

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

**Tuesday, February 11, 2020**

The Arkansas State Board of Pharmacy met for a regular scheduled Board meeting on February 11, 2020. The meeting was held at the Arkansas State Board of Pharmacy office located at 322 South Main Street, Suite 600, Little Rock, AR.

The meeting was called to order by Deborah Mack, P.D., President.

**Members present:**

- \* Lenora Newsome, P.D.
- \* Steve Bryant, P.D.
- \* Becca Mitchell, Pharm.D.
- \* Lynn Crouse, Pharm.D.
- \* Brian Jolly, 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
- \* Cindy Fain, P.D., Inspector
- \* Lana Whitmore, CFO

**Amy Fore was not present.**

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

**BOARD ACTION:**

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

Mrs. Whitmore presented the 2020 Board Member Meeting List and Authority for Expense Reimbursement for Board Members and Stipend Authorization, pursuant to Arkansas Statute 25-16-902 and 25-16-905.

**BOARD ACTION:**

Dr. Jolly made the motion to approve the Board Member Meeting List and Authority for Expense Reimbursement for Board Members and Stipend Authorization. Dr. Mitchell seconded the motion. The vote for the motion was unanimous.

The minutes from the October 2019 Board Meeting and the Emergency Conference Call Meetings conducted November 18, 2019 and February 3, 2020 were reviewed.

**BOARD ACTION:**

Dr. Mitchell made the motion that the minutes of the October 2019 Board Meeting and the Emergency Conference Call Meetings conducted November 18, 2019 and February 3, 2020 be approved. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

Dr. McCrady presented the Board with Consent Orders, Probation Consent Orders, Consent Agreements, and Voluntary Surrenders.

**BOARD ACTION:**

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

Michael	Berg	Astrup
Julia	Malinda	Bales
Timothy	Robert	Barnett
Shauna	Bennett	Barron
Micah	Paul	Benford
Charles		Bonanno
Rachel	Jacqueline Ah	Borst
Amanda	Jo	Brown
Robert	Bernard	Bucco
Amy	Elizabeth	Carter
Jasmine	Renee	Carter
Cory	Brock	Chastain
Kwang	S.	Choi
Donald	Patrick	Clark
Gina	White	Cohenour
Vinh	Xuan	Dam
Eamon	Mahmood	Darbandi
Ann	Elizabeth	Davis
Taylor	James	Davis
Phuc	Hong Thi	Duong
Latasha	Marie	Ealy
Marcelene	Gail	Figuroa
Jennifer	Elizabeth	Hazelton
Stephen	Wesley	Hintz
Allison	Rose Marie	Hoffman
Le Mai	Lim	Huynh
Sujay	Kumar	Inaganti
John	Marlon	Jacobs
Jacob		Jamron
Kristina	Marie	Jonas
Katharine	Judith	Kempf

Board of Pharmacy Minutes  
February 11 - 13, 2020  
Page 3 of 11

Christine	Anita	Kidd
Jane	Walker	Killian
Nicholas	Richard	Kirkpatrick
Scott	Allen	Kludt
Tracy		Lu
Auriel	Person	McAfee
Heidi	Marie	McKinnon
Morgan	Michelle	Miller
Megan	Nicole	Minehart
Michael	Allen	Moreland
Christina	Elizabeth	Murphy
Kathryn	Beth	Muzzio
Tufan	Said	Nasir
Nicole	Dao	Nguyen
Chikezie		Ononogbu
Anna	Lytia	Palmer
Douglas	Reynold	Pauly
Ross		Phan
Jamie		Rapin
Jonathan	Craig	Rekieta
Maria	J.	Resendiz-Garnica
David	Neil	Rhoads
Amberly	Russell	Richardson
Christopher	Michael	Rochon
Martin	Reyes	Rodriguez
Travis	William	Schmitt
Eland	Blake	Siddle
Robert	Lee	Slattery
Juliet	Marie	Small
Pamela	Suzanne	Spidell
Joy	Andrenan	Strickland
John	Peter	Sullivan
Sundeeep		Thakrar
Kassie	Jo	Walker
Adam	L.	Walters
Lih-Wern		Wang
John	Christopher	White
Natalie	Anne	Wright
Ahmad		Zaiter

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

**BOARD ACTION:**

Dr. Newsome made the motion to approve the above applicants for reciprocity pending all final licensure requirements are met. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

Robert Bucco appeared before the Board by request to discuss his application for reciprocity.

