

BOARD MEETING – June 14, 2006

Disciplinary Action

Kadarien Williams, Tech #9272 – Case 789: **Charges:** Theft of controlled dangerous substances; possession of a controlled dangerous substance (CDS) without a valid prescription; theft of merchandise; abusing alcohol or drugs, using an illegal CDS substance, and/or testing positive for such substance or its metabolite; and attempting diagnosis or treatment that is the legally constituted right or obligation of any practitioner of the healing arts. **Permit revoked.**

Demitria Rice, Tech #7296 – Case 790: **Charges:** Theft of controlled dangerous substances; possession of a controlled dangerous substance (CDS) without a valid prescription; and theft of merchandise. **Permit revoked.**

The Board took action in two (2) impaired cases: **Case 744 – D.Ph. #12715**, respondent's pharmacist license was placed on probation for the remaining period of her suspension. She shall maintain her contract with Oklahoma Pharmacists Helping Pharmacists (OPHP); **Case 770 – D.Ph. #10013**, on March 8, 2006, respondent was given sixty (60) days to become compliant with his OPHP contract. Respondent may go back to work after the successful completion of the OPHP requirement of a back to work evaluation. He shall maintain his contract with OPHP.

BOARD MEETING – July 19, 2006

Disciplinary Action

Rita L. Jones, Tech #5115 – Case 791: **Charges:** Possession of a controlled dangerous substance (CDS) without a valid prescription and abusing alcohol or drugs, using an illegal CDS substance, and/or testing positive for such substance or its metabolite. **Permit revoked.**

Tiffany L. Taylor, Tech #7221 – Case 794: **Charges:** Possession of a controlled dangerous substance (CDS) without a valid prescription and theft of merchandise. **Permit revoked.**

The Board took action in three (3) impaired cases: **Case 589 – D.Ph. #12564**, the suspension and probation of respondent's pharmacist license have been removed, provided that respondent successfully competes the recommendations of the OPHP transition program; **Case 758 – D.Ph. #11391**, respondent's pharmacist license was placed on probation provided that he successfully completes a "fitness for duty" evaluation by OPHP. He is required to have an on-site monitor at his workplace and shall continue his contract with OPHP; **Case 795 – D.Ph. #13230**, respondent's pharmacist license was suspended for ten (10) years until July 19, 2016. He must enter into and abide by a ten-year contract with OPHP. He may appear before the Board to request probation after he has completed a period of eighteen (18) months in continued compliance of his OPHP contract.

BOARD MEETING – August 16, 2006

Disciplinary Action

Heath E. Eaves, Tech #9412 – Case 797: **Charges:** Possession of a controlled dangerous substance (CDS) without a valid prescription; knowingly or intentionally distributing a CDS; acquiring or obtaining possession of a CDS by misrepresentation, fraud, forgery, deception or subterfuge; and theft of merchandise. **Permit revoked.**

Kevin Yeats, Tech #8719 – Case 798: **Charges:** Theft of merchandise. **Permit revoked.**

Walgreen's No. 3018, #2-3827 – Case 796: **Charges:** Receiving two or more warning notices within a twelve-month period. **\$1,000 Fine and must provide "In-Service Type" review of Oklahoma pharmacy law regarding tech, intern & substitution laws to**

pharmacists and techs. Attendance must be documented.

The Board took action in one (1) impaired case: **Case 792 – D.Ph. #11408**, respondent’s pharmacist license was suspended for a period of twenty (20) years until August 16, 2026. He must enter into and abide by a contract with OPHP and must complete one (1) year of sobriety and compliance with his OPHP contract before OPHP can initiate a request to the Board for probation. If probation is granted, respondent will be required to license and work as an Intern for a period of not less than six (6) months after passing the Oklahoma Law Exam.

