

MINUTES

OKLAHOMA STATE BOARD OF PHARMACY

2920 N Lincoln Boulevard, Suite A
Oklahoma City, OK 73105

January 25, 2017

Call to order:

President Wilson called the January 25, 2017 meeting of the Oklahoma State Board of Pharmacy (OSBP) to order at 8:34 a.m. with a roll call vote. All members were present.

Those present were:

Board Members:

Justin Wilson, President
Kyle Whitehead, Vice-President
Greg Adams, Member
Mark St.Cyr, Member
Jim Spoon, Member
Stephen Dudley, Member

Board of Pharmacy:

Cindy Fain, Chief Compliance Officer and Acting Executive Director
Gary LaRue, Senior Compliance Officer
Betty Beil, Senior Compliance Officer
Chelsea Church, Compliance Officer
Melissa Reichert, Compliance Officer
Marty Hendrick, Compliance Officer
Brinda White, Assistant Attorney General
Rhonda Jenkins, Executive Secretary

Guests:

Ryan Walker, Walgreens
Derek Dennis, Walgreens
Lynn Stover, Walgreens
Robyn Janaway, Wal-Mart
Eric Frikken, Wal-Mart
Scott Miller, Wal-Mart
Nancy T. Williams, SWOSU College of Pharmacy
Edna Patatanian, SWOSU College of Pharmacy
Terry Cothran, OU College of Pharmacy
Jill Shadid, OU College of Pharmacy
Travis Tate, HealthChoice
Becca Segrest, Cardinal Health NPS
Debra Billingsley, OPHA
Davie Owen, Intern
Vonya Streetz, Intern

Approval of minutes and claims:

Motion was made by Dr. Kyle Whitehead and seconded by Dr. Greg Adams to approve the November 2, 2016 minutes; expense claims #5761-5835, #H0347857-#H0347861, and #H0349939-#H0349943; November, December and January payroll; and any expenses of the Acting Executive Director. Motion passed on roll call vote.

Motion was made by Stephen Dudley and seconded by Dr. Jim Spoon to approve the November and December 2016 leave reports of the Executive Director and Acting Executive Director. Motion passed on roll call vote.

Cancellation of Pharmacists, Pharmacies, Facilities, and Technicians:

After a review of the cancellation lists presented, a motion was made by Stephen Dudley and seconded by Dr. Kyle Whitehead to approve the cancellation lists of those that did not renew within the renewal time period. Motion passed on roll call vote.

Board approves designation of Dr. John A. Foust as Executive Director Emeritus and also recognizes dedication plaque:

A motion was made by Dr. Jim Spoon and seconded by Stephen Dudley to appoint Dr. John A. Foust as Executive Director Emeritus. Motion passed on roll call vote. The Board also acknowledged the dedication plaque that was commissioned in honor of Dr. John A. Foust and is displayed outside the Board room.

Board reviews approved Continuing Education (CE) programs:

The Board reviewed the 4th quarter list of CE programs that had been submitted and approved by the CE Committee in December 2016.

Motion was made by Stephen Dudley and seconded by Dr. Mark St. Cyr to accept the approved list of CE programs that had been submitted. Motion passed on roll call vote.

National Association of Boards of Pharmacy Meeting (NABP):

The Board discussed the appointment of the official voting representative and alternate for the upcoming NABP meeting that will be held in Orlando, FL on May 20-23, 2017.

Motion was made by Dr. Greg Adams and seconded by Dr. Jim Spoon to appoint Board Member Stephen Dudley as the official voting delegate and Acting Executive Director Cindy Fain as the alternate voting delegate to represent the Oklahoma Board of Pharmacy. Motion passed on roll call vote.

Board reviews Governor's Executive Order:

Assistant Attorney General Brinda White reported that there has been a Governor's Executive Order 2016-39 issued. She stated that there has been a task force formed to review occupational licensing and evaluate whether the Board's requirements are too restrictive and place barriers to workforce entry. She also noted that SB109 has proposed that certain Boards cannot consider felonies over ten years old unless they continue to pose a reasonable threat to public safety.

Board sets future Board meeting:

The Board set the next two Board meeting dates for Wednesday, May 3rd, 2017 and Wednesday, June 28, 2017.