**BOARD ACTION:**

Dr. Newsome made the motion to approve the reciprocity application for Robert Bucco. Dr. Mitchell seconded the motion. The vote for the motion was unanimous.

*Discussion Items:*

The Board discussed the duties and procedures of the Arkansas Pharmacy Support Group as it pertains to Regulation 10 – Arkansas Pharmacy Support Group, in the Arkansas Board of Pharmacy Law Book.

**BOARD ACTION:**

Dr. Mitchell made the motion that the Board has reviewed the policies and procedures and activities of the Pharmacy Support Group and determined no changes are necessary at this time. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

Jeston Whitsell appeared before the Board on behalf of Delta Medical Infusion to request a waiver to open a satellite home infusion pharmacy in Jonesboro, Arkansas for 20 hours per week rather than the full 40-hour requirement. There was no motion made to grant a waiver by the Board.

Mr. Daniel provided an update to the Board on the Long Acting Reversible Contraceptive (LARC) Pilot Program. He said he contacted Dr. Cynthia Neuhofer, with Arkansas Medicaid, about providing the Board with an update on the program and was told that the LARC pilot has been put on hold for possibly six months to a year. He said a representative from Medicaid would appear before the Board to provide an update before proceeding any further.

Rodney Vance Parker, PD06294 appeared before the Board to request approval to be the pharmacist in charge at Allcare Pharmacy in Danville, Arkansas.

**BOARD ACTION:**

Dr. Bryant made the motion to approve the request of Rodney Vance Parker, PD06294 to be pharmacist in charge in a pharmacy. Dr. Crouse seconded the motion. The vote for the motion was unanimous.

The Board discussed 503b facilities and inspections.

Shelley Tustison, with Walmart Home Office, appeared before the Board with Tanner Simon and Marti Henson, both pharmacists at Sam's Club in Hot Springs, in answer to a consumer complaint.

**BOARD ACTION:**

Dr. Mitchell made a motion to take no action. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

Denise Robertson, a consultant pharmacist; Jodie Vogt, with CAPSA Healthcare; and Rachel Bunch, with Arkansas Healthcare Association appeared before the Board to request approval to operate an automated system in Long Term Care Facilities for emergency kits.

**BOARD ACTION:**

Dr. Mitchell made the motion to approve the CAPSA Healthcare automated system in Long Term Care Facilities for emergency kits as presented. Dr. Jolly seconded the motion. Dr. Bryant opposed the motion. The motion passes.

Mr. Daniel discussed Option Care and their pharmacy design and technician duties with the Board. He told the Board representatives from Option Care had previously appeared before the informal committee and they were asked to appear before the full Board with their request. He said Option Care had a conflict with the date but presented a letter stating the changes they made at the request of the informal committee and Mr. Daniel asked the Board if the documentation presented was sufficient or if they still wanted a representative from Option Care to appear at the next Board meeting.

**BOARD ACTION:**

Dr. Newsome made the motion to approve the changes presented on behalf of Option Care. Dr. Mitchell seconded the motion. The vote for the motion was unanimous.

The Board conducted an emergency hearing in the matter of **Erin Thompson, PT10437**.

**BOARD ACTION:**

Dr. Crouse made the motion to suspend the pharmacy technician permit of **Erin Thompson, PT10437** pending a full revocation hearing. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

The Board conducted an emergency hearing in the matter of **Akeem Branch, PT09102**.

