

## **APRIL 1999 NEWSLETTER**

### **OBRA '90 REVISITED**

Almost a decade has passed since the enactment of the Federal law requiring pharmacists to offer counseling to Medicaid patients when they have their prescriptions filled. In 1992, the Board traveled around the state conducting open hearings to inform Oklahoma pharmacists about OBRA '90 and the rules that the Board was enacting to be in compliance with the Federal law.

In late February, 1999, an Oklahoma City television station conducted a hidden camera investigation of ten Oklahoma City area pharmacies. A Medicaid patient presented a Coumadin prescription at each pharmacy. It has been alleged that six of the ten pharmacies did not offer counseling services. As a result of this investigative report, Governor Keating has directed the Board to conduct an investigation of this matter and report back to him any and all evidence of the failure of pharmacies to follow the Federal guidelines.

The Board would remind all pharmacies and pharmacists that counseling services are an important component of pharmaceutical care and that providing patients focused care is a very desirable goal. - *The Editor*

### **BOARD RESOLUTION ADOPTED FOR J.C. COBB**

WHEREAS, the members of the Oklahoma Board of Pharmacy are saddened by the death of J.C. Cobb, a former Board member and Secretary of the Board;

WHEREAS, J.C. Cobb made significant contributions to the Board, the State of Oklahoma, the profession of pharmacy and to the protection of public health and safety;

NOW THEREFORE, be it resolved that the Board formally acknowledges the leadership and contributions made by J.C. Cobb.

### **BOARD MEETING - January 27, 1999**

#### **Declaratory Ruling**

A request was made by Virgil Van Dusen, R.Ph., regarding the date of original prescription on a prescription transfer. The Board ruling was as follows: "The date of the original prescription is the date the prescriber issues the prescription. Therefore, on a transfer of a prescription this date would apply."

#### **Reciprocities and Score Transfers**

The following reciprocities and score transfers were accepted into Oklahoma after successfully completing the Jurisprudence Exam: Guy B. Massey (TX), #12504; Jennifer Ruth Croft (AR), #12505; Maria Lynn Davis (OH), #12506; Naomi Nmano Elliott (KS), #12507; Joseph Charles Nemcok (MI), #12508; Phuong-Thao Thi Pham (TX), #12509; Kelly Swensgard (OH), #12510.

#### **Disciplinary Action**

R.Ph. #11621 - Case 532

Respondent was found guilty of two counts of misfilling prescriptions.

Count I - Filling a prescription for Synthroid 0.15 mg with Alprazolam 1 mg

Count II - Filling a prescription for Ethex 023 capsules with Ethex 022 capsules

A letter of reprimand was placed in his file for a period of one year.

R.Ph. #11845 - Case 533

Respondent was found guilty of two counts of misfilling prescriptions.

Count I - Filling a prescription for Cycloenaprine 10 mg at bedtime, up to 3 times daily. The label read: Take 1 tablet daily at bedtime and take 2 tablets 3 times daily.

Count II - Filling and then refilling once, a prescription for Quinidine with Quinine 5 g.

A letter of reprimand was placed in her file for a period of one year.

R.Ph. #8905 - Case 534

The respondent was found guilty of five (5) counts of violation of the Oklahoma Pharmacy Act. All five counts related to refilling prescriptions for three (3) different patients without authorization of the prescribing physician.

His pharmacist license was suspended for a period of three (3) years until January, 2002, and all of the suspension was placed on probation. He was also fined a total of \$1,250.00 and agreed to attend a one day Law Seminar for the next three (3) years in addition to the required 15 hours of CE.

**Recognition Luncheon**

Members of the Board, OPhA, OPHP, PPOK and friends attended a luncheon to recognize three individuals for their service to the Board. Each received certificates and awards and a commendation from Governor Keating:

**Jerry Koester** for 12 years of service as Chief Inspector. Jerry is now employed by Walgreen's.

**Gretchen Zumwalt** for her service to the Board as an Assistant Attorney General. Gretchen has entered into private law practice.

**Susan Dozal** for 10 years of service for the State of Oklahoma, with 8 of those years for the Board of Pharmacy. Susan was presented a 10 year service pin by President Jerry Allen and will continue her duties with the Board.

Congratulations to all three and thanks for your devoted service to the people of Oklahoma!

**BOARD MEETING - February 24, 1999****Reciprocities and Score Transfers**

The following reciprocity was accepted into Oklahoma after successfully completing the Jurisprudence Exam: Charla Rue Bohnert (TX), #12524.

**Disciplinary Action**R.Ph. #7641 - Case 531

Respondent received two warning notices in one year and was found guilty of two (2) counts of violation of the Oklahoma Pharmacy Act.

Count I - Filling a prescription for Nitro Dur 0.4 mg/hr with 0.2 mg/hr

Count II - Increasing a refill quantity without the permission of the physician

A letter of reprimand was placed in his file for a period of one year. He further agreed to attend a one-day Law Seminar in 1999 in addition to the required 15 CE hours.

R.Ph. #9934 - Case 431

Respondent appeared before the Board to request that the current suspension/probation of his license be removed regarding Case 431.

The Board removed the suspension/probation of his license provided that his license was placed in Inactive status. He further agreed to work 500 intern hours within a six month period prior to activating his license.

R.Ph. #11708 - Case 536

Respondent was found guilty of two (2) counts of violation of the Oklahoma Pharmacy Act for the unlawful possession of a controlled dangerous substance.

His pharmacist license was suspended for a period of ten (10) years until February, 2009. The suspension will be placed on probation under the condition that he successfully completes an inpatient impaired program and enters into an agreement with Oklahoma Pharmacists Helping Pharmacists. He further agreed to attend a one day Law Seminar in 1999 and 2000 in addition to the required 15 hours of CE.

**TECHNICIAN PERMITS CANCELED**

Technician permits, which failed to be renewed, were cancelled on March 8, 1999. A pharmacy technician may not work in the state of Oklahoma without a current permit. Please check your technician's permit for a current expiration date of 01/31/2000.

**RENEWAL REMINDER!**

Renewal notices will be mailed **April 30, 1999**. If you do not receive your renewal notice because you have moved or for any other reason, you are still subject to the penalty fee. Protect your license and give it the care that it deserves.

### **VISIT THE BOARD ON THE WEB!**

You may now visit the Board at our new web site. We can be found on the Oklahoma Home Page at [www.state.ok.us](http://www.state.ok.us) under the Oklahoma State Agency Directory - Public Safety. If you wish to send e-mail our address is [pharmacy@oklaosf.state.ok.us](mailto:pharmacy@oklaosf.state.ok.us).

***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. Call the OPHP Help-Line 1-800-260-7574 ext. 5. All calls are confidential.***