

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

The Arkansas State Board of Pharmacy met for a rescheduled board meeting on March 10-11, 2010. The February 9-10, 2010 meeting was postponed due to inclement weather. The meeting was held at the Arkansas State Board of Pharmacy office located at 101 E. Capitol, Ste. 218, Little Rock, AR 72201.

**Wednesday, March 10, 2010**

The meeting was called to order by Lenora Newsome, P.D., President. Members present were Benji Post, P.D.; Justin Boyd, Pharm.D., MBA; Ronnie Norris, P.D.; Marilyn Sitzes, P.D.; Steve Bryant, P.D.; Larry Ross and Ross Holiman, B.S., H. Ed. Staff members present were Charles Campbell, Pharm. D., Executive Director; John Kirtley, Pharm. D., Assistant Director; Dana M. Brown, Chief Fiscal Officer; Inspector Ron Ewing; Inspector C.C. Frazier, Jr.; Inspector Rusty McSpadden; Erika Gee, staff attorney and Kelly Kendall, Administrative Assistant.

Dean Stephanie Gardner of UAMS College of Pharmacy and Jeremy Thomas gave an update on the Disease State Management Program.

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:

Clinton Algrim*	Jeffrey James	Chelsey Tate
Cynthia Cloud*	Christine Lee	Stephen Webb*
Franklin Hannah*	Patrick Reuter	Kenneth Webster*
Robert Harger, III	Darwin Smith*	Katie Worden*

\* denotes that temporary licenses were previously issued and were extended on February 8, 2010.

**BOARD ACTION:**

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

CE requirements for the 12/31/2011 renewal were covered with the newly licensed pharmacists.

The Board reviewed applications for reciprocity for the following candidates. These applicants appeared February 8, 2010 were administered the law exam and issued temporary licenses. They were not required to reappear before the board.

Baksh, Khadim	Bergeron, Agnes	Clepper, Michael
Balkaran, Susan	Carew, Jeannine	Coopman, Christine

Daaboul, Mohamed  
Dixon, Amanda  
Doerbecker, Christine  
Doxey, Sedjinon  
Dubay, Kenneth  
Eumenidi-Zorda, Diane  
Finrock, Shannon  
Gillmeister, Joel  
Henderson, Margaret  
Hueseman, Paul  
Kassim, Tokurnbo

Kratz, Gregory  
Lindsey, Stacy  
Lotzlow, Victoria  
Mai, Thong  
Mathews, Thomas  
Moncayo, Joseph  
McKnight, Archie  
Nwaobi, Godwin  
Price, Elvin  
Ramzan, Muhammad  
Reeves, Brittany

Rivera, Maria  
Rosenthal, Joseph  
Rubin, Mark  
Schad, Paul  
Shelton, Ralph  
Stevens, Mary  
Taylor, Steven  
Valentin, Edwin  
Williams, Stephen  
Wolf, Julia

**BOARD ACTION:**

Dr. Bryant made the motion to approve the above applicants for reciprocity providing that all requirements have been met, or upon successful completion of all the requirements. Dr. Post seconded the motion. The vote for the motion was unanimous.

The Board reviewed applications for reciprocity for the following candidates. These applicants appeared February 8, 2010 were administered the law exam and issued temporary licenses, but have not completed all requirements. They were not required to reappear before the board.

Collier, Kathy

Roberts, Angela

**BOARD ACTION:**

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

**BOARD ACTION:**

Dr. Bryant made the motion that the minutes of the October 2009 Board Meeting be approved. Dr. Post seconded the motion. The vote for the motion was unanimous.

Ms. Brown discussed the UAMS scholarship fund with the Board.

**BOARD ACTION:**

Dr. Bryant made the motion to discuss the UAMS COP scholarship funding at the June Board meeting. Dr. Norris seconded the motion. The vote for the motion was unanimous.

Ms. Brown discussed board member reimbursements and asked board members to submit receipts for travel, meals and lodging.

Meetings for travel reimbursement were discussed.

**BOARD ACTION:**

Dr. Post made the motion to approve expense reimbursement for each Board member for performing official board duties at the rate established for state employees by travel regulations. In addition, a stipend of \$85.00 per day shall be paid to the members of the Board for attendance at Board meetings and informal conferences. The Board also requests that the reimbursement for hotel expenses be allowed to exceed the in-state rate. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

Board Committee Meetings  
NABP Annual Meeting  
NABP Fall Education Conference  
MALTA-GON Meeting  
Arkansas Pharmacists Association Annual Meeting  
District VI – NABP  
Midwest Conference  
Utah School of Drug Abuse  
Board of Pharmacy Meetings – three regular and any called meeting  
Board of Pharmacy Interim Meetings – as needed  
State Controlled Substance Authority Meeting  
Conference on State Government  
Executive Officer’s Conference - NABP

Dr. Ahmed appeared before the Board seeking approval for a retail pharmacy application for United Pain Care.

**BOARD ACTION:**

Dr. Post made the motion to approve the application for United Pain Care. Dr. Norris seconded the motion. The vote for the motion was unanimous.

