

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

**Wednesday, September 26, 2018**

The Arkansas State Board of Pharmacy met for a regular scheduled Board meeting on September 26<sup>th</sup>, 2018. The meeting was held at the Arkansas State Board of Pharmacy Office located at 322 South Main St., Suite 600, Little Rock, AR.

The meeting was called to order by Debbie Mack, P.D., Vice President/Secretary.

**Members present:**

- \* Steve Bryant, P.D.
- \* Becca Mitchell, Pharm.D.
- \* Ken Lancaster, P.D.
- \* Lynn Crouse, Pharm.D.
- \* Amy Fore, MHSA
- \* Carol Rader, RN

**Staff present:**

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

**Lenora Newsome, P.D., was not present.**

The minutes from the June 2018 Board Meeting, July 2018 Emergency Conference Call Meeting, and the September 2018 Emergency Conference Call Meeting were reviewed.

**BOARD ACTION:**

Dr. Bryant made the motion that the minutes of the June 2018 Board Meeting, July 2018 Emergency Conference Call Meeting, and the September 2018 Emergency Conference Call Meeting be approved. Dr. Mitchell seconded the motion. The vote for the motion was unanimous.

Mrs. Whitmore presented the Board with the financial report for review.

**BOARD ACTION:**

Dr. Bryant made the motion to accept the financial report. Dr. Mitchell seconded the motion. The vote for the motion was unanimous.

Dr. McCrady presented the Board with Consent Orders, Consent Agreements, Probation Consent Orders, Probation Orders, and Voluntary Surrender and/or Voluntary Agreements and Orders of Surrender of License.

**BOARD ACTION:**

Dr. Mitchell made the motion to approve and accept all orders and agreements as presented. Dr. Bryant 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:

Brita Ade  
Suja Alum  
Holly Alverson  
Alycee Ansolabehere  
William Austin  
Karen Bills  
Robert Caruso  
Scott Cerami  
Christina Chou  
Mark Cook  
Zachary Corbell  
Mario Coronado  
James Cox  
Charles Crickman  
Stacie Danielson  
Lana deLong  
Chi Doan  
Valeana Domercant  
Meagan Doyle  
Lyman Eaton, II  
Moses Foma  
David Freeman  
April Goocher  
Seth Green  
Ajla Hadzic  
Nabil Hallak  
Jared Heiles  
Darin Henley  
Tyler Heuer  
Rachel Iverson  
Tracy Jernigan  
Darvin Joy  
Christopher Jurma  
Fatemeh Khajehei  
Christopher Kirby  
Jeffrey Koon  
Amy Krenski  
Lisa Kuehne  
Tiara LaMarca  
Lenee Lane  
Taylor Maitland

Michael Mayabi  
Jeanne Maylon  
Joseph Miles  
Chad Miller  
Cindy Mitman  
Arun Mohanan  
Rachel Mokgoko  
Mary Morgan  
Laura Nelson  
Weston Newbill  
Shannon Oliver  
Tyler Page  
Sunith Panicker  
Andrew Perina  
Adam Portik  
Amanda Prince  
Rathasen Prom  
Bishoy Ramzy  
Robert Ricks  
Aaron Rodewald  
Kiri Rolek  
Samir Saleh Reyes  
Brandon Salke  
Wayne Sartorio  
Mary Schloss  
Stephen Shadid  
Avani Sheth  
Jake Stafford  
Mark Stever  
Kwyn Szabados  
Brodie Theriot  
Richard Voskoboynikov  
Thelma Wilbur  
William Wilkie  
John Yamber  
Rhetta York  
John Forrest

Dr. Kirtley explained Arkansas' continuing education requirements and invited applicants to join the the Arkansas Pharmacist Q & A Facebook page and the Arkansas Pharmacists Association.

**BOARD ACTION:**

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

David Harless appeared before the Board to discuss issues with his pharmacy intern application.

**BOARD ACTION:**

Dr. Bryant made the motion to approve the pharmacy intern application for David Harless. Dr. Lancaster seconded the motion. The vote for the motion was unanimous.

Dr. Nicole Stinner appeared before the Board on behalf of Covance Specialty Pharmacy to request a waiver which would allow the pharmacy to provide antipsychotic medications to indigent patients and to ship the medications to the provider office or clinic, if necessary, in order to follow up with the patients and monitor their progress on the medications.

**BOARD ACTION:**

Dr. Bryant made the motion to approve the waiver request for Covance Specialty to provide antipsychotic medications to patients as presented today. Dr. Crouse seconded the motion. The vote for the motion was unanimous.

Quiana Hall appeared before the Board to request reinstatement of her pharmacy technician application which she surrendered in April 2018. Ms. Hall was represented by her attorney, Quentin May.

