



TEXAS STATE BOARD OF PHARMACY

**Health Professions Council Board Room
333 Guadalupe Street, Tower II, Suite 225
Austin, Texas**

November 7, 2017

MINUTES¹

BOARD BUSINESS MEETING

Tuesday, November 7, 2017

President Jeanne D. Waggener, R.Ph., called the meeting to order at 9:00 a.m. Other Board Members present were Vice President Jenny Downing Yoakum, R.Ph.; Treasurer Bradley A. Miller, Ph.T.R.; Dennis F. Wiesner, R.Ph.; Phyllis A. Stine; Alice G. Mendoza, R.Ph.; L. Suzan Kedron; Buford T. Abeldt, Sr., R.Ph.; Christopher M. Dembny, R.Ph.; Chip Thornsburg; and Suzette Tijerina, R.Ph.

Staff present were Gay Dodson, R.Ph., Executive Director/Secretary; Cathy Stella, Director of Licensing and Administrative Services; Carol Fisher, R.Ph., M.P.A., Director of Enforcement; Allison Vordenbaumen Benz, R.Ph., M.S., Director of Professional Services; Kerstin Arnold, General Counsel; Brian Hurdle, Network Manager; Caroline Hotchkiss, Assistant General Counsel; Ben Santana, R.Ph., Chief of Compliance; Megan Holloway, Staff Attorney; Mary Martha Murphy, Staff Attorney; Alissa Zachary, Staff Attorney; Shayda Bakhshi, Education Coordinator; and Becky Damon, Executive Assistant.

Also present were Legal Intern Bhavesh Modi and Pharmacist Intern Mayuri Bhakta.

A. Announcements

- President Waggener made general announcements.
- Announcements were made concerning Board Members and staff.
- Ms. Benz made an announcement concerning continuing education credit for attending the Board Meeting.

¹See agenda and corresponding attachments for supporting materials.

B. Discussion and Approval of Minutes of Previous Meetings (Tab 01)

Following discussion, the motion was made by Mr. Dembny to approve the minutes of the Board Business Meeting held August 1, 2017, and the minutes of a Temporary Suspension Hearing concerning Health Fit Pharmacy, and Jeremy Branch, R.Ph., held September 15, 2017, as presented. The motion was seconded by Mr. Abeldt and passed unanimously.

C. Discussion of and Possible Action Regarding Rules

Final Adoption of Rules

- Rules Concerning Notification for Fires and Disasters (§291.3)
(Tab 02)

Ms. Benz explained that the Board voted to propose the amendments to §291.3 during its August 1, 2017, meeting. The proposed amendments were published in the September 22, 2017, issue of the *Texas Register*, and no comments were received.

Ms. Benz directed the Board's attention to amendments and explained that the amendments to §291.3 clarify requirements for a pharmacy to notify the board of a fire or other disaster.

Following discussion and review of the Preamble and Order Adopting Rules, the motion was made by Ms. Mendoza to approve for adoption, by Board Order, amendments to §291.3, as presented. The motion was seconded by Mr. Abeldt and passed unanimously.

- Rules Concerning Notification When Closing a Pharmacy (§291.5)
(Tab 03)

Ms. Benz explained that the Board voted to propose the amendments to §291.5 during its August 1, 2017, meeting. The proposed amendments were published in the September 22, 2017, issue of the *Texas Register*, and no comments were received.

Ms. Benz directed the Board's attention to the amendments to §291.5 and explained that the amendments clarify requirements for closing a pharmacy.

Following discussion and review of the Preamble and Order Adopting Rules, the motion was made by Mr. Miller to approve for adoption, by Board Order, amendments to §291.5, as presented. The motion was seconded by Ms. Stine and passed unanimously.

- Rules Concerning Pick Up Locations (§291.9) (Tab 04)

Ms. Benz explained that the Board voted to propose the amendments to §291.9 during its August 1, 2017, meeting. The proposed amendments were published in the September 22, 2017, issue of the *Texas Register*, and comments were received from David Faulkner, Pharm.D.

Ms. Benz directed the Board's attention to amendments to §291.9 and explained that the amendments clarify the requirements for prescription pick up locations to be consistent with DEA requirements.

Following discussion and review of comments received, the motion was made by Ms. Yoakum to withdraw from consideration for final adoption the proposed amendments to §291.9. The motion was seconded by Mr. Abeldt and passed unanimously.