Steve Bowdle, #PD06648; Ronald Headley, #PD06034 and Walgreens Pharmacy #10365, #AR20551 appeared before the Board in answer to an Order and Notice of Hearing. Dr. Newsome called the meeting to order and turned the proceedings over to the Hearing Officer, Charlie Moulton. Erika Gee, of the Attorney General’s Office, represented the Board staff, Walgreens and Dr. Headley were represented by Dr. Dwayne Pinon and Betina Brownstein and Dr. Bowdle was represented by Lewis Lloyd. Mark Gann, Loss Prevention for Walgreens and Cheryl Bryant, District Manager for Walgreens were also present.

**BOARD ACTION:**

Dr. Post made the motion to table the settlement proposal presented by Ms. Brownstein in the matter of Ronald Headley, #PD06034 and Walgreens Pharmacy #10365, #AR20551. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

**BOARD ACTION:**

Dr. Norris made the motion that in the matter of Steve Bowdle, #PD06648; Ronald Headley, #PD06034 and Walgreens Pharmacy #10365, #AR20551, Allegations A-4 and A-5 were found to be true, and Charges C-4 and C-5 were proven. Mr. Ross seconded the motion. The vote for the motion was unanimous. Therefore, it is ordered that Dr. Headley pay a monetary penalty of \$2,500 for C-4 and \$7,500 for C-5. It is further ordered that Walgreens staff work with Dr. Kirtley and appear at the next two Board meetings and give a report on their shrink program. Dr. Bowdle's hearing will be continued to the next regularly scheduled board meeting.

Bill Trice, attorney for the Arkansas Medical Board, Mary Trentham, APN attorney specialist for the Arkansas Nursing Board and Mark Riley, Executive Vice-President of the Arkansas Pharmacists Association appeared before the Board to discuss who may act as a physician's agent in nursing homes, long-term care and hospice facilities.

**BOARD ACTION:**

Dr. Bryant made the motion to continue to recognize the existing Pharmacy regulation and enforce that regulation as in the past. Mr. Holiman 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 Donna Stewart, #PT80640. Dr. Newsome called the meeting to order and turned the proceedings over to the Hearing Officer, Charlie Moulton. Erika Gee, of the Attorney General's Office, represented the Board staff. Ms. Stewart did not appear before the Board and was not represented by counsel.

**BOARD ACTION:**

Dr. Bryant made the motion that in the matter of Donna Stewart, #PT80640, all Allegations were found to be true and that all Charges were proven. Mr. Holiman seconded the motion. The vote for the motion was unanimous. Therefore, it is ordered that Ms. Stewart pay a monetary penalty of \$3,000 and her license will be placed on suspension for two years.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of SHS Select Health Services, LLC, #WD03246. Hearing Officer, Charlie Moulton conducted the hearing. Erika Gee, of the Attorney General's Office, represented the Board staff. Representatives from SHS Select Health Services, LLC, #WD03246 did not appear before the Board and was not represented by counsel.

**BOARD ACTION:**

Dr. Post made the motion that in the matter of SHS Select Health Services, LLC, #WD03246, all allegations were found to be true, and all Charges were proven. Therefore, it is ordered that SHS Select Health Services, LLC, #WD03246 pay a monetary penalty of \$12,500 and suspend their license for 5 years.

Mrs. Gee discussed hearings and communications prior to hearings. Order and Notice of Hearings will be included in board books in the future.

Dr. Kirtley presented the Board with Agreed Temporary Orders for the following licensees:

- Candace Michelle Miller, #PI20084, #PT87864
- Dorca Rena Hinton, #PT95208
- Floy Maureen Green, #PD08158
- Mary Katherine Taylor, #PT94072
- Stacey A. Carlton, #PT88433
- Ashley Marie Milgrim, #PT91050
- Kelly Marie Hayes, #PT89564
- Melissa Renee Branscum, #PD08508
- Curtis Lopez Clark, #PT91600

By signing the Agreed Temporary Order, each licensee has agreed not to practice as a pharmacy technician/intern/pharmacist in Arkansas, or be physically present in the prescription department in any pharmacy in the state of Arkansas until ordered by the Board.

**BOARD ACTION:**

Mr. Ross made the motion to accept the Agreed Temporary Orders for each licensee. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

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

- Emilee Kathryn Schwyhart-Harper, Provisional Pharmacy Technician #PN05828; Dallas Doty, #PD09316 and Fred's Pharmacy #1846, #AR20131
- Beau Branscum, #PT94247; Justin Bintliff, #PD09728 and Clinton Drug, #AR12116
- Chris Ford, #PD10944
- John Morrow, #PD11120
- Dennis Bean, #PD09445
- Neal Cast, #PD10856
- Susan Resinger, #PD08486
- Pam Grinder, #PD08495
- Sally Kalkbrenner, #PD07839
- Kelli Gills, #PD09397
- Ray Turnage, #PD05633
- Tammy White, #PD08049
- Barry Dallas, #PD06142
- Medex Biocare Pharmacy, #OS02074
- MDC Acquisition Company – Twinsburge, OH, Unlicensed Applicant

- MDC Acquisition Company – Rancho Cucamonga, California, Unlicensed Applicant
- Fred's, Unlicensed Facility
- Terry Perkins, #PD09715
- Natasha Adkins, #PD10796

By signing the Consent Agreements, each licensee agrees to the specific terms as outlined in their respective Consent Agreements.