**BOARD ACTION:**

Dr. Mitchell made the motion to approve the reinstatement of Quiana Hall's pharmacy technician permit. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

**USP 800 Discussion**

Dr. Kirtley started off the discussion by reminding everyone that USP 800 is about hazardous chemicals and is much more about the protection of the preparer rather than protection of the patient. He explained 800 is not as prescriptive, as far as giving specifics on what has to be done, as the other USP Chapters under the number 1000. Dr. Kirtley reminded the Board and observers that USP 800 is set to go in effect December 1, 2019, at which time there is a plan for US Pharmacopia to also have new updated 795 and 797 chapters go into effect at the exact same time. Dr. Kirtley said Board and staff has discussed being of the position that USP 800 is something that is to be watched to see what happens in surrounding states. He explained that it would be difficult to try to enforce it before it is even in effect and since it is a heavily interpreted guideline rather than prescriptive it would be a different type of guideline for the Board to even track. He then asked for feedback from Board members. It was determined the Board would take a wait and see approach – pharmacists should be aware of 800, but the Board of Pharmacy has given no direction to staff. Tyler Shinabery, with Custom

Compounding and Andrew Mize with Collier Compounding were present and said they appreciated the discussion.

Kimberly Young, Operations Director for Option Care appeared before the Board to request approval for remote dispensing.

**BOARD ACTION:**

Dr. Crouse made the motion to approve the request made by Option Care for remote dispensing. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

A Public Hearing on Regulation changes was called to Order at 2:06 p.m.

**Regulation 7 – Drug Products/Prescriptions**

The proposed changes will reduce regulatory burden when transferring prescriptions to allow for facsimile transmission of information and for support staff such as registered technicians and licensed interns to perform duties on one side of a transfer. It will add language to show that a pharmacist cannot dispense more of a schedule II narcotic medication than a prescriber can prescribe to meet criteria of Act 820 of 2017. The language will also clarify partial filling of schedule II prescriptions.

Dr. Kirtley presented a letter from John Rocchio with CVS.

The following spoke in favor of the Regulation Change:  
John Vinson, Pharm.D. – Arkansas Pharmacists Association  
Travis Ezell – Pharmacy Intern

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

**BOARD ACTION:**

Dr. Mitchell made the motion to accept the changes to Regulation 7 as presented. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

The Public Hearing was closed at 2:20 p.m.

Jeremy McDonald, P.D., appeared on behalf of Walgreens to present a Memorandum of Understanding to the Board and request an approval for central fill which would allow Walgreens to deliver specialty medications to patients or to patients' local Walgreens Pharmacy for pick up.

**BOARD ACTION:**

Dr. Bryant made the motion to approve the request as presented. Dr. Crouse seconded the motion. The vote for the motion was unanimous.

**BOARD ACTION:**

Dr. Bryant made the motion to move forward with providing UAMS with \$50,000 and Harding College of Pharmacy with \$275,000 for the rural loans and scholarship programs at each university for Fiscal Year 2019. Dr. Crouse seconded the motion. The vote for the motion was unanimous.

**BOARD ACTION:**

Dr. Bryant made the motion to nominate Rebecca Mitchell as the Board's representative on the Rural Loan Scholarship Committee. Dr. Crouse seconded the motion. The vote for the motion was unanimous.

**BOARD ACTION:**

Dr. Bryant made the motion for the Board of Pharmacy to allocate funds in the amount of \$5,000 to go towards the 2018 Prescription Drug Summit. Dr. Mitchell seconded the motion. The vote for the motion was unanimous.

**Thursday, September 27, 2018**

The meeting was called to order by Lenora Newsome, P.D., President.

**Members present:**

- \* Debbie Mack, P.D.
- \* Steve Bryant, P.D.
- \* Becca Mitchell, Pharm.D.
- \* Ken Lancaster, P.D.
- \* Lynn Crouse, Pharm.D.
- \* Amy Fore, MHSA
- \* Carol Rader, RN

**Staff present:**

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

**No members were absent.**

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Charonsa Freeman, Pharmacy Technician Applicant**, Case #2018-044. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. The Board was represented by Luke Daniel. The respondent was not represented by counsel.

### **BOARD ACTION**

Dr. Bryant made the motion that in the matter of **Charonsa Freeman, Pharmacy Technician Applicant**, Case #2018-044, the pharmacy technician reinstatement application is granted. Dr. Lancaster seconded the motion. The vote for the motion was two for the motion and five against the motion – the motion failed.