**BOARD ACTION:**

Dr. Mitchell made the motion to suspend the pharmacy technician permit of **Akeem Branch, PT09102** pending a full revocation hearing. Dr. Bryant seconded the motion. The vote for the motion was unanimous.

The Board conducted an emergency hearing in the matter of **John Barron, PD14874**.

**BOARD ACTION:**

Dr. Newsome made the motion to suspend the pharmacist license of **John Barron, PD14874** pending a full revocation hearing. Dr. Mitchell seconded the motion. The vote for the motion was unanimous.

The Board discussed compounding inspections and the compounding inspection form.

The Board adjourned for the day.

**Wednesday, February 12, 2020**

The meeting was called to order by Deborah Mack, P.D., President.

**Members present:**

- \* Lenora Newsome, P.D.
- \* Steve Bryant, P.D.
- \* Becca Mitchell, Pharm.D.
- \* Lynn Crouse, Pharm.D.
- \* Brian Jolly, Pharm.D.
- \* Carol Rader, RN
- \* Amy Fore, MHSA

**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
- \* Lana Whitmore, CFO

**All members were present.**

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Eric Leon McLain, PD11067, Case #2020-006**. Dr. Mack called the hearing to order and turned the proceeding over to the Hearing Officer, Charlie Moulton. The Board was represented by Luke Daniel. The respondent was represented by Darren O'Quinn.

Mr. Q'Quinn made a request for the Board to dismiss the case based on lack of evidence.

**BOARD ACTION**

Dr. Mitchell made the motion to deny the counselor's request to dismiss the case. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

**BOARD ACTION**

Dr. Mitchell made the motion in the matter of **Eric Leon McLain, PD11067, Case #2020-006**, that Allegation A1 is true and Allegations A2 – A4 are not true, and Charges C-1 and C-2 are not proven and move to not take action against his pharmacist license. 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 **Eugenia Lanay Ingle, PT95726, Case #2019-109**. Dr. Mack called the hearing to order and turned the proceeding over to the Hearing Officer, Charlie Moulton. The Board was represented by Luke Daniel. The respondent was not present for the hearing.

**BOARD ACTION**

Dr. Crouse made the motion in the matter of **Eugenia Lanay Ingle, PT95726, Case #2019-109**, that Allegations A1 – A7 are true, and Charges C-1 to C-3 are

proven and move to revoke her pharmacy technician permit. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

Dr. Crouse asked the Board to discuss continuing education hours required to practice pharmacy as well as license endorsement requirements. He suggested the Board do away with any additional hours required for immunizations and the additional hours required to be a nursing home consultant. He also suggested the endorsement requirements be removed since pharmacists have already received the education and are properly trained to do their job so they shouldn't need an additional endorsement for to administer immunizations or be a consultant pharmacist. Dr. McCrady reminded the Board that the requirement for a pharmacist to have Preceptor endorsement, except for a foreign pharmacy graduate working to obtain their required hours, was removed several years ago. The board discussed this issue and determined this would need to be a regulation change.

**BOARD ACTION:**

Dr. Crouse made the motion to proceed with the regulatory procedures required to remove the immunization and nursing home consultant endorsements and the required qualifications for those endorsements that the Board attaches to pharmacist licenses. The wording in the rules/regulations will need to be amended to eliminate the requirements for additional continuing education hours for both immunizations and nursing home consultants. 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 **David Norten Dunavan, Pharmacy Technician Applicant, Case #2019-134**. Dr. Mack called the hearing to order and turned the proceeding over to the Hearing Officer, Charlie Moulton. The Board was represented by Luke Daniel. The respondent was not represented by counsel.

**BOARD ACTION**

Dr. Newsome made the motion in the matter of **David Norten Dunavan, Pharmacy Technician Applicant, Case #2019-134**, that Allegations A1 – A5 are true, and Charge C-1 is not proven and move to recommend the applicant get into the pharmacy support group and come back before the Board once advocacy is received from the Arkansas Pharmacy Support Group. 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 **Anglea Marie Torgerson, Pharmacy Technician Applicant, Case #2019-133**. Dr. Mack called the hearing to order and turned the proceeding over to the Hearing Officer,

Charlie Moulton. The Board was represented by Luke Daniel. The respondent was not present for the hearing.