**BOARD ACTION:**

Dr. Post made the motion for the Board to accept the Consent Agreements for each licensee. Mr. Holiman seconded the motion. The vote for the motion was unanimous.

Eddie Glover and Jennifer Hyde of US Compounding appeared before the Board to discuss compounding veterinary pharmacist's business models.

**BOARD ACTION:**

Dr. Boyd made the motion to direct board staff to develop suggested language for regulation changes regarding veterinary pharmacy business models through a Board committee . Mr. Holiman seconded the motion. The vote for the motion was unanimous.

Dr. Boyd will head the veterinary pharmacy committee. Dr. Glover, Dr. Hyde and Dr. Kirtley have agreed to assist with this committee along with other members as selected by Dr. Boyd.

Dr. Kirtley presented the Board with a Consent Order for **Vetcentric, Inc., #OS02142**. By signing the order, Respondent Vetcentric, Inc. agrees to pay a civil penalty of \$5,000.

**BOARD ACTION:**

Dr. Bryant made the motion to accept the Consent Order for Vetcentric, Inc., #OS02142. Dr. Post seconded the motion. The vote for the motion was unanimous.

**Thursday, March 11, 2010**

The meeting was called to order by Lenora Newsome, P.D., President. Members present were Benji Post, P.D.; Justin Boyd, Pharm.D, MBA; Marilyn Sitzes, P.D.; Steve Bryant, P.D.; Larry Ross and Ross Holiman, B.S., H. Ed. Staff members present were Charles Campbell, Pharm. D., Executive Director; John Kirtley, Pharm. D., Assistant Director; Dana M. Brown, Chief Fiscal Officer; Inspector Ron Ewing; Inspector C.C. Frazier, Jr.; Inspector Rusty McSpadden; Erika Gee, staff attorney and Kelly Kendall, Administrative Assistant.

The Board discussed pseudoephedrine legislation and sales tracking.

Eddie Glover and Jennifer Hyde of US Compounding appeared before the Board to discuss veterinary pharmacy regulations. The Board appointed a committee to be headed by Dr. Boyd to discuss veterinary compounding, review veterinary compounding regulatory issues and make suggestions for possible changes to current regulations regarding pharmacist's abilities to compound a specific list of medications for veterinary use and veterinarian office stock.

Dr. Mark Riley of the Arkansas Pharmacist Association appeared before the Board to discuss prescription record retention.

Ashley Crawley, #PD10802 appeared before the Board requesting to become a Pharmacist-in-Charge and Preceptor. A representative of the Arkansas Pharmacist Support Group appeared on her behalf.

**BOARD ACTION:**

Dr. Post made the motion to approve the request of Dr. Crawley. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

DeShawn Robinson, #PD07642 appeared before the Board requesting to become a preceptor. A representative of the Arkansas Pharmacist Support Group appeared on her behalf.

**BOARD ACTION:**

Dr. Bryant made the motion to approve the request of Dr. Robinson. Dr. Boyd seconded the motion. The vote for the motion was unanimous.

Representatives of the Arkansas Pharmacists Support Group appeared before the Board requesting that Heath Branscum, #PD08703 be placed under a Consent Order mirroring a Consent Order of the Oklahoma Board of Pharmacy.

**BOARD ACTION:**

Dr. Bryant made the motion to approve the request of Heath Branscum, #PD08703 on behalf of the APSG. Mr. Ross 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 East Arkansas Family Health Center, Inc., #AR09436 and Merica Lyons, #PD10611. Dr. Newsome called the meeting to order and turned the proceedings over to the Hearing Officer, Charlie Moulton. Erika Gee and Meredith Rebsamen of the Attorney General's Office, represented the Board staff, Darren O'Quinn represented Dr. Lyons and Chuck Banks represented East Arkansas Family Health Center.

**BOARD ACTION:**

Dr. Boyd made the motion that in the matter of East Arkansas Family Health Center, Inc., #AR09436, all Allegations were found to be true and that all Charges were proven and to fine the pharmacy \$50,000 with half payable in 90 days and the second half being paid within 15 months, to submit quarterly controlled substance audits for 1 year and twice during the following year. The pharmacy would also be required to follow up at future Board meetings at the discretion of the Board and the PIC and CEO must complete 340b program training. Mr. Holiman seconded the motion. The vote for the motion was passed with one dissenting vote.

Dr. Norris made the motion that in the matter of Merica Lyons, #PD10611 all Allegations were proven true and that all charges were proven, and to revoke Dr. Lyons license. Dr. Sitzes seconded the motion. The vote for the motion was unanimous.

The meeting was adjourned.

Approved for the Board:

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Kelly Kendall, Administrative Assistant

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Lenora Newsome, P.D., President