### **BOARD ACTION**

Dr. Mitchell made the motion in the matter of **Charonsa Freeman, Pharmacy Technician Applicant**, Case #2018-044, that Allegations A1 – A11 are true, and Charge C-1 is proven, and moves to deny her pharmacy technician application. Dr. Mack seconded the motion. The vote for the motion was five for the motion and two against the motion. The motion passes.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Tyler Butler, Pharmacy Technician Applicant**, Case #2018-043. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. The Board was represented by Luke Daniel. The respondent was not present.

### **BOARD ACTION**

Dr. Mitchell made the motion in the matter of **Tyler Butler, Pharmacy Technician Applicant**, Case #2018-043, that Allegations A1 – A8 are true, and Charge C-1 is proven, and moves to deny the pharmacy technician application. 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 **Wanda Louise Cullen-Richardson, PT84431**, Case #2018-048. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. The Board was represented by Luke Daniel. The respondent was not present. Dr. Mack recused herself from the hearing.

### **BOARD ACTION**

Dr. Mitchell made the motion in the matter of **Wanda Louise Cullen-Richardson, PT84431**, Case #2018-048, that Allegations A1 – A7 are true, and Charges C-1 – C-5 were proven, and moves to revoke her pharmacy technician permit. 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 **Erika Lee Ashley, Pharmacy Technician Applicant**, Case #2018-069. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. The Board was represented by Luke Daniel. The respondent was not present.

**BOARD ACTION**

Dr. Mack made the motion in the matter of **Erika Lee Ashley, Pharmacy Technician Applicant**, Case #2018-069, that Allegations A1 – A6 are true, and Charge C-1 has been proven, and moves to deny the pharmacy technician application. Dr. Mitchell 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 **Anna Huett Smith, PT08412**, Case #2018-121. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. The Board was represented by Luke Daniel. The respondent was not present.

**BOARD ACTION**

Dr. Mitchell made the motion in the matter of **Anna Huett Smith, PT08412**, Case #2018-121, that Allegations A1 – A5 are true, and Charges C-1 – C-3 were proven, and moves to revoke her pharmacy technician permit. 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 **Tanner Young, PT06673**, Case #2018-084. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. The Board was represented by Luke Daniel. The respondent was not present.

**BOARD ACTION**

Dr. Bryant made the motion in the matter of **Tanner Young, PT06673**, Case #2018-084, that Allegations A1 – A4 are true, and Charges C-1 – C-4 were proven, and moves to revoke pharmacy technician permit. Dr. Crouse seconded the motion. The vote for the motion was unanimous.

Hollie Roberts, Reciprocity applicant appeared before the Board as required.

**BOARD ACTION:**

Dr. Mack made the motion to approve the reciprocity application for Hollie Roberts. Dr. Mitchell 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 **Vanessa Lynnett Eubanks, PD08873**, Case #2018-064. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. The Board was represented by Luke Daniel. The respondent was represented by Darrin O'Quinn and Lindsay Lorance.

**BOARD ACTION**

Dr. Bryant made the motion in the matter of **Vanessa Lynnett Eubanks, PD08873**, Case #2018-064, we find that Allegations A1 – A8 are true, and Charges C-1 – C7 are not proven, and recommend no action against Dr. Eubanks license. Dr. Mitchell seconded the motion. The vote for the motion passes with one no vote.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Kealan McElwee, Pharmacy Technician Applicant**, Case #2018-100. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. The Board was represented by Luke Daniel. The respondent was not represented by counsel. Ms. Fore was not present at this hearing.

**BOARD ACTION**

Dr. Bryant made the motion in the matter of **Kealan McElwee, Pharmacy Technician Applicant**, Case #2018-100, that the Board moves to grant her pharmacy technician permit and fines the applicant \$1.42. Dr. Lancaster seconded the motion. The vote for the motion was four in favor and two against the motion. The motion passes.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Ashley Nicole Minton, PT05286**, Case #2018-041. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. The Board was represented by Luke Daniel. The respondent was not present. Ms. Fore was not present at this hearing.

**BOARD ACTION**

Dr. Mitchell made the motion in the matter of **Ashley Nicole Minton, PT05286**, Case #2018-041, that Allegations A1 – A7 are true, and Charges C-1 – C-4 were proven, and moves to revoke her pharmacy technician permit. 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 **Atishay Jain, PT01015**, Case #2017-104. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. The Board was represented by Luke Daniel. The respondent was not present. Ms. Fore and Dr. Mitchell were not present at this hearing.