Executive Director gives Agency report:

Building Report:

Acting Executive Director Cindy Fain reported that the back walkway of the building is complete and that they are going to start installing stone for erosion control. We have ordered more outdoor tables and benches. We have asked for an estimate for a covered parkway with solar panels even though we may not be able to start this process until the 2018-2019 fiscal year.

We have a bid for surveillance for the building. It includes multiple types of cameras around the exterior, including infrared cameras on the west side of the building due to low lighting and two cameras in the interior hallway to capture the front and back entryways. The server will be housed at the Board and can store more than 30 days of data at a time. There

will be no software or maintenance fees.

A brief discussion was held on the security system. A motion was made by Stephen Dudley and seconded by Dr. Jim Spoon to approve going forward with the security system. Motion passed on roll call vote.

NABP Interactive Member Forum Meeting:

Acting Director Fain noted that the NABP Interactive Member Forum Meeting was held in Chicago, IL from November 30, 2016 through December 1, 2016. Board President Dr. Justin Wilson attended. Dr. Wilson gave a brief report.

NABP Annual Meeting:

Acting Director Fain reminded the Board that the NABP Annual Meeting will be held May 20-23, 2017 in Orlando, FL. The Board appointed Board Member Stephen Dudley and Acting Executive Director Cindy Fain to attend as voting delegates and representatives of the Board. Dr. Fain also stated that she would be interested in setting up a booth at the luncheon promoting the revised version of "Road to Nowhere II".

APHA Annual Meeting:

Acting Director Fain noted that the APHA Annual Meeting will be held March 24-27, 2017 in San Francisco, CA. She also noted that this has been designated as a mission critical meeting. The Board appointed the Acting Director Cindy Fain to attend this meeting as the representative for the Board.

Blueprint Inspection State:

Acting Director Fain reported that NABP has sent a contract to the Boards of Pharmacy interested in participating in using the Blueprint Inspection. The Acting Director stated that for any sterile compounding pharmacies that ship across state lines we would agree to: 1) Either utilize the Universal Inspection Form or cross-walk our form to match theirs; 2) Have our compliance officers (COs) trained to NABP standards; 3) Have COs participate in annual webinar training at no cost; 4) Inspect no less than every 18 months; and 5) Share our inspection reports with NABP.

After a brief discussion by the Board and the determination that the Board of Pharmacy does not have to submit the contract at this time, it was determined that the Board would not take any action at this point and that they would re-visit the topic at a later time.

Compliance Officer Chelsea Church suggested that maybe the Board would allow the staff to submit the Board of Pharmacy inspection form to NABP to be cross-walked. The Board agreed to see if we can get possible approval to use our inspection form.

TALKOM² Conference April 11-12, 2017:

Acting Director Fain noted that the 2017 TALKOM² Conference has been scheduled for April 11 & 12 here at the Board office. She stated that eight different Boards have been invited. Heath Crosby has been scheduled to give the training session on USP 800 guidelines the afternoon of the 11th and a general discussion will be held on the 12th.

Pilot Programs:

Acting Director Fain reported that after reviewing the list of pilot programs, it was determined that 4 will be resolved when the Board forms a "Comingling/Automation" Committee next year; 4 were actually training programs that should be filed under CE programs; and 3 should be resolved with the Legislative changes in 2017. There is only 1 "pilot program" which is actually a violation of a statute and will need to be discussed further at a later date.

P-4 Students:

Acting Director Fain noted that there are students from both the University of Oklahoma

and Southwestern Oklahoma State University Colleges of Pharmacy attending the Board meeting. All students will attend a Board meeting during their final year of college.

Senate Select Committee:

Acting Director Fain reported that she had answered a detailed questionnaire and appeared before a Senate Select Committee on January 23rd. The committee was interested in how our Board fees compare to states around us, how we obtain our funding, and how budget cuts have affected our agency.

Acting Director Fain reported to the committee how the agency accomplishes their mission of protecting the public by giving an overview of our services, including the provision of free continuing education to registrants, inspection of facilities on a regular basis with fully trained pharmacist compliance officers, and investigation of complaints from the public.

