

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 October 13th and 14th, 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 13, 2015

The meeting was called to order by Lenora Newsome, P.D., President. Members present were Stephanie O'Neal, P.D.; Thomas Warmack, P.D.; Kevin Robertson, Pharm.D.; Cheryl Bryant, Pharm.D.; and Carol Rader. Staff members present were John Kirtley, Pharm. D., Executive Director; Brenda McCrady, P.D, Assistant Director; Chris Carnahan, General Counsel; Inspector Clyde Frazier, P.D.; Inspector Ron Ewing, P.D.; Inspector Rusty McSpadden, P.D.; and Lana Whitmore.

Dr. Newsome asked for a moment of silence in honor of Board member Joyce Palla.

Dr. Newsome introduced new members, Cheryl Bryant, Pharm.D., and Carol Rader.

The minutes from the June, 2015 meeting was reviewed.

BOARD ACTION:

Dr. Warmack made the motion that the minutes of the June 2015 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 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:

Lindsey Raegan Alexander
Anthony Alan Ashbrook
Jennifer Leigh Backhus
Alejandro Barboza
Andrew Robert Barlow
Melissa Jean Bengé

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Sheila Anita Bizune

Meagan Letteri Boykin

Anna Alyssa Callahan

Andrea Marie Carbabetta

Haleigh Jordan Cawood

Sejal Chaudhari

Myriam Concepcion-Belgodere

Colleen Ann Crockett

Jelani GeMar Davis

Amy Jean Delano

Kathryn Virginia Diehl

James Bradford Doby

Natalie Manon Dreyer

Diane Nicole Drollinger

Suhair Farida

Jerry E. Fu

Adam Hershel Furman

Niraj Anil Gandhi

Vishal Dilip Gandhi

Walter William Gauger

Russell Gilbert

Holly Marie Green

Zahir I Hamid

Neal Alan Hansel

Mary Beth Hardy

Audra Yvonne Hargreaves

Nicole Letitia Harris

Tracy Dean Hart

Alysia Linn Heller

James Edward Henning

Sharon Ford Hester

Eric Dustin Ho

Raymond Edward Iannone

Carl Juetta Isenberg

Scott Alexander Johnston

Beverly Jo Jones

Jessica Alexander Jones

Thomas Edward Kavanaugh

Allison Sara Koch

Susan Marie Lanctot

Simona Lazureanu

Ralph Michael Leoni

Timothy James Lorenz

Crystal Marie Makescry

Jeffrey Scott Martin

Kelly Megan McAuliff

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Scott Owen McEachern
Adair Caitlin Meacham
Amanda Jennifer Meister
Joseph Kevin Montgomery
Aneasha Nicole Moore
James Aaron Moser
Nga Thuy Nguyen
Julie Adams Owen
Valimohammed Gulammahiyuddin Panara
Shivani Rajani Patel
Elias Christos Pittos
Stoney Randall Pride
Janel Ann Ramm
Laura Elizabeth Reibenstein
Tameko Janelle Roberson
Brenda Ruhlman
Derek Anthony Sapone
Eric Karl Saul
Jeffrey Dean Sawyer
Susan Kim Schwarz
Emily Sturdivant Shive
Gregg Michael Smith
Dennis Phillip Soffin
Michael Robert Stanley
Nicole Diane Stinner
Gregory Michael Stites
Noha Ahdy Fakhry Tawadrous
Ngoc B. Tran
Heather Tyas
Shimul Paresh Vasa
Parthasarathy Vendanthadesikachar
Brenna Nicole Veres
Noureen Nizar Wadhwanian
Karen Elaine Wetherby
Terry Lynn Wheeler
Margie Lynn White
Kenneth Allan Williams
Heejeong Yoon
Sooyoung Yoon
David Michael Zdun
Marc Gasca
Stephanie Bullock

BOARD ACTION:

Dr. O'Neal made the motion to approve the above applicants for reciprocity. Dr. Cheryl Bryant 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.