### **BOARD ACTION**

Dr. Jolly made the motion in the matter of **Anglea Marie Torgerson, Pharmacy Technician Applicant, Case #2019-133**, that Allegations A1 – A18 are true, and Charge C-1 is proven and move to deny her application for a pharmacy technician permit. Dr. Crouse 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 **Levi Campbell, PD11511, Case #2014-073**. Dr. Mack called the hearing to order and turned the proceeding over to the Hearing Officer, Charlie Moulton. The Board was represented by Luke Daniel. The respondent was not present for the hearing.

### **BOARD ACTION**

Dr. Mitchell made the motion in the matter of **Levi Campbell, PD11511, Case #2014-073**, that Allegations A1 – A8 are true, and Charges C-1 to C-4 are proven and move to revoke his pharmacist license. Dr. Jolly seconded the motion. The vote for the motion was unanimous.

Mr. Daniel informed the Board that an Order and Notice was sent to Dr. Bryant, and he said each member can choose to recuse or not to recuse. Mr. Daniel said he himself has recused from the hearing and an attorney at the Attorney General's office will take over the case. He informed the board members that they should not talk to Dr. Bryant or other Board members regarding this issue.

Board discussed the April Informal and other called Board Meeting dates. It was decided a full Board Meeting will be held April 21, and Informals will be April 22-23.

A pickup station discussion was held.

The Board adjourned for the day.

**Thursday, February 13, 2020**

The meeting was called to order by Deborah Mack, P.D., President.

**Members present:**

- \* Lenora Newsome, P.D.
- \* Steve Bryant, P.D.
- \* Becca Mitchell, Pharm.D.
- \* Brian Jolly, 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
- \* Cindy Fain, P.D., Inspector
- \* Lana Whitmore, CFO

**Lynn Crouse and Amy Fore were not present.**

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Candice Moody, Pharmacy Technician Applicant, Case #2019-148**. Dr. Mack called the hearing to order and turned the proceeding over to the Hearing Officer, Christian Harris. The Board was represented by Luke Daniel. The respondent was not represented by counsel.

**BOARD ACTION**

Dr. Mitchell made the motion in the matter of **Candice Moody, Pharmacy Technician Applicant, Case #2019-148**, the Board finds Allegations A1 – A7 to be proven, and charge C1 to be not true, and the Board approve the following actions: if there is confirmation in writing from DEA that she does not need a waiver, board staff approve her pharmacy technician permit; that if there is a need for a waiver from DEA and it is obtained, that the Board give her a provisional permit to work at the waived facility; that if there is a need for a waiver and it is denied, then this Board deny her application for a pharmacy technician permit.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Kyle Benson Wheelless, Formerly licensed under PI22469, Case #2019-056**. Dr. Mack called the hearing to order and turned the proceeding over to the Hearing Officer, Christian Harris. The Board was represented by Luke Daniel. The respondent was represented by Michael Miscullei.

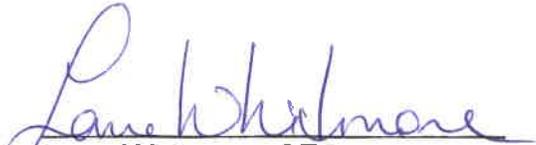
**BOARD ACTION**

Dr. Newsome made the motion in the matter of **Kyle Benson Wheelless, Formerly licensed under PI22469, Case #2019-056**, the Board finds Allegations A1 – A18 are true, and Charges C1, C2, C4 and C5 are proven, and Charge C3 is not proven and moves to not reinstate his Arkansas Pharmacist

Intern license; the Board would like him to come back before the Board at the February 2021 Board Meeting. 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:

  
Deborah Mack, P.D., President