

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

**Tuesday, June 13, 2017**

The Arkansas State Board of Pharmacy met for a regular scheduled Board meeting June 13<sup>th</sup> and 14<sup>th</sup>, 2017. The meeting was held at the Arkansas State Board of Pharmacy office at 322 South Main St., Suite 600, Little Rock, AR.

The meeting was called to order by Stephanie O'Neal, P.D., President.

**Members present:**

- \* Thomas Warmack, P.D.
- \* Kevin Robertson, Pharm.D.
- \* Steve Bryant, P.D.
- \* Debbie Mack, P.D.
- \* Lenora Newsome, P.D.
- \* James Burgess, D.D.S.
- \* Carol Rader, RN.

**Staff present:**

- \* John Kirtley, Pharm.D., Executive Director
- \* Brenda McCrady, P.D, Assistant Director
- \* Luke Daniel, General Counsel
- \* Rusty McSpadden, P.D., Inspector
- \* Kevin Robertson, Pharm.D., Inspector
- \* Lana Whitmore, CFO

**No Members absent.**

**No staff absent.**

The financial report was presented for review.

**BOARD ACTION:**

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

The minutes from the February 2017 Board Meeting, April 7, 2017 Emergency Board Meeting held by conference call, and the April 25, 2017 Called Board Meeting were reviewed.

**BOARD ACTION:**

Dr. Newsome made the motion that the minutes of the February 2017 Board Meeting, April 7, 2017 Emergency Board Meeting held by conference call, and the April 25, 2017 Called Board Meeting be approved. 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:

Amy	Nicole	Adams
Jennifer	Ray	Almon
Trang	Nikki	Altman
Christopher	Richard	Antypas

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Rebekah	K.	Barron
Shawn	Jason	Bjorndal
Steven	T.	Boyd
Erik	J.	Broxterman
Patrick	Wayne	Cason
Scott	Allen	Cleland
Janine	Francis	Cleveland
Nicole	Christine	Copley
Joseph	Charles	Courtright
Rachelle	Ann	DeLosSantos
Bret	Anthony	Dobson
Heidi	Dawn	Dufrene
Nathan	O.	Edouard
Charlene	Denise	Eichorn
Mark	Donald	Engel
Brendan	Anthony	Ferris
Rebecca	Anne	Fetzer
Lori	Ann	Foote
Gary	David	Frazee
Leslie	Suzanne	Frazier
Joey	L.	Hart
Sean	Richard	Hatfield
Catherine	Nicole	Heaton
Katerine	Leigh	Hogan
Robert	Scott	Hooper
Joseph	Charles	Hunt
Kurt	Robert	Kosek
Nicole		Kruczek
Karen	Elizabeth	Lammers
Sean		Lamont
Nu	Thi	Le
Darren	T.	Lea
Irene	Marie	Lee
Sarah	Jeehyang	Lim
Katherine	Marie	Lurk
Katherine	Rebecca	Lutek
Lisa	Brown	Martin
Joseph	Anthony	Mauro
Angela	Hope	McBroom
Lewis	Todd	McWilliams
Ashlin	Matthew	Miller
Irvin	Gustavo	Molina
Randall	Alan	Moore

Ronald	Edwin	Moore
Shane	Stephen	Moore
Daniel	Janusz	Morawiec
Andargachew	Addisu	Negash
Ashley	Michelle	Neu
Denise	A.	Norman
Marlette		Oelotsen
Heather	Johnson	Oliphant
Shelly		Oswalt
Kimberly	Ann	Pough
Meyyappan		Ramanathan
Sabrina	Subia	Rodriguez
Joseph		Sauppee
Daven	Suarez	Sawh
Sarah	Elizabeth	Stieven
Mia	Amerette	Stites
Dawn	Alisa	Taylor
Mykel	L.	Tidwell
Thanh	Hein Thi	Wang
Lynette	White	Washington
Samuel	Elliott	Webster
Lori	Ann	Wells
Justin	David	Weyer
Jana	Spivey	White
Stephanie	Michelle	White
Jin	Kyung	Yang
Sowon		Yoon

**BOARD ACTION:**

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

Dr. Kirtley explained Arkansas' continuing education requirements to the reciprocity applicants, and Dr. O'Neal provided information regarding the Arkansas Pharmacists Association.

