a licensee graduated from an accredited College of Pharmacy 50 years ago and received a license 49 years ago, a Gold Certificate should be awarded.

The board adjourned.

**Wednesday, June 13, 2012**

Dr. Kirtley presented the Board with the issue of pharmacists in recovery working as floater pharmacists. An outline for pharmacists working in floater positions was drafted and will be forwarded to the Support Group for their approval.

Dr. Cheryl Bryant of Walgreens appeared before the Board seeking approval for a pilot program for a new design set up for Walgreens pharmacies.

**BOARD ACTION:**

Dr. O'Neal made the motion to approve a pilot program for the new design. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

Dr. Bryant appeared before the Board requesting an extension for a PIC at the Walgreens location in Hot Springs.

**BOARD ACTION:**

Dr. Norris made the motion to allow an extra 60 days to find a PIC. Dr. Boyd seconded the motion. The vote for the motion was unanimous.

A Public Hearing on changes to Regulation 9 was called to Order at 9:52

**Regulation 9 – Pharmaceutical Care/Patient Counseling**

The proposed changes will amend Regulation 9 to mirror the language of Act 147 that updates the age restrictions for pharmacists to provide pharmaceutical care to patients seven (7) years of age and older.

Dr. Kirtley read a letter in support of the regulation changes from National Association of Chain Drug Stores (NACDS).

Dr. Kirtley read a letter from Dr. Todd Brackins seeking authority to administer anti-psychotic medications.

There was no public comment in opposition of the regulation changes.

**BOARD ACTION:**

Dr. Boyd made the motion to accept the letter from NACDS. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

**BOARD ACTION:**

Dr. Boyd made the motion to inform Dr. Brackins that the Board does not have the authority to grant the authority to administer anti-psychotic medications, and he should contact the Arkansas State Board of Medicine concerning this issue. Dr. Newsom seconded the motion. The vote for the motion was unanimous.

**BOARD ACTION:**

Dr. Bryant made the motion to accept the changes to Regulation 9 as presented. Dr. Norris seconded the motion. The vote for the motion was unanimous.

The Public Hearing was closed at 10:08.

Dr. Bryant presented the Board with 340 B issues.

Mrs. Gee presented the Board with past issues and informed the Board that appeals have been filed.

Dr. Kirtley presented the Board with a potential Task Force to deal with disciplining PIC's in cases of diversion.

**BOARD ACTION:**

Dr. O'Neal made the motion to form a committee to meet with Mrs. Gee to create guidelines as a baseline for PIC's concerning diversion. Dr. Boyd seconded the motion. The vote for the motion was unanimous.

The Board held elections for the next year.

**BOARD ACTION:**

Dr. O'Neal made the motion to name Dr. Norris as President, Dr. Bryant as Vice-President and Dr. Boyd as Secretary. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

The October Board meeting is set for Tuesday and Wednesday, October 9<sup>th</sup> and 10<sup>th</sup>, 2012.

The meeting was adjourned.

Approved for the Board:

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Kelly Kendall, Administrative Assistant

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Ronnie Norris, P.D., President