

# MINUTES

## OKLAHOMA STATE BOARD OF PHARMACY

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

November 15, 2006

### Call to order:

President Gordon Richards called the November 15, 2006 meeting of the Oklahoma State Board of Pharmacy (OSBP) to order at 8:00 a.m.

### Those present were:

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

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  
Laura Petty, Walgreens  
Ryan Walker, Walgreens  
Michelle Kifer, Walgreens  
Von Davis, Target  
John Rodden, Wal-Mart  
Joe Scuro, Intern

### Approval of minutes and claims:

Motion was made by John Lassiter and seconded by Dorothy Gourley to approve the September 20, 2006 minutes. Motion passed on roll call vote.

Motion was made by Diana Hampton and seconded by Bill Osborn to approve expense claims #1272-#1348, #H22157-#H22160, #H25979-#H25982 and the October payroll. Motion passed on roll call vote.

### Cancellation of Pharmacies, Facilities, Pharmacists and Technicians:

Motion was made by Bill Osborn and seconded by John Lassiter to approve the cancellation list of those pharmacies, facilities, pharmacists and technicians that expired on August 31, 2006 and September 30, 2006 and did not renew by the October or November cancellation date as required. Motion passed on roll call vote.

### Duplicate certificate requests approved:

Motion was made by Jim Spoon and seconded by Dorothy Gourley to approve the duplicate D.Ph. certificate request for Robin Charlton, D.Ph. #12682, Chanda Kay Jones, D.Ph. #13106 and Shelly Janet Stockton, D.Ph. #11194. Motion passed on roll call vote.

### Board discusses request from SWOSU for approval of 2 special training sites:

Motion was made by Jim Spoon and seconded by Dorothy Gourley to approve the request from SWOSU to have an administrative rotation with CVS and also a cardiac rotation at Heart Solutions of Oklahoma. Motion passed on roll call vote.

### Board discusses request from OU for approval of a special training site:

Motion was made by Bill Osborn and seconded by Diana Hampton to approve the request from OU to have a special training site at Allergy Laboratories, Inc. Motion passed on roll call vote.

### Board approves 2007 NAPLEX State Letter of Agreement:

Motion was made by John Lassiter and seconded by Diane Hampton to approve the 2007 NAPLEX State Letter of Agreement. Motion passed on roll call vote.

**Board discusses the possibility of Lobbyist funding:**

A discussion was held regarding the Board engaging the services of a Lobbyist. Assistant Attorney General, Brinda White had researched the legality for the Board to do this and found that it would be acceptable.

The Board directed Mr. Potter to pursue the retaining of a Lobbyist for the next session if possible.

**Board meets with 6 Reciprocity, 5 Score Transfer and 1 NAPLEX candidate:**

The Board interviewed 6 Reciprocity, 5 Score Transfer and 1 NAPLEX candidate. All will be accepted after passing the necessary exams.

**Reciprocity:**

David Paul Bilyea..... CO  
Clayton Clifford Herr ..... KS  
Jill Christine Irwin ..... CO  
Kevin Lillard Jones..... GA  
Amanda Larragoity..... PR  
Holly Jill Wieligman ..... TX

**Score Transfer:**

David Victor Donald ..... TN  
Alison Rae Hind ..... WA  
Tiffany Renae Miller..... KS  
Tran Nguyen ..... KS  
Aaron Kyle Williams..... AR

**NAPLEX:**

Rita Chanda

**The Board was recessed by President Richards for a 15 minute break.**

**Kim McKown of OPHP presents Annual Report:**

The Board was called to order to hear the annual report of OPHP. Kim McKown was introduced to the Board to present the OPHP Report. Kevin Rich, OPHP President, was also present. Ms. McKown answered questions by Board members and a discussion was held regarding the report. President Richards thanked Ms. McKown for the report.

**Bob Wolin of DaVita RX requests approval of delivery process:**

The Board was called to order to hear the request of DaVita Rx. Robert Wolin, Attorney Bill Hughson and Kathleen Burchin were present representing DaVita Rx. Mr. Wolin presented a request to enter into a pilot project to allow DaVita Rx to deliver filled prescriptions to their Dialysis Clinics in Oklahoma for patients receiving treatment. Mr. Hughson presented an overview of their patient population in Oklahoma which was around 1500 being treated in approximately 20 clinics. The clinics are staffed with a Medical Director, (Nephrologist) Nurses, Dietitian and Social Workers. The Board indicated that they would review the information and would give them an answer later.

The Board recessed for lunch. After lunch, President Richards called the Board back into session and continued with DaVita Rx. The Board discussed the issue of allowing the shipping of patient prescriptions to DaVita Rx clinics rather than to their homes as a "Pilot Project." Several Board members indicated that it appeared that possibly DaVita Rx was creating a problem that didn't necessarily exist in all of their locations. There was concern that the patients wouldn't understand that they had "freedom of choice" in having their prescriptions filled. There is also the possible problem of a continuous sales pitch to patients to use DaVita Rx by clinic employees as they have a captive audience.

Motion was made by Jim Spoon and seconded by Diana Hampton to allow DaVita Rx to start a Pilot Project allowing them to ship prescriptions to their clinics for the patient to pick up when they are there for treatments. This would be approved for one year with a report to the Board after 6 months.

In order for the project to start the process, the following would have to be addressed:

1. A statement would have to be signed by the patient to the effect that there is a patient need for this service and that a hardship would be created otherwise. (Those would have to be kept on file at the clinic)
2. A Policy and Procedure would have to be in place to the method of handling the prescriptions in the clinics.
3. A standing invitation to the Board inspectors to inspect the delivery process in the clinics in Oklahoma. A list of the clinics would be provided to the Board.
4. An approved Policy and Procedure for the disposition of drugs that are returned to DaVita Rx upon the patient's death or discontinuation of the drug. This should include the method of destruction and the company used to facilitate this.
5. Would need to have more attention and explanation to the patients of their "Freedom of Choice" to obtain their prescriptions.

The Board would require a comprehensive report to be presented to the Board after six months of the project. This would need to include information similar to the information presented to the Board at the November 15, 2006 meeting. Depending on the results of the report, the Board may extend the length of the project or stop the project in a determined reasonable amount of time. Motion passed on roll call vote.

**Tim Koch of Wal-Mart requests approval of Central Processing:**

President Richards called the Board to order to hear the request from Wal-Mart presented by Tim Koch. Mr. Koch presented a process for Central Processing. (a.k.a. Workload Balancing) A brief explanation was given explaining that a prescription would be dropped off at pharmacy A (a very busy pharmacy), and the prescription

would be scanned into their system. The information is sent to pharmacy B (a pharmacy that is not busy) and the staff at pharmacy B would do the data entry, DUR check and the pharmacist verification. All of the information is in a central data base and pharmacy A is notified that pharmacy B has completed the central processing. Then pharmacy A fills and verifies the prescription and counsels the patient.

Motion was made by Bill Osborn and seconded by Diana Hampton to approve Wal-Mart Central Processing plan from one in-state pharmacy to another in-state pharmacy only. Motion passed on roll call vote.

**President Richards adjourned the meeting at 3:15 p.m.**