- Rules Concerning Drug Use Review in Certain Rural Hospitals (§291.74) (Tab 05)

Ms. Benz explained that the Board voted to propose the amendments to §291.74 during its August 1, 2017, meeting. The proposed amendments were published in the September 22, 2017, issue of the *Texas Register*, and comments were received from Hunter Pharmacy Services, Inc.

Ms. Benz directed the Board's attention to amendments to §291.74 and explained that the amendments update the requirements for drug use review as authorized by Section 562.1011(i) of the Texas Pharmacy Act and update the library requirements to be consistent with other sections.

Following discussion of the rules and review of comments received, the Board postponed action until later in the meeting.

- Rules Concerning Telepharmacies (§291.121) (Tab 06)

Ms. Benz explained that the Board voted to propose the amendments to §291.121 during its August 1, 2017, meeting. The proposed amendments were published in the September 22, 2017, issue of the *Texas Register*, and comments were received from the Texas Pharmacy Business Council and Cardinal Health.

Ms. Benz directed the Board's attention to amendments to §291.121 and explained that the amendments implement Senate Bill 1633, and portions of House Bill 2561, relating to telepharmacy as passed by the 85th Texas Legislature and update the licensing requirements to be consistent with other sections.

Following discussion of the rules and review of comments received, the Board postponed action until later in the meeting.

- Rules Concerning Information Required in Written Agreements with Practitioners (§§291.131 and 291.133) (Tab 07)

Ms. Benz explained that the Board voted to propose the amendments to §§291.131 and 291.133 during its August 1, 2017, meeting. The proposed amendments were published in the September 22, 2017, issue of the *Texas Register*, and no comments were received.

Ms. Benz directed the Board's attention to amendments to §§291.131 and 291.133 and explained that the amendments clarify the requirements regarding written agreements for supplying compounded preparations for office use and make formatting changes.

Following discussion and review of the Preambles and Orders Adopting Rules, the motion was made by Mr. Dembny to approve for adoption, by Board Order, amendments to §§291.131 and 291.133, as presented. The motion was seconded by Ms. Mendoza and passed unanimously.

- Rules Concerning Technician Examinations (§297.7) (Tab 08)

Ms. Benz explained that the Board voted to propose the amendments to §297.7 during its August 1, 2017, meeting. The proposed amendments were published in the September 22, 2017, issue of the *Texas Register*, and no comments were received.

Ms. Benz directed the Board's attention to amendments to §297.7 and explained that the amendments remove specific references to the Pharmacy Technician Certification Board.

Following discussion and review of the Preambles and Orders Adopting Rules, the motion was made by Ms. Stine to approve for adoption, by Board Order, amendments to §297.7, as presented. The motion was seconded by Mr. Dembny and passed unanimously.

- Rules Concerning Continuing Education Requirements for Technicians (§297.8) (Tab 09)

Ms. Benz explained that the Board voted to propose the amendments to §297.8 during its August 1, 2017, meeting. The proposed amendments were published in the September 22, 2017, issue of the *Texas Register*, and no comments were received.

Ms. Benz directed the Board's attention to amendments to §297.8 and explained the amendments remove specific references to the Pharmacy Technician Certification Board and clarify the continuing education requirements.

Following discussion and review of the Preamble and Order Adopting Rules, the motion was made by Mr. Abeldt to approve for adoption, by Board Order, amendments to §297.8, as presented. The motion was seconded by Ms. Mendoza and passed unanimously.

- Rules Concerning the Registration for Military Service Members, Military Veterans, and Military Spouses (§297.10) (Tab 10)

Ms. Benz explained that the Board voted to propose the amendments to §297.10 during its August 1, 2017, meeting. The proposed amendments were published in the September 22, 2017, issue of the *Texas Register*, and no comments were received.

Ms. Benz directed the Board's attention to amendments to §297.10 and explained the amendments remove specific references to the Pharmacy Technician Certification Board.

Following discussion and review of the Preamble and Order Adopting Rules, the motion was made by Mr. Dembny to approve for adoption, by Board Order, amendments to §297.10, as presented. The motion was seconded by Ms. Tijerina and passed unanimously.

- Rules Concerning the Documentation of Generic Substitution (§309.6) (Tab 11)

Ms. Benz explained that the Board voted to propose the amendments to §309.6 during its August 1, 2017, meeting. The proposed amendments were published in the September 22, 2017, issue of the *Texas Register*, and no comments were received.

Ms. Benz directed the Board's attention to amendments §309.6 and explained that the amendments clarify the requirements for documenting substitution.

Following discussion and review of the Preamble and Order Adopting Rules, the motion was made by Ms. Yoakum to approve for adoption, by Board Order, amendments to §309.6, as presented. The motion was seconded by Mr. Miller and passed unanimously.

