

MINUTES

OKLAHOMA STATE BOARD OF PHARMACY

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

June 8, 2005

Call to order:

President Jim Spoon called the June 8, 2005 meeting of the Oklahoma State Board of Pharmacy (OSBP) to order.

Those present were:

Board members: Jim Spoon, President
Bill Osborn, Vice-President
John Lassiter, Member
Gordon Richards, Member
Dr. Diana Hampton, Member
Jerry Allen, Member

Dorothy Gourley **

***Will be seated on the Board as of July 1, 2005*

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

Guest: Shauna Peterson, Walgreen's
Dr. Tom Dudley, Former Board Member
(Dr. Dudley had brought a cake for the Board members)

Approval of minutes and claims:

Motion was made by Bill Osborn and seconded by John Lassiter to approve the minutes of the April 20, 2005 minutes as amended. Motion passed on roll call vote.

Motion was made by John Lassiter and seconded by Gordon Richards to approve expense claims #703-#766, #H0002215-#H0002218, #H0003164-#H0003167, April and May payroll and the expense claims of the Executive Director. Motion passed on roll call vote.

Board sets dates for July and August Board meetings:

The Board set the July Board meeting for Wednesday, July 20, 2005 and the August Board meeting was set for Wednesday, August 17, 2005.

Cancellations of Pharmacist and Technicians:

After a review of the cancellation list for Pharmacist and Technicians, a motion was made by Bill Osborn and seconded by Jerry Allen to cancel those licenses that have not been renewed in April and May. Motion passed on roll call vote.

Duplicate certificate request approved:

Motion was made by John Lassiter and seconded by Jerry Allen to approve the duplicate D.Ph. certificate request for Diane Zachary, D.Ph. #12057 and Kristi S. Piowaty, D.Ph. #11321. Motion passed on roll call vote.

Board discusses a fax that was received by Jim Spoon:

A discussion was held regarding ProxyMed system for faxing prescriptions from the prescriber's office. A concern over the ability to easily forge these documents was discussed. It was decided that a discussion will be held with OBN at a later date.

Board discussed NAPLEX application for Meya Reda:

The Board reviewed the NAPLEX application from Meya Reda. Ms. Reda is a graduate from the Lebanese American University School of Pharmacy, which is an accredited School of Pharmacy. The discussion was as to whether or not the Board could accept Ms. Reda's intern hours that she had earned.

The Board directed Mr. Potter to contact ACPE and find out more about the program at the Lebanese American University School of Pharmacy. Once Mr. Potter has discussed the program with officials, and finds that it is approved, the Board would accept the application. (A copy of the discussion is attached.)

Board discusses letter from Dana Hutchinson requesting probation:

The Board discussed a letter from Dana Hutchinson requesting early probation. Motion was made by Bill Osborn and seconded by John Lassiter to deny the request. Motion passed on roll call vote.

OSBP vs. Nicole Bauer, Technician #8472, Case No 747:

The case of Nicole Bauer was continued until the next meeting.

OSBP vs. Julie A. Morgan, Technician #7497, Case No 746:

The case of Julie A. Morgan was continued until the next meeting.

Board visits with Reciprocity and Score Transfer applicants:

The Board interviewed 3 Reciprocities, 2 Score Transfer and 8 NAPLEX applicants. All were accepted upon passing the Oklahoma Law exam and the NAPLEX if necessary.

Reciprocities:

Scott Richard McKibbin..... KY
Rahmat Morshed Talukder ... NY
Leslie Ann Whelchel TX

Score Transfer:

Andrew L. Martin MO
Jody L. Rathbone MO

NAPLEX:

Teresa Atkins
Gwendolyn Bisek
Bradley Brown
Lisa Green
Travis Jacobs
Lesley Maloney
Kelly Russell
Tamarah Thompson

OSBP vs. Lisa Campbell, D.Ph. #11834, Case No 603B:

The case of Lisa Campbell was continued until the next meeting.