**BOARD ACTION**

Dr. Bryant made the motion in the matter of **Atishay Jain, PT01015**, Case #2017-104, that Allegations A1 – A7 are true, and Charges C-1 – C-6 were

proven, and moves to revoke his pharmacy technician permit. 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 **Joni Michelle Gomez, PT02758**, Case #2018-065. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. The Board was represented by Luke Daniel. The respondent was not present. Ms. Fore and Dr. Mitchell were not present at this hearing. Dr. Mack recused from this hearing.

#### **BOARD ACTION**

Ms. Rader made the motion in the matter of **Joni Michelle Gomez, PT02758**, Case #2018-065, that Allegations A1 – A3 are true, and Charges C-1 – C-4 were proven, and the Board moves to revoke her pharmacy technician permit. 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 **Jessica Lynn Doerflein, PT07116**, Case #2018-068. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. The Board was represented by Luke Daniel. The respondent was not present. Ms. Fore and Dr. Mitchell were not present at this hearing.

#### **BOARD ACTION**

Dr. Lancaster made the motion in the matter of **Jessica Lynn Doerflein, PT07116**, Case #2018-068, that Allegations A1 – A3 are true, and Charges C-1 – C-4 were proven, and move to revoke the pharmacy technician permit. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

#### **Friday, September 28, 2018**

The meeting was called to order by Lenora Newsome, P.D., President.

#### **Members present:**

- \* Debbie Mack, P.D.
- \* Steve Bryant, P.D.
- \* Becca Mitchell, Pharm.D.
- \* Ken Lancaster, P.D.
- \* Lynn Crouse, Pharm.D.
- \* Carol Rader, RN

#### **Staff present:**

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

**Amy Fore was not present.**

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Lauren Willis, PD11959**, Case #2017-131. Dr. Newsome called the hearing to order

and turned the proceeding over to the Hearing Officer, Dara Hall. The Board was represented by Luke Daniel. The respondent was represented by Darrin O'Quinn. Ken Lancaster recused from the hearing.

### **BOARD ACTION**

Dr. Mitchell made the motion in the matter of **Lauren Willis, PD11959**, Case #2017-131, we find that Allegations A1 – A12 and A-10361 are true, and Charges C-1-10362, C-10363, C-10641, and C-10365 are proven, and move that we not reinstate the pharmacist license of Dr. Willis at this time, and recommend that she obtain a psychiatric evaluation at one of the four Board-approved facilities and then return and request an informal conference to discuss those findings. 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 **Gary Bergstrom, PD06413**, Case #2018-099a. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. The Board was represented by Luke Daniel. The respondent was represented by Darrin O'Quinn. Debbie Mack recused from the hearing.

### **BOARD ACTION**

Dr. Mitchell made the motion in the matter of **Gary Bergstrom, PD06413**, Case #2018-099A, the Board finds that Allegations A1 – A6 are true, and Charges C-1 – C4 are proven, and move that we reinstatement Dr. Bergstrom's pharmacist license and require that he continue counseling sessions for the next six months and provide quarterly evidence thereof to the Board. 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 **Jan Fletchinger, PD07083**, Case #2018-099b. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Dara Hall. The Board was represented by Luke Daniel. The respondent was represented by Darrin O'Quinn. Debbie Mack recused from the hearing.

### **BOARD ACTION**

Dr. Bryant made the motion in the matter of **Jan Fletchinger, PD07083**, Case #2018-099b, the Board moves that we drop all charges in exchange for completing 3 courses or 3 credit hours of CE concerning ethics by December 31, 2018. Dr. Lancaster seconded the motion. The vote for the motion was unanimous.

Scott Warmack, UAMS College of Pharmacy; Amy Franks, UAMS College of Pharmacy, Jeff Mercer, Harding College of Pharmacy; Jason Hawkins, Arkansas Veterans Healthcare System; Patrick King, Arkansas Veterans Healthcare System all appeared

before the Board to discuss the Board's position regarding approved federal rotation sites for pharmacy interns.

**BOARD ACTION**

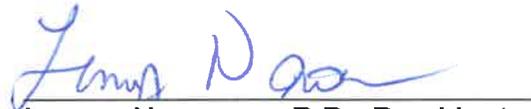
Dr. Mitchell made the motion that effective immediately, the Board will recognize intern hours, both IPP and APPE hours, which take place in federal facilities by licensed interns licensed in the State of Arkansas pursuant to review and approval of sites between the Board and the colleges (UAMS College of Pharmacy and Harding College of Pharmacy). If there is a problem with a site, the Board can say that is not an approved rotation site, or the students would not get hours in those sites, pending corrective collaborative action between Board and college(s). Dr. Lancaster seconded the motion. The vote for the motion was unanimous.

The meeting was adjourned.

Prepared by:

  
Lana Whitmore, CFO

Approved for the Board:

  
Lenora Newsome, P.D., President