- Rules Concerning Licensing Fees (§§291.6, 295.5, and 297.4) (Tab 12)

Ms. Benz explained that the Board voted to propose the amendments to §§291.6, 295.5 and 297.4 during its August 1, 2017, meeting. The proposed amendments were published in the September 22, 2017, issue of the *Texas Register*, and no comments were received.

Ms. Benz directed the Board's attention to amendments to §§291.6, 295.5, and 297.4 and explained that the amendments will increase pharmacy and pharmacist licensing fees and pharmacy technician and pharmacy technician trainee registration fees based on expected expenses.

Following discussion and review of the Preambles and Orders Adopting Rules, the motion was made by Ms. Mendoza to approve for adoption, by Board Order, amendments to §§291.6, 295.5, and 297.4, as presented. The motion was seconded by Mr. Miller and passed unanimously.

Proposal of Rules

- Rules Concerning Licensing Requirements (§283.3) (Tab 13)

Ms. Benz directed the Board's attention to suggested amendments to rule language concerning licensing requirements. She explained the proposed amendments clarify the requirements for pharmacist licensure by removing a reference to good moral character.

Following discussion, the motion was made by Mr. Dembny to approve for proposal amendments to §283.3, as presented. The motion was seconded by Mr. Thornsburg and passed unanimously.

- Rules Concerning Fingertip Testing in Pharmacies Under Common Ownership, End Product Testing, and Certification of Primary Engineering Control Devices (§291.133) (Tab 14)

Ms. Benz directed the Board's attention to suggested amendments to rule language concerning fingertip testing, end product testing, and certification devices. She explained the proposed amendments modify the fingertip testing requirement to allow pharmacies under common ownership to conduct fingertip testing of personnel at only one of the pharmacies; would require that pharmacies engaged in compounding sterile preparations perform periodic end product testing of sterile preparation on at least a quarterly basis; and would clarify certification requirements of primary engineering controls to be consistent with USP 797 requirements and would add the requirement to include acceptance criteria on the reports and availability of these reports on inspection.

Ms. Benz directed the Board's attention to a letter received from Keisha Lovoi, R.Ph., concerning fingertip testing and common ownership proposed changes to §291.133.

President Waggener recognized Richard Cole Knutson, R.Ph., with Central Admixture Pharmacy Services, Inc., and Tammy Cohen, R.Ph., with the Texas Society of Health System Pharmacist (TSHP) who presented information concerning fingertip testing and end product testing of sterile preparations.

Following discussion and review of comments received, the Board directed staff to review rules concerning fingertip testing and end product testing and bring back suggested rule amendments to a future meeting.

- Rules Concerning the Duties of a Pharmacist in Charge of a Class G Pharmacy (§291.153) (Tab 15)

Ms. Benz directed the Board's attention to suggested amendments to rule language concerning pharmacists in charge. She explained the proposed amendments remove a reference to drug therapy management as a pharmacist duty in a Class G setting and correct grammatical errors.

Following discussion, the motion was made by Mr. Thornsburg to approve for proposal amendments to §291.153, as presented. The motion was seconded by Ms. Kedron and passed unanimously.

- Rules Concerning the Definition of Employment (§295.2) (Tab 16)

Ms. Benz directed the Board's attention to suggested amendments to rule language concerning change of employment. She explained the proposed amendments add a definition of the term employment.

Following discussion, the motion was made by Mr. Dembny to approve for proposal amendments to §295.2, as presented. The motion was seconded by Ms. Mendoza and passed unanimously.

- Rules Concerning Continuing Education Requirements for Pharmacists (§295.8) (Tab 17)

Ms. Benz directed the Board's attention to suggested amendments to rule language concerning pharmacist continuing education. She explained the proposed amendments add a requirement of one hour of continuing education on opioid abuse for pharmacist license renewal.

Following discussion, the motion was made by Ms. Mendoza to approve for proposal amendments to §295.8, as presented. The motion was seconded by Mr. Abeldt and passed unanimously.

- Rules Concerning Renewal Fees for Expired Pharmacy Technician Registrations (§297.3) (Tab 18)

Ms. Benz directed the Board's attention to suggested amendments to rule language concerning pharmacy technician registration renewal fees. She explained the proposed amendments create a schedule for the renewal of an expired pharmacy technician registration.

Following discussion, the motion was made by Ms. Kedron to approve for proposal amendments to §297.3, as presented. The motion was seconded by Ms. Stine and passed unanimously.

