

MINUTES

OKLAHOMA STATE BOARD OF PHARMACY

4545 N Lincoln Boulevard, Suite 112
Oklahoma City, OK 73105-3488

April 18, 2007

Call to order:

President Richards called the April 18, 2007 meeting of the Oklahoma State Board of Pharmacy (OSBP) to order at 8:20 a.m.

Those present were:

Board Members: Gordon Richards, President
 Diana Hampton, Vice-President
 Jim Spoon, Member
 Dorothy Gourley, Member
 John Lassiter, Member

*Mr. Osborn was unable to attend this meeting.

Board of Pharmacy: Bryan Potter, Executive Director
 Gary LaRue, Compliance Officer
 Cindy Hamilton, Compliance Officer
 Betty Beil, Compliance Officer
 Terry Bratt, Inspector

Guests: Rebecca Baugher, Cardinal Health Nuclear Pharmacy
 Ryan Walker, Walgreens
 Laura Petty, Walgreens
 Kevin Rich, OPHP
 Kim McKown, OPHP
 Sherrlyn Davis, OPHP
 Michael Sylvester, Intern
 Michelle Moss, Intern
 Several technician students from Platt College

Approval of minutes and claims:

Motion was made by Diana Hampton and seconded by John Lassiter to approve the February 21, 2007 minutes. Motion passed on roll call vote.

Motion was made by Jim Spoon and seconded by John Lassiter to approve claims #1459-#1506, H40717-H40721, H43277-H43281, February and March payroll and any accrued expenses of the Executive Director. Motion passed on roll call vote.

Cancellation of Pharmacies, Pharmacists, Technicians, and Facilities:

After a review of the February and March cancellation list of pharmacies, pharmacists, technicians and facilities, a motion was made by Jim Spoon and seconded by Diana Hampton to cancel the license of those that did not renew within the renewal time period. Motion passed on roll call vote.

Presentation to Terry Bratt:

President Richards presented Inspector Terry Bratt a pin for 5-years of service to the Oklahoma Board of Pharmacy.

President Richards makes a special presentation:

President Richards presented the Board with an engraved Centennial Gavel in celebration of the Oklahoma Centennial.

Duplicate certificate request approved:

Motion was made by Diana Hampton and seconded by Jim Spoon to approve the duplicate certificate request for Andrea Rene' Chbeir, D.Ph. #13280 and Kristin Anne Brown, D.Ph. #13869. Motion passed on roll call vote.

Board discusses request from technician, Margaret Johnson:

The Board discussed a letter from Margaret Johnson. She was requesting that she be allowed to renew her technician permit even though she was not currently working in a licensed pharmacy but for a pharmacy computer operation. The Board denied her request.

Board approves OPHP Contract:

A request was made by OPHP to renew the contract between OSBP and OPHP. Motion was made by Jim Spoon and seconded by John Lassiter to enter into a contract with OPHP for another year. Motion passed on roll call vote

Board discusses request from LouAnn Hughes for a special training area:

A request was made by LouAnn Hughes from OU College of Pharmacy to approve a special training area for rural hospital settings.

Motion was made by Jim Spoon and seconded by John Lassiter to approve the training area. Motion passed on roll call vote.

Board holds a discussion with Assistant Attorney General, Sherry Todd:

The Board went into Executive Session with Assistant Attorney General, Sherry Todd to discuss possible litigation in the pending case of Gary Nichols vs. State Board of Pharmacy.

Board interviews Reciprocity and Score Transfer applicants:

The Board met with 7 Reciprocity and 2 Score Transfer candidates. All were accepted upon passing the Oklahoma Law.

Reciprocity:

Dean Leon Arneson NE
Bobby Gene Dawson TX
Tamara Jo Kolacny CO
Nicole Janel Mouring..... TX
Walter L. Setmeyer TX
Donald J. Tillman IL
Brad S. Ulrich..... IL

Score Transfer:

Janet R. Pelzel..... TX
Jessica Suzanne Fox..... AR

Bobby Gene Dawson, a Reciprocity candidate from Texas, agreed to a motion made by Jim Spoon and seconded by Diana Hampton that upon going to work in Oklahoma, Mr. Dawson would notify the Board and would transfer from the Texas PRN program, enter into a contract with OPHP and his license would be placed on probation. Motion passed on roll call vote.