Dr. McCrady presented the Board with the following:

**Consent Agreements**

- Afix Kehinde – PD13030
- Toni Bari – PD0690
- Courtney Brugal – PD13332
- Kroger Store #469 –AR20091

- Bob Billings – PD05707
- Urvi Patel – PD12337
- Julie Ann Hejny – PD11286
- Guardian Pharmacy of Tennessee Two, LLC  
dba Guardian MidSouth – OS02402
- Finnegan Health Services – MG00355
- US Healthcare Supply, LLC – MG01045
- Medi-Quip, Inc. – OS01273
- Derma Tran Health Solutions, LLC – OS02380
- Preferred Rx, LLC – OS02737
- ReCept Pharmacy #1 – OS02254
- Affinity Biotech, Inc. – OS02136
- Drogueria Las Rosas, Inc. – WD04674
- A & K Distributos, LLC – WD04041
- Westminister Pharmaceuticals, LLC – WD04571
- Kendrion Biopharma, Inc. – WD04167

**BOARD ACTION:**

Dr. Newsome made the motion to approve the Consent Agreements as presented. Dr. Bryant seconded the motion. The vote for the motion passes.

**Preliminary Consent Order**

- Levi Campbell – PD11511

**BOARD ACTION:**

Dr. Warmack made the motion to approve the Preliminary Consent Order as presented. Dr. Mack seconded the motion. The vote for the motion passes.

**Voluntary Surrender and/or Voluntary Agreement and Order of Surrender of License**

- Christian Mondragon Huante – PT02572
- Shelby Lynn Poole – PT00299
- Eric Antony Yeager – PT04567
- Kaylee Page Cochran – PT03654
- Jennifer Latoria Mitchell-Washington – PT95783
- Michael Hogan – PD06974
- Thong Xiong – PT94986
- Kristi Barton – PT02944
- Nathan Strange – PT05695
- Zachary Thomas – PD12999
- Janet Reeves – PD10174

**BOARD ACTION:**

Dr. Mack made the motion to approve the Voluntary Surrenders and/or Voluntary Agreement and Order of Surrender of Licenses as presented. Dr. Warmack seconded the motion. The vote for the motion passes.

**Consent to Conditional Registration**

- Zachery Dale Evans – PT00411

**BOARD ACTION:**

Dr. Bryant made the motion to approve the Consent to Conditional Registration as presented. Dr. Newsome seconded the motion. The vote for the motion passes.

Scott Pace, Executive Director of the Arkansas Pharmacists Association appeared before the Board to discuss a new statewide protocol for Naloxone. Dr. Pace said under the new Naloxone Law, the statewide protocol would not be under a specific provider, but it would be a statewide protocol approved by the Arkansas State Board of Pharmacy as well as the Arkansas State Medical Board. Once approved by both agencies it becomes a statewide standing order. Dr. Pace and Dr. Kirtley presented the Board with a proposed protocol and said it has to be accepted by both Boards before it can be effective. Dr. Pace said the Medical Board meets in August and he would like to be able to present the Medical Board with a Board of Pharmacy approved protocol. The Board discussed the proposed protocol and practicality of a statewide medical provider for prescription/billing purposes. After some discussion, the issue was tabled until tomorrow to allow the Board time to study the protocol and make notes for further discussion.

Mishelle Kochumuttom, a UAMS P-4 student, appeared before the Board to request approval to take the Jurisprudence Exam for a fourth time.

**BOARD ACTION:**

Dr. Newsome made the motion to allow Ms. Kochumuttom to take the Jurisprudence Exam for the fourth time. Dr. Bryant seconded the motion. Dr. Warmack opposed. The vote for the motion passes.

**Partner Updates:**

Dr. Kirtley reminded the Board that during the past legislative session, the Board of Pharmacy received approval to start a second scholarship fund in the amount of \$275,000 for Harding College of Pharmacy. Dr. Kirtley stated they would sign a MOU similar to the one signed by UAMS outlining the particulars of the scholarship.

**BOARD ACTION:**

Dr. Warmack made the motion to move forward with making the \$275,000 scholarship available to Harding University College of Pharmacy. Dr. Mack seconded the motion. The vote for the motion was unanimous.

Schwanda Flowers, with UAMS College of Pharmacy, appeared before the Board to provide the UAMS update. Dr. Flowers stated they have admitted a full class for the upcoming year and the majority of students are Arkansans. She reported that 119 students filled out senior surveys this year and the results show salaries are slightly lower than last year. The survey also reflects that more students are staying in-state and more are staying in central Arkansas. Dr. Flowers said 78% of students have secured jobs after graduation which is lower than last year and needs to be watched. UAMS has started a new Interprofessional Education Exchange with Kaohsiung Medical University in Taiwan. Dr. Flowers said UAMS is accepting six pharmacy students and six nursing students from Taiwan and sending six UAMS pharmacy students and six UAMS nursing students to Taiwan. Dr. Flowers said this has been a great program so far.

