

## MINUTES

### OKLAHOMA STATE BOARD OF PHARMACY

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

**November 30, 2005**

#### **Call to order:**

President Bill Osborn called the November 30, 2005 meeting of the Oklahoma State Board of Pharmacy (OSBP) to order at 8:10 a.m.

#### **Those present were:**

Board members: William Earl Osborn, President  
Gordon Richards, Jr., Vice-President  
James O. Spoon, Member  
Dorothy Gourley, Member

\*Dr. Diana Hampton was unable to attend this meeting  
\*John Lassiter was late due to a family emergency

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

Guests Shauna Peterson, Walgreens  
Mathew Bird, Intern for John Lassiter

#### **Approval of minutes and claims:**

Motion was made by Dorothy Gourley and seconded by Jim Spoon to approve the October 26, 2005 minutes. Motion passed on roll call vote.

Motion was made by Gordon Richards and seconded by Jim Spoon to approve the expense claims #919-#958, #H9071-#H9074, #H10136-#H10139 and August, October and November payroll. Motion passed on roll call vote.

#### **Cancellation of Pharmacists and Technicians:**

Motion was made by Jim Spoon and seconded by Dorothy Gourley to approve the cancellation list of pharmacists that did not renew by September 30, 2005 as required. Motion passed on roll call vote.

Motion was made by Jim Spoon and seconded by Dorothy Gourley to cancel the list of technicians that had not renewed by September 30, 2005 as required. Motion passed on roll call vote.

#### **Board discusses letter from Assistant Attorney General, Gay Tudor:**

The Board discussed a letter from Assistant Attorney General, Gay Tudor, regarding the assignment of Assistant Attorney General, Brinda White, to the Board. She will start her duties with the Board in January 2006.

There were 8 D.Ph. and 4 Technician complaints that were not completed in time to hear the cases at the November meeting. The letter indicated that the Board should contract for more time. The Assistant Attorney Generals contracts are for ¼ time or 10 hours per week. Mr. Potter had indicated that this had always been adequate in the past. The Board asked Mr. Potter to have Ms. White document her time.

**Board sets next Board meeting:**

The Board set the next two Board meetings for January 18, 2006 at 8:00 a.m. and March 8, 2006 at 8:00 a.m.

**Board meets with 4 Reciprocity and 1 NAPLEX candidates:**

The Board interviewed 4 Reciprocities and 1 NAPLEX candidate. All will be accepted after passing the necessary exams.

**Reciprocity:**

Simmie Lea Douthit .....MD  
Winter Joy Gibbs .....TX  
Jetahn Aby Kelley.....TX  
Jerald Andrew Lee .....MO

**NAPLEX:**

Denise P. Nguyen

**OSBP vs. George Hollander, D.Ph. #11391 - Case No. 758:**

The case of George Hollander was continued until the next Board meeting.

**OSBP vs. Pamela Lawrence, Technician, #994 - Case No. 759:**

Assistant Attorney General, Grant Moak, had an Opinion review and was unable to attend the meeting until 10:15 a.m. Upon his arrival President Osborn called the Board to order to hear the case of Pamela Lawrence.

Grant Moak prosecuted the case for the Board and Compliance Officer, Betty Beil, testified. Ms. Lawrence was not present but it had been determined that she had been properly notified of the hearing.

After testimony and the presentation of exhibits, a motion was made by Jim Spoon and seconded by Gordon Richards that based on the clear and convincing evidence that was presented, Ms. Lawrence be found guilty of 4 counts as charged, including the theft of CDS. Motion passed on roll call vote.

Motion was made by Jim Spoon and seconded by Dorothy Gourley that the technician permit of Pamela Lawrence be revoked. Motion passed on roll call vote.

**OSBP vs. Jeremy N. Sexton, Technician, #6755 - Case No. 762:**

The Board was called to order to hear the case of Jeremy Sexton. Assistant Attorney General, Grant Moak, prosecuted the case while Compliance Officer, Gary LaRue, testified for the Board.

After testimony and the presentation of evidence, a motion was made by Jim Spoon and seconded by Gordon Richards, that based on the clear and convincing evidence that was presented, Mr. Sexton be found guilty as charged which included the theft of over 9000 doses of CDS. Motion passed on roll call vote.

Motion was made by Gordon Richards and seconded by Dorothy Gourley to revoke the technician permit of Jeremy Sexton. Motion passed on roll call vote.

Mr. Lassiter joined the meeting at this time having been delayed by a family emergency.

**Board recessed for lunch**

**OSBP vs. Jerry Shadid, D.Ph. #8853 - Case No. 588 - Requesting probation be removed:**

The request of Jerry Shadid was continued until the next Board meeting.

**Board discusses upcoming meetings:**

The Board discussed the attendance of upcoming meetings. Gordon Richards will attend the NABP December 2005 meeting and Dorothy Gourley will attend the December 2005 ASHP meeting.

**Representatives of SWOSU College of Pharmacy meet with the Board:**

The Board was called to order by President Osborn to meet with SWOSU

Representatives, Dean Bergman and Dennis Thompson, to discuss their pro-practice program. They explained the different types of rotations and their locations. The Board will continue to approve 1500 intern hours for their students.

**OSBP vs. Phillip M. Perot, D.Ph. #9982 - Case No. 756:**

The Board was called to order to hear the case of Phillip Perot. Grant Moak, Assistant Attorney General, prosecuted the case and OPHP Executive Director, Tandi Reheis, testified. Mr Perot was present and chose to appear without Counsel.

Mr. Perot had appeared before the Board in January of 2004. He was found guilty of diverting CDS for his personal use and had fraudulently billed Medicaid. He was required to enter into a contract with OPHP, pay a fine of \$4500 and his license was suspended for 10 years. In Case No. 756, he is charged with failing to participate in a rehabilitation program with OPHP as required by his Final Order in Case No. 695 in January 2004.

After testimony by Tandi Reheis and Mr. Perot and the presentation of evidence, a motion was made by John Lassiter and seconded by Dorothy Gourley that Mr. Perot's license be suspended indefinitely. Before he can appear before the Board to request probation, he must show documentation of sobriety and compliance with his OPHP contract for a period of two years and pay the fine of \$4500.00. Motion passed on roll call vote.

**Board adjourned at 3:15 p.m.**