Rule Review

- For Proposal

Ms. Benz directed the Board's attention to the TSBP Rule Review Plan for FY2018-2021 (Tab 19)

- Chapter 291 Concerning Pharmacies (Nuclear Pharmacy (Class B)) (§§291.51-291.55) (Tab 20)
- Chapter 305 Concerning Educational Requirements (§§305.1-305.2) (Tab 21)
- Chapter 309 Concerning Generic Substitution (§§309.1-309.8) (Tab 22)

Following discussion, in accordance with Government Code §2001.039, the motion was made by Mr. Abeltd to approve for proposal as presented, the review of Chapter 291 (§§291.51-291.55); Chapter 305 (§§305.1-305.2); and Chapter 309 (§§309.1-309.8). The motion was seconded by Mr. Dembny passed unanimously.

E. Discussion of and Possible Action Concerning the Following Reports and Discussions

- Financial Update

- Consideration of Material Changes to Contracts for Goods and Services Awarded Under Chapter 2155 of Texas Government Code (Tab 24)

Following consideration, in accordance with Section §2155.088 of the Texas Government Code, the motion was made by Mr. Dembny to approve the material changes to the contracts for goods and services as reported. The motion was seconded by Ms. Yoakum and passed unanimously.

- Update on Internal Audit and Comptroller of Public Accounts Post-Payment Audit (Tab 25)

Ms. Stella reported that staff was currently reviewing agency activities in preparation for the FY2018 internal audit. She also reported that a post payment audit was currently being conducted by the Texas Comptroller's office.

President Waggener recessed the meeting at 10:15 a.m.

President Waggener reconvened the meeting at 10:30 a.m.

- Discussion Concerning TSBP FY2019-2023 Strategic Plan (Tab 29)

Ms. Benz reported that request for input for the TSBP FY2019-2013 Strategic Plan were mailed out in September, to Texas colleges of pharmacy; Texas pharmacy organizations; Texas public health officials; national pharmacy organizations; and consumer groups. She presented the responses that the agency has received from: the National Community Pharmacists Association (NCPA), the Accreditation Council for Pharmacy Education (ACPE); American Society of Health-System Pharmacist (ASHP); the American Association of Pharmacy Technicians (AAPT); and the National Associations of Chain Drug Stores (NACDS).

She explained that staff will review issues and present a summary to the Board at its February meeting and will then bring the completed Strategic Plan for approval by the Board at its May meeting.

- Discussion Concerning Dispensing Dangerous Drugs to Patients in Long Term Care Facilities (Tab 30)

Ms. Benz directed the Board's attention to a letter received from Karmen Foster, Pharm.D., Pharmacy Manager, M Chest Pharmacy and Jason Sutton, DPh., Director of Operations, M Chest Pharmacy concerning prescription drug orders in long-term care practice settings.

President Waggener recognized Ms. Foster, and Keri Lukert Krupp, R.Ph., Director of Clinical Operations MBSRx Pharmacy. They explained that current rules do not provide for the use of chart orders as valid prescriptions for dispensing drugs to patients in long term care facilities or in hospice programs.

Following discussion the Board directed staff to review rules concerning chart orders and bring back recommendations to a future Board meeting.

- Discussion Concerning the Use of Automated Checking Devices (Tab 31)

Mr. Wiesner presented information on the advances in automation and technology. He recommended allowing pharmacy technicians to do prescription refills using an automated system with a pharmacist's supervision.

President Waggener recognized Dennis McAllister with the Arizona Board of Pharmacy. Mr. McAllister stated that Arizona is currently reviewing rules concerning automation.

Following discussion the Board requested staff bring suggested rule language concerning the use of an automated system when doing refills.

D. Discussion of and Possible Action Concerning Reports of Committees/Task Forces

- Final Report by Baylor Scott & White Pharmacy on Pilot Project Concerning Automated Storage and Distribution Devices (Tab 23)

Ms. Benz explained that the Board had approved the Baylor Scott & White Pilot Project at the Board's August 2, 2016, business meeting.

President Waggener recognized John Wilson, R.Ph., and Tejas Patel, R.Ph., with Baylor Scott and White, and Daryle Johnson, with Asteres, Inc. Mr. Wilson presented a summary report on the six months the Pilot Project has been implemented.

Following discussion Mr. Wiesner moved to allow Baylor Scott and White to continue the pilot project. The motion was seconded by Mr. Dembny and passed unanimously.