Mark Bradford and LaTouge Porter, with Genoa Healthcare, appeared before the Board to request approval from the Board to provide Sample management and Patient Assistance Program (PAP) management for their location in Texarkana.

**BOARD ACTION:**

Dr. Bryant made the motion to table the request and enable the informal to resolve any issues and to bring their recommendations to the full Board in October. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

**Discussion Items:**

Dr. McCrady told the Board that representatives from Revery Senior Care of Virginia came before informal committee and there was a question about the packaging that needed to be resolved. The staff along with the facility's attorney, Erica Gee, went through the packaging system and did not see any problem with it.

**BOARD ACTION:**

Dr. Newsome made the motion to approve Revery Senior Care of Virginia's multi-dose packaging system based on staff recommendations. Dr. Warmack seconded the motion. The vote for the motion was unanimous.

Greg Wood, with Hospice of the Ozarks, and Lisa Vaden, Director of Hospice and Palliative Care Association of Arkansas, appeared before the Board to discuss the availability of local pharmacies to provide after hour services for hospice in patient facilities and home based hospice. They said they are struggling to provide care to patients due to the lack of after hour services by pharmacies and they are seeking guidance from the Board.

Michelle Scutag with HealthSouth Rehabilitation Hospital appeared before the Board to request authority to have onsite but remote order entry capability for all of their facilities. The request was presented to the informal committee in a satisfactory manner and they are here for full Board approval.

**BOARD ACTION:**

Dr. Bryant made the motion to approve the request. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

Brian Litchford with Physician Specialty Hospital appeared before the Board to request to use PipelineRx for remote order entry. Dr. Kirtley reminded the Board that PipelineRx services has previously been approved by the Board.

**BOARD ACTION:**

Dr. Newsome made the motion to approve the request for remote order entry. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley presented the Board with a request from Diamond Pharmacy Services to update the Emergency Kit for Pulaski County Detention Center.

**BOARD ACTION:**

Dr. Bryant made the motion to approve changes presented for the Pulaski County Detention emergency kit as administered by Diamond Pharmacy Services. Dr. Mack seconded the motion. The vote for the motion was unanimous.

The Board discussed changing the executive structure of the Board so that there is a vice-president/secretary, president, and past president. The president would serve in their fifth year and past president in the sixth year which will allow the wisdom gained from serving as president to be beneficial to the Board as past president.

**BOARD ACTION:**

Dr. Bryant made the motion to accept the proposed changes to the executive nomenclature to the Board, and it will be a phased in process starting with the upcoming election. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

The Board election for officers was held.

**BOARD ACTION:**

Dr. Newsome made the motion for Dr. Tom Warmack to be the President, and Dr. Steve Bryant to be the Vice-President/Secretary beginning at the end of this June Board Meeting. Dr. Mack 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 form. This form is to be signed by the Board president and allows the Board of Pharmacy's Executive Director, Assistant Director, and Inspectors authorization to enter pharmacies and review records on behalf of the Board.

**BOARD ACTION:**

Dr. Warmack made the motion to accept the Authorization to Conduct Board of Pharmacy Oversight Activities form as presented, through June 30, 2018. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley discussed on-going compounding inspections and the current certification issues. He said right now the Board is in educational mode for compounders and certification so that compounders better understand the certification process.

The Board discussed defining, in writing, Arkansas Board of Pharmacy approved conditions, which is stated in Regulation 02-01-0002 – Board of Pharmacy Regulates Internship Program. The Board charged Dr. Kirtley with presenting the Board a written definition before the conclusion of the June Board Meeting.

**Wednesday, June 14, 2017**

The meeting was called to order by Stephanie O’Neal, P.D., President.

**Members present:**

- \* Thomas Warmack, P.D.
- \* Kevin Robertson, Pharm.D.
- \* Steve Bryant, P.D.
- \* Debbie Mack, P.D.
- \* Lenora Newsome, P.D.
- \* James Burgess, D.D.S.
- \* Carol Rader, RN.