Denise Robertson with the Arkansas Prescription Monitoring Program was present to update the Board on the program. She stated there is an average of 30,000 pharmacist queries per month. The top prescribed Schedule II prescriptions are: Hydrocodone/APAP, Tramadol, Alprazolam, Oxycodone, and Ambien. Dr. Robertson said the number of Hydrocodone prescriptions went down when it became a Schedule II, however, now it is back to where it was before the change. Dr. Robertson discussed the delegate authority portion of the program and said it should be up and running the first part of December. She also talked about the law enforcement act which will allow trained and registered law enforcement to use the system without a warrant; however, they will be required to have a case number.

Dr. Kirtley discussed the upcoming Prescription Drug Summit. He went over the proposed program for the summit which is set for November 3, 2015. US Attorney Chris Thyer will provide the opening remarks, and there will be three different tracks: Clinical Track, Criminal Justice Track, and Education/Advocacy Track. Dr. Kirtley said currently there are 489 participants registered for the summit – the capacity is set for 650. Dr. Kirtley informed Board members that the Nursing Board is supporting the summit in the amount of \$5,000. The Medical Board is also supporting the summit in the amount of \$5,000, and NABP has provided \$1,000 in support of the summit.

BOARD ACTION:

Dr. Warmack made the motion for the Board of Pharmacy to allocate funds in the amount of \$5,000 to go towards the Prescription Drug Summit. Dr. O'Neal seconded the motion. The vote for the motion was unanimous.

Partner discussions were held.

- Jeff Mercer, Pharm.D., Associate Dean for Experiential Education, was present to give the Board an update on Harding University College of Pharmacy. Dr. Mercer discussed the ACPE accreditation cycle with the Board. He said the next visit is scheduled for the Spring of 2018. The University is set to send a report at the end of 2017 in advance of the 2018 visit. He said the University is focused on having graduates that are 1) practice ready, and 2) team ready. Dr. Mercer said there is a new residency program at White County Health Center which allows pharmacy students to interact with medical residents. Dr. Mercer also discussed the Pharmacy Curriculum Outcomes Assessment (PCOA) exam. He reminded the Board that every College of Pharmacy is required to give the exam, but that it is up to the institution on how and when it is administered. Dr. Mercer said they have picked a date in January for the current P-3 class.

- Kathryn Neill, Pharm.D., Interim Dean, appeared before the Board to give an update on UAMS College of Pharmacy. Dr. Neill said the new Dean of the College of Pharmacy, Keith Olsen, will start on November 1st. She discussed the change in the Continuing Education Department at the College – she said the office is now centralized. Dr. Neill also discussed the PCOA exam. She said after much discussion with staff, UAMS would administer the exam in the April/May time block of the P-3 year. Dr. Neill asked the Board for flexibility on the time frame for administering the pharmacy law exam – the College requests the exam be administered earlier in the year due to the fact that the PCOA has been added and it is such a busy time for P-3 students. The law class is given in the fall semester, and the College feels it would be beneficial to students if the exam is given early on in the spring semester which would free up the P-3 students during that busy time at the end of their P-3 year. Dr. Neill also discussed the limitations of having P-4 students as the only students authorized to administer immunizations, especially now that they have incorporated the APHA immunization training program into the curriculum. The College would like the Board to discuss allowing students to immunize after the completion of the AAHP training program. She said they have had a lot of requests from preceptors and others wanting students to be allowed to help give immunizations, and work immunization fairs. She said the College would be happy to provide any information the Board requests to help with this. Dr. Neill discussed new accreditation standards, and the overlap situations between the different colleges at UAMS.

The Board agreed that staff should work with both Universities to administer the pharmacy law review and exam earlier in the year. The Board expressed that they would like both colleges to give the law exam during the same time frame.

BOARD ACTION:

Dr. Cheryl Bryant made the motion that Board staff work with proper legislators to proceed with changing the requirements to allow immunizations to be performed by an earlier pharmacy class. Dr. Warmack seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley and Dr. Neill discussed preceptors/supervisors in educational settings. They discussed allowing pharmacy students to be supervised by nurses, APNs, prescribers, etc., in the appropriate educational settings and practice activities.