OSBP vs. Candie Nelson, Technician #959 – Case No. 810:

The Board was called to order to hear the case of Candie Nelson. Ms. Nelson chose to appear without Counsel. Assistant Attorney General, Brinda White prosecuted for the Board. Compliance Officer, Betty Beil, testified for the Board.

Ms. Nelson had stolen merchandise from her employer. Ms. Nelson stated that she thought that she had paid for the merchandise.

Motion was made by Dorothy Gourley and seconded by Diana Hampton that based on the clear and convincing evidence presented, Ms. Nelson be found guilty on all counts. Motion passed on roll call vote.

Motion was made by John Lassiter and seconded by Dorothy Gourley that the technician permit of Candie Nelson be revoked. Motion passed on roll call vote.

OSBP vs. Marisela Guerrero, Technician #9531 – Case No. 809:

President Richards called the Board to order to hear the case of Marisela Guerrero. Ms. Guerrero was not present but it had been determined that she had been properly notified. Assistant Attorney General, Brinda White prosecuted for the Board. Compliance Officer, Cindy Hamilton and Bethany Detective, Jack Jenks testified for the Board.

Ms. Guerrero had stolen large quantities of drugs from her employer and had given some to under-aged children and had traded some for marijuana.

Motion was made by John Lassiter and seconded by Diana Hampton that based on the clear and convincing evidence presented, Ms. Guerrero be found guilty on all counts. Motion passed on roll call vote.

Motion was made by Jim Spoon and seconded by Diana Hampton that the technician permit of Marisela Guerrero be revoked. Motion passed on roll call vote.

OSBP vs. Jeremy Sizemore, Technician #7488 – Case No. 805:

The Board was called to order to hear the case of Jeremy Sizemore.

Mr. Sizemore had falsified CDS prescriptions for a fictitious person and then stole the prescriptions.

The Board was presented with an Agreed Order for their approval. If accepted, Mr. Sizemore would agree to his technician permit being revoked.

Motion was made by Jim Spoon and seconded by Diana Hampton to accept the Agreed Order. Motion passed on roll call vote.

OSBP vs. Pamela Barron, Technician #8814 – Case No. 807:

President Richards called the Board to order to hear the case of Pamela Brown. Ms. Brown was not present but it was determined that she had been properly notified. Brinda White, Assistant Attorney General, prosecuted for the Board. Compliance Officer, Betty Beil, testified for the Board.

Ms. Brown had been fired for stealing CDS from the pharmacy where she was employed. Compliance Officer, Betty Beil testified that the pharmacy had suspected Ms. Brown of taking drugs from the pharmacy and had conducted an inventory at the beginning of the business day and at the end of the business day. They found the shortages on the days that the respondent worked.

Motion was made by Jim Spoon and seconded by John Lassiter that based on the clear and convincing evidence presented, Ms. Brown be found guilty on all counts. Motion passed on roll call vote.

Motion was made by Diana Hampton and seconded by Dorothy Gourley that the technician permit of Pamela Barron be revoked. Motion passed on roll call vote.

OSBP vs. Carla Dowd, Technician #9331 – Case No. 808:

The Board was called to order to hear the case of Carla Dowd. Ms. Dowd was not present but it had been determined that she had been properly notified. Brinda White, Assistant Attorney General prosecuted for the Board. Compliance Officer, Betty Beil, testified for the Board.

Ms. Dowd had been fired from the pharmacy where she worked after taking merchandise without paying for it.

Motion was made by Dorothy Gourley and seconded by Jim Spoon that based on the clear and convincing evidence presented, Ms. Dowd be found guilty on all counts. Motion passed on roll call vote.

Motion was made by John Lassiter and seconded by Dorothy Gourley that the technician permit of Carla Dowd be revoked. Motion passed on roll call vote.

OSBP vs. Adrianna Carrasco, Technician #10142 – Case No. 814:

President Richards called the Board to order to hear the case of Adrianna Carrasco. Ms. Carrasco was not present but it had been determined that she had been properly notified. Assistant Attorney General, Brinda White prosecuted for the Board. Compliance Officer, Betty Beil, testified for the Board.