E. Discussion of and Possible Action Concerning the Following Reports and Discussions (cont'd)

- Report on Implementation of ExCPT Exam (Tab 32)

Ms. Stella reported that TSBP has been accepting the ExCPT exam for pharmacy technician registration since the middle of August.

- Report on Agency Activities in Response to Hurricane Harvey (Tab 33)

Ms. Benz reported on agency activities in response to hurricane Harvey. She explained that the agency was prepared and had processes in place due to lessons learned from previous disasters.

- Report on Appeals from State Office of Administrative Hearings Cases and Other Court Actions (Tab 34)

Ms. Arnold presented information concerning the appeal of cases from the State Office of Administrative Hearing.

- Report on Prescription Monitoring Program (Tab 35)

Ms. Benz presented a report on the Prescription Monitoring Program activities for FY2017 (September 1, 2016 – August 31, 2017); and the minutes of the July 24, 2017, Interagency Work Group meeting.

- Update on Legislation Passed During the 85th Texas Legislative Session that have an Impact on TSBP and/or the Practice of Pharmacy (Tab 36)

Ms. Dodson directed the Board's attention to an action chart concerning legislation that was passed during the 85th Session of the Texas Legislature that has an impact on TSBP and/or the practice of pharmacy. The chart contains the bill number, action required of TSBP, the effective date of the bill, TSBP's internal deadline, and the current status of TSBP's implementation of the bill.

President Waggener recessed the meeting at 11:45 a.m.

President Waggener reconvened the meeting at 12:32 p.m.

C. Discussion of and Possible Action Regarding Rules (cont'd)

Final Adoption of Rules (cont'd)

- Rules Concerning Drug Use Review in Certain Rural Hospitals (§291.74) (Tab 05) and Rules Concerning Telepharmacies (§291.121) (Tab 06)

Ms. Benz explained that the Board reviewed the proposed amendments to §§291.74 and 291.121 earlier in the meeting and had directed staff to make revisions to the proposed amendments. She directed the Board's attention to the revised amendments concerning drug use review in certain rural hospitals and the revised amendments concerning telepharmacies.

Following discussion and review of the Preamble and Order Adopting Rules, the motion was made by Mr. Dembny to approve for adoption, by Board Order, amendments to §§291.74 and 291.121, as revised. The motion was seconded by Mr. Abeldt and passed unanimously.

F. Disciplinary Orders

- Consideration of Proposal for Decision (Tab 37)
 - No Proposals for Decision were presented.

Ms. Arnold directed the Board's attention to reports concerning disciplinary orders for pharmacy technicians and pharmacy technician trainees, pharmacies, interns, and pharmacists.

- Report on Agreed Board Orders Entered by Executive Director (Tab 38)
 - The Board reviewed 36 Agreed Board Orders concerning pharmacy technicians and pharmacy technician trainees that had been entered by the Executive Director on behalf of the Board, in accordance with the Board's directives, during the period from August 3, 2017, through October 19, 2017.

- The Board reviewed 15 Agreed Board Orders concerning pharmacies and pharmacists that had been entered by the Executive Director on behalf of the Board, in accordance with the Board's directives, during the period from August 9, 2017, through October 19, 2017.
- The Board reviewed one Confidential Agreed Board Order concerning a pharmacist that had been entered by the Executive Director on behalf of the Board, in accordance with the Board's directives, on August 7, 2017.
- Discussion of and Action on Proposed Agreed Board Orders and Proposed Default Board Orders (Tab 39)
 - The Board reviewed the alleged violations, as well as the recommended sanctions for each of the following: five proposed Agreed Board Orders concerning pharmacy technicians and pharmacy technician trainees who appeared for an Informal Conference; and seven proposed Default Board Orders concerning pharmacy technicians and pharmacy technician trainees who did not appear for an Informal Conference.

Agreed Board Orders (Technicians and Technician Trainees)
(Following an Informal Conference)

- | | |
|-------------------------|-----------------|
| 1. Alesha Grace Clayton | ABO #T-17-256 |
| 2. Kasey Layne Garcia | ABO #T-17-190-N |
| 3. Jacob Gerald Morgan | ABO #T-17-144-N |
| 4. Kimberly Vradenburg | ABO #T-17-191 |
| 5. Taz Jordan Watson | ABO #T-16-413-N |

Default Board Orders (Technicians and Technician Trainees)
(Did not appear for an Informal Conference)

- | | |
|---------------------------------|-----------------|
| 6. Tia Andrews | DBO #T-17-142 |
| 7. Baby Sweet Dawkins | DBO #T-17-236-N |
| 8. Zachary JD Hooker | DBO #T-17-161-N |
| 9. Jonathan K. Kleinschmidt | DBO #T-17-194 |
| 10. Priscilla Christelle Orosco | DBO #T-16-438 |
| 11. Johnny Perez | DBO #T-17-206 |
| 12. Pacasha Tatrice Rose | DBO #T-17-207 |

The motion was made by Ms. Stine to approve the following: five proposed Agreed Board Orders concerning pharmacy technicians and pharmacy technician trainees who appeared for an Informal Conference, and seven proposed Default Board Orders concerning pharmacy technicians and pharmacy technician trainees who did not appear for an Informal Conference.