BOARD ACTION:

Dr. O'Neal made the motion that the Board be proactive in assisting the Colleges of Pharmacy in becoming ACPE compliant, specifically with regard to preceptors/supervisors in educational settings. Dr. Cheryl Bryant seconded the motion. The vote for the motion was unanimous.

Richard Largilliere appeared before the Board on behalf of American Healthtech. Mr. Largilliere asked the Board for approval to use a long term care software product, "LTC," which would send and receive non-controlled substance prescriptions between their skilled nursing facilities and Arkansas pharmacies. The software is connected from the nursing home directly to the pharmacy. The Board did not approve Dr. Largilliere's request because of their concerns that the product does not protect the patient's freedom of choice. The Board told Mr. Largilliere that he was welcome to reappear before the Board and present his request again.

***Dr. Mike Alred, Dr. Percy Malone, and Dr. Stephen Carrol were in the audience and they all discussed patient's freedom of choice and the different systems available to nursing homes and pharmacies with the Board.

Garry Enderlin, Jonathan Martinez, Marita Nazarian, and Kevin Patton, with Arkansas Children's Hospital Pharmacy, appeared before the Board to request approval to continue to use DoseEdge Pharmacy Workflow Manger. DoseEdge is a system which helps pharmacists identify compounding errors and assists with pharmacy productivity. Dr. Enderlin said the system prevents and/or catches errors earlier in the process.

BOARD ACTION:

Dr. Robertson made the motion to approve the request and allow the pharmacy to continue to use the DoseEdge System. Dr. O'Neal seconded the motion. The vote for the motion was unanimous.

Lynn Crouse, P.D., appeared before the Board to seek advice and approval to operate a central fill out of his store in Lake Village. Dr. Crouse said he planned to use the central fill to send out prescriptions to other pharmacies in Southeast Arkansas and Mississippi. Dr. Kirtley said he would be the first independent to try central fill. Dr. Kirtley said that the Board inspectors would inspect the machine and pharmacy area prior to issuing a permit.

BOARD ACTION:

Dr. Cheryl Bryant made the motion to approve Dr. Crouse's Central Fill Pharmacy request. Dr. Warmack seconded the motion. The vote for the motion was unanimous.

Pharmacy Technician applicant, Karen Cullins appeared before the Board at the request of the Informal Conference Committee. Dr. Kevin Robertson recused himself from this matter. Ms. Cullins appeared before the Informal Committee as part of the Board of Pharmacy's licensing process. The Committee could not reach a decision to either approve or deny her application. They asked the applicant to appear before the full Board.

BOARD ACTION:

Dr. Warmack made the motion to deny the pharmacy technician application for Karen Cullins. Dr. Cheryl Bryant seconded the motion. The vote for the motion passes.

Chris Carnahan presented the Board with a Consent Agreement in the matter of **Liberty Medical Supply, Inc., MG01201**. Mr. Carnahan explained that the difference in this agreement was the company.

BOARD ACTION:

Dr. Warmack made the motion to accept the Consent Agreement for **Liberty Medical Supply, Inc., MG01201**, as presented. Dr. Cheryl Bryant seconded the motion. Dr. O'Neal abstained from the vote. The motion passes.

The Board was presented with a Probation Consent Order for **Kristen Kay Hays, PD07755**. The Board was informed this matter was reported to DEA.

BOARD ACTION:

Dr. O'Neal made the motion to approve the Probation Consent Order as presented for **Kristen Kay Hays, PD07755**. Dr. Cheryl Bryant seconded the motion. The vote for the motion was unanimous.

The Board was presented with the following Consent Agreements:

Abbott diabetes Care, Inc., MG00888
Alisa Whitmore, PD08543
Gary Benton, PD06865
Like Bantu PD13235
Agropec Trading, Inc., dba Allivet Pharmacy
Thrift Pharmacy
MedEnvios Healthcare, MG00821
Med-First Medical, MG01303
Med-Turn, Inc., WD02095

BOARD ACTION:

Dr. Robertson made the motion to accept the Consent Agreements for the licensees/facilities as presented. Dr. O'Neal seconded the motion. The vote for the motion was unanimous.

