

MINUTES

OKLAHOMA STATE BOARD OF PHARMACY

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

November 19, 2003

Call to order:

President Allen called the November 19, 2003 meeting of the Oklahoma State Board of Pharmacy (OSBP) to order at 8:00 a.m.

Those present were:

Board Members: Jerry Allen, President
Jim Spoon, Vice-President
Dr. Diana Hampton, Member
Janis McAllister, Member
William Earl Osborn, Member
Gordon Richards, Member

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

Approval of minutes and claims:

Motion was made by Jim Spoon and seconded by Diana Hampton to approve the October 15th 2003 minutes. Motion passed on roll call vote.

Motion was made by Gordon Richards and seconded by Jim Spoon to approve claims #134-#162 and #4009 & 4010 and the accrued expenses of the Executive Director. Motion passed on roll call vote.

Approval of reinstatement request:

Motion was made by Jim Spoon and seconded by Bill Osborn to approve the reinstatement of Mansur Oloumi, D.Ph. #10933, Ronald W. Wrestler, D.Ph. #8539, Samuel Neal Gardner, D.Ph. #8831 and Joe D. Leonard, D.Ph. #7795. Motion passed on roll call vote.

Board discusses e-mail from Brent Brenner:

Mr. Potter presented the Board with an e-mail concerning the sale of empty drug containers on E-bay. After a discussion by the Board, it was decided that it was not against the law and would be very hard to regulate.

Request from Mark Greenwald Enterprises regarding Pharmacy Trainer Program:

The discussion regarding an endorsement of a pharmacy technician-training program by Mark Greenwald Enterprises was tabled until the January 2004 meeting.

Board sets next Board meeting:

The Board set the next meeting for January 21, 2004.

Board discusses date for the Law Exam for the December graduates:

The Board directed Mr. Potter to set a date for the December graduates to take the law exam.

Board discusses DEA's proposed rule changes:

The Board discussed the proposed rules and comments on the DEA rules regarding automated dispensing CDS's in Long Term Care Facilities. Mr. Potter was directed to write comments for the Board.

Board meets with 6 Reciprocities and 1 NAPLEX candidate:

The Board interviewed 6 Reciprocity candidates and 1 NAPLEX candidate. All will be accepted upon passing the Oklahoma Law Exam.

Reciprocity:

Samuel Lee Brock	OR
Shala Leigh Cargill	TX
Lee Michell Farmer	LA
Brad Douglas Foster	NV
Brian Scott Kloos	TX
Benjamin Andrew Starr	GA

NAPLEX:

Mark Dimry

Kevin Rich appears before Board to introduce the new Executive Director of OPHP:

Kevin Rich and a number of OPHP members were present when Tandi Reheis, the new full time Director of OPHP and Kim McKown with Compass Vision were introduced to the Board. They reviewed the procedures for the testing of OPHP members with the Board.

OSBP vs. Shadd Warren Atchley, D.Ph. #11972, Case No. 594A - Revoke Probation:

The case of Shadd Warren Atchley was continued until the January meeting.

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

The case of Barry Craig was continued until the January meeting.

OSBP vs. G. Geoffrey Craig, D.Ph. #8755, Case No. 646-A - Revoke Probation:

President Allen called the Board to order to hear the case of Geoffrey Craig. Mr. Craig chose to appear without Counsel. Assistant Attorney General, Grant Moak prosecuted the case. Compliance Officer, Gary LaRue and OPHP Representative, Kevin Rich testified for the Board.

After hearing testimony and the information that was provided, a motion was made by Jim Spoon and seconded by Bill Osborn that based on the clear and convincing evidence presented, Mr. Craig be found guilty of the two charges presented in the Motion to Revoke Probation that was filed. Motion passed on roll call vote.

Motion was made by Diana Hampton and seconded by Bill Osborn to revoke the probation thereby placing Mr. Craig's license on suspension. Mr. Craig may request a stay of the suspension and have his license placed on probation after May 20, 2004, providing he abides by the original Agreed Order.

Mr. Craig indicated that he had suffered a stroke. The Board ordered that Mr. Craig obtain a neurological evaluation and that he must receive a satisfactory report before his license would be placed on probation. Motion passed on roll call vote.

President Allen reviewed the motions and tried to make sure that Mr. Craig understood what he was required to do.

OSBP vs. Stephen Nicholas, D.Ph. #11307, Case No. 643 - Requesting Probation:

Stephen Nicholas appeared before the Board to request probation of his license,

regarding Case No. 643. Mr. Nicholas was present and chose to appear without Counsel. OPHP Representative, Sam Leu and Compliance Officer, Cindy Hamilton testified on Mr. Nicholas's behalf.

After hearing the testimony from Mr. Leu and Ms. Hamilton, a motion was made by Jim Spoon and seconded by Janis McAllister to place the license of Stephen Nicholas on probation for the remaining period of his order. Motion passed on roll call vote.

The Board recessed for lunch.

OSBP vs. Genevieve Earley, D.Ph. #11243, Case No. 647-A - Revoke Probation:

The Board was called to order to hear the case of Genevieve Earley. Ms. Earley was present along with Counsel, Tom Riesen. Assistant Attorney General, Grant Moak presented the case.

An Agreed Order was presented to the Board for their approval. The Agreed Order states that the probation of the license would be revoked for a period of 90 days. A motion was made by Jim Spoon and seconded by Janis McAllister to accept the Agreed Order. Motion passed on roll call vote.

OSBP vs. Tamberlyn E. Herd, D.Ph. #11172, Case No. 508 - Requesting Probation be Lifted:

Tamberlyn Herd appeared before the Board to request that the sanctions against her license be lifted. OPHP Representatives, Kevin Rich and Lee McGoodwin testified on Ms. Herd's behalf.

Motion was made by Diana Hampton and seconded by Bill Osborn to remove the sanctions against Ms. Herd's license. Motion passed on roll call vote.

OSBP vs. DiGi Lorraine Bittle, D.Ph. #11846, Case No. 683:

The case of DiGi Bittle was continued until the January meeting.

OSBP vs. Kerry Keith Russi, D.Ph. #8723, Case No. 693:

President Allen called the Board to order to hear the case of Kerry Russi. Mr. Russi chose to appear without Counsel. Grant Moak, Assistant Attorney General, presented the case.

The Board was presented with an Agreed Order for their review. After reviewing the Order, a motion was made by Bill Osborn and seconded by Gordon Richards to accept the Agreed Order. Motion passed on roll call vote. Mr. Russi agrees to the following terms:

1. Respondents license is suspended for a period of ten years.
2. Respondent will enter into and abide by an OPHP contract.
3. Respondent may appear before the Board after July 1, 2004 to request probation providing that he is in full compliance of the terms of his OPHP contract and he provides proof of treatment for clinical depression and other provisions listed in the order.

OSBP vs. Kathleen Wedge, Technician #5584, Case No. 692:

The case of Kathleen Wedge was continued until the January meeting.

Board adjourned at 3:30 p.m.