The motion was seconded by Mr. Dembny and passed as follows.

Agreed Board Orders (Technicians and Technician Trainees)
(Following an Informal Conference)

1. 10-0-0
2. 10-0-0
3. 10-0-0
4. 10-0-0
5. 10-0-0

Default Board Orders (Technicians and Technician Trainees)
(Did not appear for an Informal Conference)

6. 10-0-0
7. 10-0-0
8. 10-0-0
9. 10-0-0
10. 10-0-0
11. 10-0-0
12. 10-0-0

- The Board reviewed the alleged violations, as well as the recommended sanctions for each of the following: 25 proposed Agreed Board Orders concerning pharmacies and pharmacists (Alternative Resolutions); two Temporary Suspension Orders following a Temporary Suspension Hearing; and 39 proposed Agreed Board Orders concerning pharmacies, pharmacists, and technicians who appeared for an Informal Conference.

Agreed Board Orders (Pharmacies, Pharmacists, and Technicians)
(Alternative Resolutions)

- | | |
|--------------------------------------|-----------------|
| 1. Acro Pharmaceutical Services, LLC | ABO #L-17-018-A |
| 2. Belmar Pharmacy | ABO #F-16-052 |
| 3. BriovaRx Infusion Services | ABO #K-17-026 |
| 4. CVS/pharmacy #1057 | ABO #H-16-072-B |
| 5. Tasha Rochelle Alaniz | ABO #H-16-072-A |
| 6. CVS/pharmacy #5799 | ABO #H-16-053-B |
| 7. CVS/pharmacy #5884 | ABO #C-17-021-B |
| 8. Tung Khoa Nguyen | ABO #C-17-021-A |
| 9. CVS/pharmacy #6965 | ABO #H-16-038-B |
| 10. Salahudding Alvi | ABO #H-16-038-A |
| 11. CVS/pharmacy #7475 | ABO #H-17-007-B |
| 12. CVS/pharmacy #10758 | ABO #K-17-022-B |
| 13. Haiyen Vo | ABO #K-17-022-A |
| 14. FMC Pharmacy Services | ABO #K-17-025 |
| 15. Kumi Frimpong | ABO #E-17-006 |
| 16. Joyce Ann Gilmore-James | ABO #E-16-014 |
| 17. H.E.B. Pharmacy #674 | ABO #H-16-061-B |
| 18. Hometown Drug | ABO #C-17-023-B |

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|---|-----------------|
| 19. Humble Pharmacy, Inc. | ABO #C-17-018-B |
| 20. Bhavesh Chandrakantbhai Bhatt | ABO #C-17-018-A |
| 21. I.T.C. Pharmacy | ABO #L-17-027 |
| 22. Marley Drug, Inc. | ABO #K-17-034 |
| 23. Rite-Away Pharmacy &
Medical Supply #2 | ABO #H-17-008-B |
| 24. Jitendra Bhalendrabhai Chaudhary | ABO #H-17-008-A |
| 25. Christian Lee Schwalm | ABO #E-16-013 |

Temporary Suspension Orders (Pharmacy and Pharmacist)

(Following a Temporary Suspension Hearing)

- | | |
|-------------------------|-------------------|
| 26. Health Fit Pharmacy | TSO #A-16-008-BS1 |
| 27. Jeremy Branch | TSO #A-16-008-AS1 |

Agreed Board Orders (Pharmacies, Pharmacists and Technicians)

(Following an Informal Conference)