**Staff present:**

- \* John Kirtley, Pharm.D., Executive Director
- \* Brenda McCrady, P.D, Assistant Director
- \* Luke Daniel, General Counsel
- \* Rusty McSpadden, P.D., Inspector
- \* Kevin Robertson, Pharm.D., Inspector
- \* Lana Whitmore, CFO

**No Members absent.**

**No staff absent.**

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Martha (Marty) Lute, PD11284**, Case #2017-022. Dr. O’Neal called the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. The Respondent was represented by Darren O’Quinn and John Collins. The Board was represented by Luke Daniel.

**BOARD ACTION**

Dr. Newsome made the motion that in the matter of **Martha (Marty) Lute, PD11284**, Case #2017-022, the Board finds Allegations A1 – A8 are true, and Charges C1 - C6 have been proven. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

**BOARD ACTION**

Dr. Newsome made the motion that in the matter of **Martha (Marty) Lute, PD11284**, Case #2017-022, her license is suspended until Dr. Lute receives a Board approved in-patient evaluation and subsequent treatment, if recommended, and participation with the Pharmacy Support Group, if

recommended. Dr. Bryant 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 **Corey Burl, Applicant for Pharmacy Technician reinstatement**, Case #2017-018. Dr. O'Neal called the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. The Respondent was not represented by counsel. The Board was represented by Luke Daniel.

#### **BOARD ACTION**

Dr. Mack made the motion that in the matter of **Corey Burl, Applicant for Pharmacy Technician reinstatement**, Case #2017-018, the Board finds Allegations A1 – A5 are true, and Charge C1 is proven., therefore the application for reinstatement is to be denied. Dr. Warmack seconded the motion. Dr. Bryant opposed the motion. The vote for the motion passes.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Danny L. Smith, PD06924**, Case #2017-026. Dr. O'Neal called the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. Dr. Warmack recused himself from this hearing. The Respondent was represented by Bill Putman. The Board was represented by Luke Daniel.

#### **BOARD ACTION**

Dr. Newsome made the motion that in the matter of **Danny L. Smith, PD06924**, Case #2017-026, the Board finds Allegations A1 – A5 are true, and Charges C1 – C21 have been proven, therefore the Board issues a \$10,500 fine payable 60 days beyond appeal process, his license is placed on probation for five years with his support group contract to run concurrent with probation. Dr. Burgess 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 **Jacob Louis Brouillette, Pharmacy Technician Applicant**, Case #2017-008. Dr. O'Neal called the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. The Respondent was not present. The Board was represented by Luke Daniel.

#### **BOARD ACTION**

Dr. Warmack made the motion that in the matter of **Jacob Louis Brouillette, Pharmacy Technician Applicant**, Case #2017-008, the Board finds Allegations A1 – A3 are true, and Charge C1 has been proven, therefore the application is denied. Dr. Mack 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 **Robert Shaffer, Pharmacy Technician Applicant**, Case #2017-021. Dr. O'Neal called

the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. The Respondent was not present. The Board was represented by Luke Daniel.

**BOARD ACTION**

Dr. Mack made the motion that in the matter of **Robert Shaffer, Pharmacy Technician Applicant**, Case #2017-021, the Board finds Allegations A1 – A5 are true, and Charge C1 has been proven, therefore the application is denied. Dr. Warmack seconded the motion. The vote for the motion was unanimous.

The Board discussed the Naloxone Statewide Protocol.

**BOARD ACTION:**

Dr. Newsome made the motion to approve the proposed statewide protocol as discussed and presented. Dr. Mack seconded the motion. The vote for the motion was unanimous.

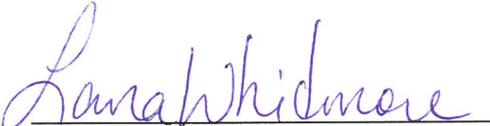
Dr. Kirtley presented the Board with a written definition of Board of Pharmacy Approved Conditions for College of Pharmacy Intern Training Programs as referenced in Regulation 02-01-0002.

**BOARD ACTION:**

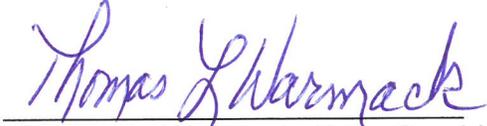
Dr. Mack made the motion to approve the written definition of Board of Pharmacy Approved Conditions for College of Pharmacy Intern Training Programs. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

The meeting was adjourned.

Prepared by:

  
Lana Whitmore, CFO

Approved for the Board:

  
Thomas L. Warmack, P.D., President