Ms. Carrasco had tested positive for marijuana and methamphetamine on a drug screen performed by her employer. The employer reported her termination and the reasoning to the Board.

Motion was made by Diana Hampton and seconded by John Lassiter to find Adrianna Carrasco guilty as charged due to the clear and convincing evidence presented. Motion passed on roll call vote.

Motion was made by John Lassiter and seconded by Diana Hampton that the technician permit of Adrianna Carrasco be revoked. Motion passed on roll call vote.

OSBP vs. Alexis Ward, Technician #9059 – Case No. 811:

The case of Alexis Ward was continued until the next meeting.

OSBP vs. Gary W. Short, D.Ph. #7836 – Case No. 806:

The case of Gary W. Short was continued until the next meeting.

OSBP vs. Barry Craig, D.Ph. #11238 – Case No. 590-A:

The Board was called to order to hear the request of Barry Craig that his license be placed on probation. OPHP representative, Kim McKown testified that the evaluation showed that Mr. Craig was fit for duty and they recommended that he do his internship in an Oklahoma pharmacy. He was to be issued an intern license for a 1 year period in order to complete 6 months of internship. His preceptors are to report to the Board and at the completion of his internship his license will be placed on probation.

Motion was made by Jim Spoon and seconded by John Lassiter to put this plan in process. Motion passed on roll call vote.

Blake Dills request to re-take the NAPLEX:

Blake Dills appeared before the Board to request an intern license and to be allowed to re-take the NAPLEX after failing 3 times.

Motion was made by Jim Spoon and seconded by John Lassiter that Mr. Dills attain 500 hours of internship before being allowed to sit for the NAPLEX. Motion passed on roll call vote.

OSBP vs. Dennis Click, D.Ph. #7770 – Case No. 812:

It was determined that Dennis Click did not receive notice in a timely manner. The case was continued until the next meeting.

Board has a working lunch:

President Richards declared a working lunch. The Board reviewed a number of discussion items during lunch and discussed the planning meeting set for June 19 & 20 in Oklahoma City,

OSBP vs. Jerry Rulon, D.Ph. #11277 – Case No. 512:

President Richards called the Board to order to hear the request of Jerry Rulon. Mr. Rulon appeared before the Board to request that his probation on his license be lifted. OPHP representatives recommended that his request be granted. Mr. Rulon has an OPHP contract that will be in place until 2011.

Motion was made by Jim Spoon and seconded by Diana Hampton that the probation on

the license of Jerry Rulon be lifted. Motion passed on roll call vote.

Barbara Kessler of Bailey Medical Center appears before the Board:

Barbara Kessler, PIC of Bailey Medical Center in Tulsa and Terrell Moorehead, PIC of Oklahoma State University Medical Center also in Tulsa, appeared before the Board.

Bailey Medical Center is open from 7am to 9pm. OSU Medical Center is open 24 hours. Both are under the same ownership. Ms. Kessler and Mr. Moorehead asked the Board to approve after hours remote order entry and review for Bailey Medical Center by OSU Medical Center.

After the presentation by Ms. Kessler and Mr. Moorehead, a motion was made by Diana Hampton and seconded by Jim Spoon to approve their system for this process. Motion passed on roll call vote.

OSBP vs. Hoby Hawkins, D.Ph. #10460 – Case No. 512:

The case of Hoby Hawkins was continued until the next Board meeting.

Brandon Wiese of SeniorMed, LLC appears before Board to discuss AutoMed FastPak EXP:

Brandon Wiese of SeniorMed appeared before the Board to present his company's process of AutoMed FastPak EXP. This is an automated pharmacy process that dispenses in clear plastic strips, several medications together, to be given at certain times of the day in assisted living centers. The labeling and description of each medication is on each packet. They dispense a 14 day supply and send to the center. Each packet is labeled with the time to administer the dose.

Mr. Wiese answered questions from the Board. After a lengthy discussion, the Board tabled the matter to be reviewed later. The Board is looking to tour the pharmacy and also an assisted living center where the product is used.

President Richards gavelled the meeting closed at 3:30 p.m.