- | | |
|---|-----------------|
| 28. Andre' Dion Brown | ABO #R-17-006 |
| 29. Civic Center Pharmacy | ABO #K-17-009 |
| 30. Chicha Kazembe Combs | ABO #R-17-004 |
| 31. Custom Rx Pharmacy and
Wellness Concepts | ABO #K-17-007 |
| 32. CVS/pharmacy #4777 | ABO #H-16-007-B |
| 33. Randy Braxton Bell | ABO #H-16-007-A |
| 34. CVS/pharmacy #6892 | ABO #C-17-009-B |
| 35. Timothy Christian Zalewski | ABO #C-17-009-A |
| 36. Joseph Mike Alcerreca | ABO #T-17-138 |
| 37. CVS/pharmacy #6895 | ABO #H-16-036-B |
| 38. Minh Khanh Therin | ABO #H-16-036-A |
| 39. CVS/pharmacy #7804 | ABO #B-15-018 |
| 40. CVS/pharmacy #7805 | ABO #H-16-063-B |
| 41. Amanda Chidimma Okafor | ABO #H-16-063-A |
| 42. CVS/pharmacy #8389 | ABO #H-16-070-B |
| 43. Lori Janette Mireles | ABO #H-16-070-A |
| 44. CVS/pharmacy #10140 | ABO #H-16-052-B |
| 45. Tri-Dung Le | ABO #H-16-052-A |
| 46. Briana Bachicha | ABO #J-17-005 |
| 47. Martha McFall Holman | ABO #H-16-048-A |
| 48. HST Pharmacy | ABO #K-17-032 |
| 49. Juan Fabian Lozano | ABO #A-16-030 |
| 50. Tope Kassim Mabifa | ABO #F-17-019 |
| 51. Douglas Massey | ABO #F-17-013 |
| 52. Ikenna Modebelu | ABO #H-16-037 |
| 53. Linus Azubuike Nwosu | ABO #R-17-003 |
| 54. Pharmacare | ABO #B-15-021 |
| 55. Kirti Ruxmohan | ABO #K-17-011 |
| 56. Manuel Velazquez | ABO #T-17-227 |

57. William Adams Stallknecht	ABO #M-18-001
58. Walgreens #4838	ABO #C-16-035-B
59. Lisa L. Hewitson	ABO #C-16-035-A
60. Kathleen Ann Bremer	ABO #C-17-031
61. Walgreens #7674	ABO #H-17-002
62. Walmart Pharmacy 10-746	ABO #H-17-001-B
63. Russ Eldon Lovejoy	ABO #H-17-001-A
64. Ragan Yvette Webster	ABO #M-17-015
65. Abeldt's Gaslight Pharmacy, Inc.	ABO #B-16-012-B
66. Buford T. Abeldt	ABO #B-16-012-A

The motion was made by Mr. Miller to approve the following: 25 proposed Agreed Board Orders (Alternative Resolutions) concerning pharmacies and pharmacists; and 39 proposed Agreed Board Orders concerning pharmacies, pharmacists, and technicians who appeared for an Informal Conference.

The motion was seconded by Ms. Kedron and passed as follows.

Agreed Board Orders (Pharmacies & Pharmacists)
(Alternative Resolutions)

1. 10-0-0
2. 10-0-0
3. 10-0-0
4. 10-0-0
5. 10-0-0
6. 10-0-0
7. 10-0-0
8. 10-0-0
9. 10-0-0
10. 10-0-0
11. 10-0-0
12. 10-0-0
13. 10-0-0
14. 10-0-0
15. 10-0-0
16. 10-0-0
17. 10-0-0
18. 10-0-0
19. 10-0-0
20. 10-0-0
21. 10-0-0
22. 10-0-0
23. 10-0-0
24. 10-0-0
25. 10-0-0

Agreed Board Orders (Pharmacies, Pharmacists and Technicians)
(Following an Informal Conference)

28. 9-0-1 Mr. Dembny abstained
 29. 9-0-1 Mr. Wiesner abstained
 30. 9-0-1 Mr. Dembny abstained
 31. 9-0-1 Mr. Dembny abstained
 32. 10-0-0
 33. 10-0-0
 34. 9-0-1 Mr. Dembny abstained
 35. 9-0-1 Mr. Dembny abstained
 36. 9-0-1 Mr. Dembny abstained
 37. 9-0-1 Mr. Dembny abstained
 38. 9-0-1 Mr. Dembny abstained
 39. 10-0-0
 40. 10-0-0
 41. 10-0-0
 42. 10-0-0
 43. 10-0-0
 44. 10-0-0
 45. 10-0-0
 46. 10-0-0
 47. 10-0-0
 48. 9-0-1 Mr. Dembny abstained
 49. 10-0-0
 50. 9-0-1 Mr. Miller abstained
 51. 9-0-1 Mr. Dembny abstained
 52. 9-0-1 Mr. Dembny abstained
 53. 9-0-1 Mr. Miller abstained
 54. 10-0-0
 55. 9-0-1 Mr. Dembny abstained
 56. 9-0-1 Mr. Dembny abstained
 57. 10-0-0
 58. 9-0-1 Mr. Dembny abstained
 59. 9-0-1 Mr. Dembny abstained
 60. 9-0-1 Mr. Dembny abstained
 61. 9-0-1 Mr. Dembny abstained
 62. 9-0-1 Mr. Dembny abstained
 63. 9-0-1 Mr. Dembny abstained
 64. 10-0-0
 65. 9-0-1 Mr. Abeldt abstained
 66. 9-0-1 Mr. Abeldt abstained
- Confidential Agreed Board Orders (Tab 40)
 - The Board reviewed the alleged violations, as well as the recommended sanctions for each of the following: one proposed Confidential Agreed Board Orders concerning a pharmacist (Alternative Resolution); seven proposed Confidential Agreed