Steve Pryor, D.Ph. appears before the Board to request approval for the use of Rx Safe comingled packaging system for retail customers in Oklahoma:

Steve Pryor appeared before the Board to ask for approval to use the Rx Safe comingled packaging system for retail customers in Oklahoma. Rx Safe Representatives CEO William Holmes and Salesman Daniel Haesmann were present with Dr. Pryor.

RX ASP 20 holds up to 20 RFID identified canisters. Medication doses are packaged in sequence of the patient taking the medications, with variable amounts of medications per package in variable pouch sizes. A computer monitor will pull up patient's doses. All medications are verified per barcode and a pharmacist must review each package.

Motion was made by Dr. Greg Adams and seconded by Stephen Dudley to approve the packaging as per comingling guidelines. Motion passed on roll call vote with Dr. Jim Spoon abstaining and Dr. Mark St. Cyr voting "No".

Discussion of Continuing Education(CE) requirement for "Reducing Prescription Drug Abuse in Oklahoma" and the possibility of payment for pharmacists to receive CE:

Assistant Attorney General Brinda White presented the Board with a plan to work with the Oklahoma Department of Mental Health and Substance Abuse Services in order for pharmacist to receive three hours of free CE.

After a detailed discussion, a motion was made by Dr. Jim Spoon and seconded by Stephen Dudley to donate \$25,000.00 to the Department of Mental Health and Substance Abuse Services to use toward the development of such CE. Motion passed on roll call vote.

A motion was made by Dr. Jim Spoon and seconded by Stephen Dudley to make the CE available on the website as approved free CE for pharmacists to participate if they choose, but not require it. Motion passed on roll call vote.

Board discusses request from Baxter Healthcare Corporation for an extension of an approved pilot program:

Acting Director Fain presented the Board with a request from Baxter Healthcare Corporation asking for an extension of a previously approved pilot program in which the shipping label was permitted to serve as the prescription label for dialysate solutions.

A motion was made by Dr. Kyle Whitehead and seconded by Dr. Jim Spoon to extend their pilot program until the rule changes. Motion passed on roll call vote with Dr. Mark St. Cyr voting "No".

Board discusses Office of Management and Enterprise (OMES) agreement:

Office Manager Mary Ann Terral explained to the Board the need for an agreement with OMES to provide services to the Board. The Board then had a brief discussion on some of the concerns the office staff has with OMES.

Motion was made by Dr. Kyle Whitehead and seconded by Dr. Greg Adams to enter into an agreement with OMES. Motion passed on roll call vote.

Board discusses technician training requirements for multi-add IV's:

Acting Director Fain discussed with the Board some of the concerns of the documented training for pharmacy technicians mixing multi-add IV's or chemotherapy. Previously it had been required that hospitals have their training approved by the Board. Since the implementation of USP 797, training has become more consistent and is well-documented.

After a brief discussion, it was decided that if they are compliant with USP 797, then hospitals do not need their technician training individually approved by the Board to compound multi-add IV's or chemotherapy. It was also recommended that retail pharmacy rules be changed in the next legislative session to allow technicians to add multiple ingredients or prepare chemotherapy.

Letter from a concerned pharmacist:

The Board received a letter from a concerned pharmacist regarding the increased responsibilities, unrealistic expectations and long shifts required from pharmacists by corporate companies with reduced staff, no lunch or restroom breaks. The pharmacist was worried that mistakes may increase and also felt that the Board should protect pharmacists.

The Board discussed the letter and, although they are concerned about patient safety, feel that it is important for pharmacists to join organizations to promote and protect their profession.

Board interviews Reciprocity applicants:

The Board was called to order to interview twenty-six (26) Reciprocity applicants. All applicants had taken and passed the Oklahoma Multi-State Jurisprudence Exam.

Amy Adams..... NE	Paul DelomelTX	Desiree ManceGA
Tanner Anderson MO	Amy Howard.....TX	Joseph MoncayoFL
Brittney Baker FL	Andrew Jackson OH	Hugh RimIL
Andrew Barlow..... NC	Harrison Jaffess MA	Joseph Sauppee.....MO
Shawn Bjorndal..... AZ	LaDavia Just..... SC	Roger Shaw..... TN
Dina Branch FL	Bret Koertge IN	Zahra ShojaeeAR
Robert Clevenger..... NC	Sean Lamont.....WV	Tsz Yee Tsui.....AZ
Jennifer Curran AL	Travis Leeah..... TX	Michaela WachalNE
Miriam Davis SC	Sarah Lim TX	

OSBP vs. VictoriaLynn Atkinson, Technician #18800 – Case No. 1437:

The Board was called to order by President Wilson to hear the case of VictoriaLynn Atkinson. Ms. Atkinson was not present but it was determined that she had been properly notified.