FROM THE INSPECTORS:

- **PSE Training:** As of September 30th, retailers must train their employees on the new PSE restrictions using DEA materials. Go to:
www.deadiversion.usdoj.gov/meth/trg_retail_081106.pdf.
- **Reporting PSE sales:** Reporting PSE sales via the Oklahoma Bureau of Narcotics’ (OBN) website goes into effect on October 1st. If you are unable to comply with this requirement, please contact OBN. Please report the total number of grams sold (not milligrams).
- **Pseudoephedrine (PSE) Inventory:** OBN has notified us that pharmacies MUST inventory OTC Pseudoephedrine products when they conduct their annual CDS inventory.
- **Generic substitution:** Generic substitution must be approved by the prescriber or the purchaser.
- **Hospice Nurses:** Hospice nurses are not agents of the physician. If a hospice nurse phones in a prescription, that prescription needs to be verified with the doctor.
- **PA’s and ARNP’s:** PA’s and ARNP’s must be licensed in Oklahoma and

supervised by a physician licensed in Oklahoma. Pharmacies located in border towns particularly need to take note of this. Prescribing limits for PA's and ARNP's can be found in Appendix E of your Oklahoma Pharmacy Law Book.

- **Prescription Monitoring Program (PMP):** Regarding the submission of CII, and CIII-V, OBN has asked us to remind pharmacies that they must have a letter from the OBN director granting permission to file in paper format. Identification numbers must be submitted with CII prescriptions but the I.D. number is not being enforced for CIII-V prescriptions at this time. If you are already obtaining this information, continue to do so because it will be enforced at a later date. Also, please report number of tablets or milliliters (if liquid) for the "quantity dispensed" field.
- **Inspection deficiencies:** The most commonly found deficiencies during inspections are lack of technician training documentation and failure to SIGN logbooks or nightly logs on a DAILY basis.

BIG CHANGE IN PHARMACY RENEWAL FORMS COMING!

Beginning December 1, 2006, the Board will require pharmacies renewing for the 2007-2008 period to complete a new comprehensive renewal application that will replace the current 1 page renewal form. The new form is several pages long and will require the notarized signature of an owner or managing officer. After the 2007-2008 renewal period, the Board will return to a more simple, condensed renewal form.

PHARMACY CHANGE OF OWNERSHIP

OAC 535:25-3-7 requires that the new owner of a pharmacy obtain a new pharmacy license if a pharmacy changes ownership. A change of ownership occurs when:

- the original owner(s) transfers 20% or more of the ownership of the pharmacy to another owner;
- a change of 20% or more of the ownership of the business entity owning the pharmacy occurs (for example, when the corporation owning the pharmacy sells 20% or more of the stock); or
- a change of ownership form occurs (for example, from a sole proprietor ownership to a partnership, limited liability company or corporation).

Any ownership change not reported as a change of ownership because it involves a transfer of less than 20% of the ownership of the pharmacy must be reported at the next renewal of the pharmacy's license.

NOTE: For publicly traded corporations, a routine sale of stock is not a change of ownership.

REMINDER

Board rules require that all registrants (pharmacists, technicians and interns) notify the Board in writing within ten (10) days of a change of address or employment. Also, pharmacist licenses and technician permits are now renewed according to birth month. If you do not receive a renewal prior to expiration, it is your responsibility to contact the Board. It is crucial that we have your current correct address on file at the Board.

OKLAHOMA PHARMACISTS HELPING PHARMACISTS

If you or a pharmacist you care about is suffering from chemical dependency, there is a solution. Oklahoma Pharmacists Helping Pharmacists (OPHP) is readily available for help. Pharmacists in Oklahoma, Texas and Louisiana may call the OPHP Help-Line at 1-800-260-7574 ext. 5. All calls are confidential.

LET US HEAR FROM YOU

The Board welcomes your comments and questions. You may mail them to the Oklahoma State Board of Pharmacy, 4545 Lincoln Blvd, Ste 112, Oklahoma City, OK 73105, fax us at 405-521-3758 or e-mail us at pharmacy@pharmacy.ok.gov. Visit our website at <http://www.pharmacy.ok.gov>.