The following Consent Agreements were presented:

Albert Rinchuso, PD07293
Ben Orlando, PD11800

BOARD ACTION:

Dr. Robertson made the motion to accept the Consent Agreements as presented. Dr. O'Neal seconded the motion. The vote for the motion was unanimous.

A Consent Order for **Direct Success Pharmacy** was presented to the Board.

BOARD ACTION:

Dr. Cheryl Bryant made the motion to accept the Consent Agreements for **Direct Success Pharmacy** as presented. Dr. O'Neal seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley presented the Board with a Preliminary Consent Order for **Julia Joann Goff, PD08563**.

BOARD ACTION:

Dr. O'Neal made the motion to accept the Consent Agreements for **Julia Joann Goff, PD08563**, as presented. Dr. Robertson seconded the motion. The vote for the motion was unanimous.

Dr. McCrady presented the Board with a Voluntary Agreement and Order of Surrender of License for **Cleta Ruth Almond, PT84385**.

BOARD ACTION:

Dr. Cheryl Bryant made the motion to accept the Voluntary Agreement and Order of Surrender of License for **Cleta Ruth Almond, PT84385** as presented. Dr. Warmack seconded the motion. The vote for the motion was unanimous.

Dr. McCrady presented the Board with a Voluntary Surrender for the following:
Carrie Beth Burzloff, PT83967
Sheila Kay McKee, PT99596

BOARD ACTION:

Dr. Cheryl Bryant made the motion to accept the Voluntary Surrenders as presented. Dr. O'Neal seconded the motion. The vote for the motion was unanimous.

Wednesday, October 14, 2015

The meeting was called to order by Lenora Newsome, P.D., President. Members present were Stephanie O'Neal, P.D.; Thomas Warmack, P.D.; Kevin Robertson, Pharm.D.; Cheryl Bryant, Pharm.D.; and Carol Rader. Staff members present were John Kirtley, Pharm. D., Executive Director; Brenda McCrady, P.D, Assistant Director;

Chris Carnahan, General Counsel; Inspector Clyde Frazier, P.D.; Inspector Ron Ewing, P.D.; Inspector Rusty McSpadden, P.D.; and Lana Whitmore.

Dr. Newsome asked for a moment of silence in honor of past Board Member, Tom Wood, P.D.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of pharmacy technician, **Alexandra Clinton, PT02390**. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Charlie Moulton. Ms. Clinton was not present at the hearing.

BOARD ACTION

Dr. O'Neal made the motion that in the matter of pharmacy technician, **Alexandra Clinton, PT02390**, Case #2015-030, that Allegations A1 – A2 are true and Charge C-1 has been proven, and that her pharmacy technician license is permanently suspended. Dr. Robertson seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley presented a Voluntary Surrender for **Lori Michelle Hancock, PT01745**.

BOARD ACTION

Dr. Robertson made the motion to accept the Voluntary Surrender for pharmacy technician, **Lori Hancock, PT01745**, as presented. Dr. O'Neal seconded the motion. The vote for the motion was unanimous.

Patricia Futrell Turner, PD07340, appeared before the Board along with Kym Light, with the Pharmacy Support Group. Originally Dr. Turner was scheduled for a hearing, but Dr. Turner waived her right to a hearing, and instead agreed to an informal process rather than a hearing to request the Board allow her to return to the practice of pharmacy.

BOARD ACTION

Dr. Chery Bryant made the motion to proceed with the informal process in the matter of **Patricia Futrell Turner, PD07340**. Dr. Warmack seconded the motion. The vote for the motion was unanimous.

BOARD ACTION

Dr. Robertson made the motion to reinstate the license of **Patricia Futrell Turner, PD07340**, with the stipulation that she is approved for a 20 hour work week, and she must appear before the Board's Informal Committee each time a step up process (32 hour week, 40 hour week, etc.) is requested by Dr. Turner and advocated by the Pharmacy Support Group. In addition, Dr. Turner must commit to a lifetime contract with the Pharmacy Support Group. Dr. Cheryl Bryant seconded the motion. The vote for the motion was unanimous.