Board Orders concerning pharmacists who appeared for an Informal Conference; and two proposed Confidential Default Board Orders concerning pharmacists who did not appear for an Informal Conference.

Confidential Agreed Board Orders (Pharmacists)
(Alternative Resolutions)

1. ABO #G-17-025

Confidential Agreed Board Orders (Pharmacist)
(Following an Informal Conference)

2. ABO #G-17-021
3. ABO #G-17-006
4. ABO #R-17-002
5. ABO #G-17-015
6. ABO #M-17-022
7. ABO #G-17-010
8. ABO #N-18-002

Confidential Default Board Orders (Pharmacists)
(Did not appear for Informal Conference)

9. DBO #G-17-019
10. DBO #G-17-011

The motion was made by Ms. Tijerina to approve the following: one proposed Confidential Agreed Board Order (Alternative Resolution); seven proposed Confidential Agreed Board Orders concerning pharmacists who appeared for an Informal Conference; and two proposed Confidential Default Board Orders concerning pharmacists who did not appear for an Informal Conference.

The motion was seconded by Ms. Stine and passed as follows:

Confidential Agreed Board Orders (Pharmacists)
(Alternative Resolutions)

1. 10-0-0

Confidential Agreed Board Orders (Pharmacists)
(Following an Informal Conference)

2. 10-0-0
3. 9-0-1 Mr. Dembny abstained
4. 10-0-0
5. 9-0-1 Mr. Dembny abstained
6. 9-0-1 Mr. Dembny abstained
7. 10-0-0
8. 10-0-0

Confidential Default Board Orders (Pharmacists)

(Did not appear for an Informal Conference)

9. 8-0-2 Mr. Wiesner and Mr. Dembny abstained
10. 9-0-1 Mr. Miller abstained

- Discussion of and Action on Proposed Remedial Plans (Tab 41)
 - The Board reviewed the alleged violations, as well as the recommended sanctions for each of the following five proposed Remedial Plans concerning pharmacists (Alternative Resolutions).

Remedial Plans (Pharmacists)

(Alternative Resolutions)

- | | |
|--------------------------------|-------------|
| 1. David Camacho | #H-16-061-A |
| 2. Chukwunwide Okechukwu Okeke | #H-17-007-A |
| 3. Justin Tai Pon | #H-17-005-A |
| 4. Craig David Tipton | #H-16-039-A |
| 5. Krishna Vijaya Vempaty | #H-16-053-A |

The motion was made by Mr. Thornsburg to approve the five proposed Remedial Plans concerning pharmacists (Alternative Resolutions).

The motion was seconded by Ms. Yoakum and passed as follows.

Remedial Plans (Pharmacists)

(Alternative Resolutions)

1. 10-0-0
2. 10-0-0
3. 10-0-0
4. 10-0-0
5. 10-0-0

G. Consideration of and Possible Action Concerning Enforcement Reports

- Report on Complaints Closed and Dismissed During the Previous Quarter (Tab 42)

The Board received a report on complaints dismissed and closed during the FY2017 (September 1, 2016 – August 31, 2017). The report also included quarterly averages for FY2016 as compared to FY2017, as well as percentage change from FY2016 to FY2017.

Ms. Fisher reviewed the report for the Board.


- Report on Status of Active/Pending Complaints (Tab 43)

The Board received the *Report on Status of Active/Pending Complaints*.


Ms. Fisher reviewed the report for the Board.

President Waggener adjourned the meeting at 1:10 p.m.

APPROVED:



Jeanne D. Waggener, R.Ph.
President



Allison Vordenbaumen Benz, R.Ph., M.S.
Executive Director/Secretary

February 6, 2018