Sharon Shellabarger appeared before the Board about reinstatement requirements:

Sharon L. Shellabarger appeared before the Board to request reinstatement of her D.Ph. license. She had not renewed her license since 2001. The Board felt that because she had not practiced pharmacy for a number of years, she would need to license as a Graduate Intern and gain experience as an Intern. Motion was made by Bill Osborn and seconded by Jerry Allen to require Ms. Shellabarger to obtain 1000 hours of internship as an Intern. She will also need to attend a one-day law seminar and pass the Oklahoma Jurisprudence Exam prior to receiving her pharmacist license. Motion passed on roll call vote.

OSBP vs. Kristi Rachelle Bostwick, D.Ph. #12715, Case No 744:

President Spoon called the Board to order to hear the case of Kristi Rachelle Bostwick. Ms. Bostwick was present with Counsel, Garvin Isaacs. Grant Moak, Assistant Attorney General, presented the Board with a copy of the complaint and a possible Agreed Order.

Ms. Bostwick pled guilty to counts in the Complaint. She had obtained CDS by fraud and pled guilty to a felony count in District Court and received an 18 month deferred sentence. She had entered

into a 5-month treatment plan at COPAC in Mississippi and upon completion entered into a contract with OPHP.

The Agreed Order includes 10-year suspension of her license until June 8, 2015. She is to continue her contract with OPHP and attend an approved Law Seminar in 2005 and 2006 in addition to the required C.E. Ms. Bostwick may appear before the Board to request that her license be placed on probation after June 1, 2006.

Motion was made by John Lassiter and seconded by Gordon Richards to accept the Agreed Order. Motion passed on roll call vote.

OSBP vs. Jeffrey Stephen Yanchick, D.Ph. #11290, Case No 745:

The Board was called to order by President Spoon to hear the case of Jeffrey Stephen Yanchick. Mr. Yanchick was present without Counsel. Assistant Attorney General, Grant Moak, prosecuted for the Board. Members present were President Jim Spoon, Bill Osborn, Gordon Richards, Diana Hampton, John Lassiter and Jerry Allen.

Mr. Yanchick had relapsed and had agreed after counseling that he should go back for inpatient treatment. He entered treatment in Louisiana for several months.

After hearing testimony and evidence presented, a motion was made by Jerry Allen and seconded by Gordon Richards that based on the clear and convincing evidence presented, Mr. Yanchick be found guilty as charged. Motion passed on roll call vote.

Motion was made by John Lassiter and seconded by Gordon Richards that Mr. Yanchick's pharmacist license be placed on suspension indefinitely and that he must continue to maintain his contract with OPHP. Mr. Yanchick may request probation after June 8, 2008 and providing that the Board grants probation, the probation would include an agreement that Mr. Yanchick would not work as a "Dispensing Pharmacist." Motion passed on roll call vote.

Board recessed for lunch at 12:15 p.m.

OSBP vs. Darel Gene Collins, D.Ph. #9721, Case No 738

President Spoon called the Board to order to hear the case of Darel Gene Collins. Mr. Collins was present with Counsel Todd Tucker. Grant Moak, Assistant Attorney General, prosecuted for the Board. Those testifying included Compliance Officer, Cindy Hamilton, OPHP Executive Director, Tandi Reheis, Gloria Rex, Medical Review Officer for Compass Vision and Respondent, Darel Collins.

Mr. Collins was charged with violating his contract with OPHP by testing positive for Ethanol on a random drug screen. After hearing testimony and reviewing evidence that was presented, a motion was made by Gordon Richards and seconded by John Lassiter that based on clear and convincing evidence presented, Mr. Collins be found guilty as charged. Motion passed on roll call vote.

Motion was made by Bill Osborn and seconded by Diana Hampton that having found the Respondent guilty, Mr. Collins' pharmacist license be suspended for 31 months until February 7, 2008. The license would be placed on probation providing Mr. Collins enter into and abides by a contract with OPHP. Motion passed on roll call vote.

Board discusses salaries:

The Board discussed the need to raise the salary of the Executive Director. Based on recent legislation and the Pfizer Digest by NCPA, the Board agreed on a salary to begin July 1, 2005.

President Spoon comments.....

President Spoon thanked Jerry Allen for his years of service and indicated that he would be honored on June 23rd.

Board adjourned at 5:00 p.m.