BOARD ACTION

Dr. Robertson made the motion, that in addition to the previous motion, that in the matter of **Patricia Futrell Turner, PD07340**, Dr. Turner must complete 20 hours per year of community related public service for five years. Dr. Cheryl Bryant seconded the motion. The vote for the motion was unanimous.

BOARD ACTION

Dr. O'Neal made the motion that in the matter of **Patricia Futrell Turner, PD07340**, the Board attorney and staff work with Dr. Turner to arrange restitution to Board for previous hearing costs. Dr. Robertson seconded the motion. The vote for the motion was unanimous.

The Board adjourned into Executive Session to discuss Dr. Kirtley's annual evaluation.

The Board reconvened from Executive Session.

Anthony Crofoot, with Creative Strategies – Louisville, KY, appeared before the Board to request approval to use the product Accu-flo eMar in Arkansas.

BOARD ACTION

Dr. Cheryl Bryant made the motion to approve the Accu-flo system once Board staff receives written copies of letters to be given to clients outlining patient freedom of choice and meeting Long Term Care requirements. The letters will be approved by either informal or formal meeting of the Board prior to them being able to move forward. Dr. O'Neal seconded the motion. The vote for the motion was unanimous.

BOARD ACTION

Dr. Robertson amended the previous motion to include that the purchasing pharmacy must be approved during an informal or formal meeting prior to use. Dr. Warmack seconded the motion. The vote for the motion was unanimous.

Kevin Robertson, Wendy Jordan, and Jacqueline Acuna appeared before the Board to provide an update on the Tech-Check-Tech pilot program at Baptist Health Medical Center – NLR and St. Bernard's Hospital in Jonesboro, AR. Representatives from both facilities discussed the selection and training of the pharmacy technicians used for the program, as well as the random audits conducted. This group will return to present the Board with the final results of the year-long pilot program.

Dr. Kirtley discussed the results of the committee meeting to determine the changes needed to the regulation which addresses the emergency kits in hospice care facilities. Dr. Kirtley said some of the hospice facilities hold a CMS permit through the Department of Health so the proposed amendment needs to be presented to them before starting the formal amendment process.

BOARD ACTION

Dr. Robertson made the motion to submit the proposed amendment to Regulation 05-00-0006 to the Department of Health – CMS to receive feedback from them. Dr. Cheryl Bryant seconded the motion. The vote for the motion was unanimous.

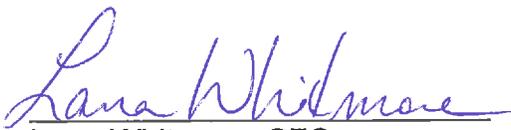
Mr. Carnahan discussed how far back staff should go when considering criminal issues on applicants. He said there is guidance that the General Assembly has given Boards and Commissions, and there is guidance that the Board has given staff. He said there is a point where an individual may be considered rehabilitated if that individual has complied with the direction of the court and there have been no other instances for at least five years. Mr. Carnahan requested direction from the Board on how to proceed with applicants when determining approval by staff or approval by informal conference. He clarified that he wasn't referring to applicants who are not forthcoming with their history. Historically, when staff is screening applicants they send any applicant with two or more alcohol convictions, or any drug convictions, without consideration to the amount of time since the arrests, to appear before the Board in informal conference. Board staff is currently working to determine the Board's options on applicants with expungements.

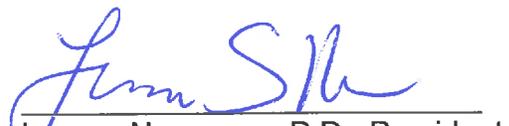
BOARD ACTION

Dr. O'Neal made the motion that for clarification purposes for Board staff with regard to deferring applicants to the informal committee, if an applicant has more than two substance related issues, he/she will need to appear before the committee, even if it has been more than five years since the occurrence. Dr. Cheryl Bryant seconded the motion. The vote for the motion was unanimous.

The meeting was adjourned.

Approved for the Board:


Lana Whitmore, CFO


Lenora Newsome, P.D., President