Assistant Attorney General Brinda White presented the Board with the Complaint for review. After a routine visit by Walgreens Asset Protection, it was determined that there was a pattern of negative adjustments and shortages on Oxycodone. After monitoring the losses, Asset Protection was notified about suspicious activity by Ms. Atkinson. During an interview, Ms. Atkinson admitted in a written voluntary statement to the theft of Oxycodone and Alprazolam for personal use. Ms. Atkinson was terminated from Walgreens for theft of Controlled Dangerous Substance. (CDS)

Ms. White then presented the Board with an Agreed Order that had been signed by Ms. Atkinson. By signing the Agreed Order, Ms. Atkinson admits guilt on all counts and accepts revocation of her technician permit.

Motion was made by Stephen Dudley and seconded by Dr. Greg Adams to accept the Agreed Order. Motion passed on roll call vote.

OSBP vs. Lindsey Cosper, Technician #9106 – Case No. 1438:

The Board was called to order by President Wilson to hear the case of Lindsey Cosper. Ms. Cosper was not present. Registration Secretary Rhonda Jenkins testified that Ms. Cosper had been properly notified. Trish Little, Pharmacy Manager for OmniCare, testified for the Board. Assistant Attorney General Brinda White prosecuted for the Board.

While doing a routine quarterly audit, Pharmacy Manager Trish Little noticed a shortage on Alprazolam 1mg. Ms. Little was instructed to conduct morning and evening counts to identify any

additional losses. Ms. Little then found shortages on Alprazolam 0.5mg and Alprazolam 2mg. Surveillance video showed Ms. Cosper entering the CDS cage, selecting a bottle of Alprazolam 2mg from the shelf and pouring tablets into her hand. She then concealed them in her back pocket and exited the CDS cage. During an interview, Ms. Cosper admitted in a voluntary written statement to stealing the Alprazolam tablets and selling them. She signed a Promissory Note agreeing to pay \$898 restitution.

Motion was made by Stephen Dudley and seconded by Dr. Greg Adams that based on the clear and convincing evidence presented, Ms. Cosper be found guilty as charged. Motion passed on roll call vote.

Motion was made by Stephen Dudley and seconded by Dr. Mark St. Cyr that the technician permit of Lindsey Cosper be revoked. Motion passed on roll call vote.

OSBP vs. Jordan Johnston, Technician #15872 – Case No. 1439:

The Board was called to order by President Wilson to hear the case of Jordan Johnston. Ms. Johnston was not present but it was determined that she had been properly notified.

Assistant Attorney General Brinda White presented the Board with the Complaint for review. The Board had received a notice from the employer that Ms. Johnston had been terminated from The Clinic Pharmacy. After further review, it had been determined that Ms. Johnston had been viewed on video surveillance taking money from the register by processing fake returns. Compliance Officer Melissa Reichert met with Ms. Johnston to discuss the information that had been received from The Clinic Pharmacy. During their discussion, Ms. Johnston admitted in a written voluntary statement to taking the money.

Ms. White then presented the Board with an Agreed Order that had been signed by Ms. Johnston. By signing the Agreed Order, Ms. Johnston admits guilt on all counts and accepts revocation of her technician permit.

Motion was made by Dr. Greg Adams and seconded by Dr. Mark St. Cyr to accept the Agreed Order. Motion passed on roll call vote.

OSBP vs. Joshua Terrell, Technician #15895 – Case No. 1440:

The Board was called to order by President Wilson to hear the case of Joshua Terrell. Mr. Terrell was not present but it was determined that he had been properly notified.

Assistant Attorney General Brinda White presented the Board with the Complaint for review. A technician witnessed Mr. Terrell leaving the room where the narcotics are stored with pills/Tramadol in his hand. The Pharmacy Director reviewed the video from the narcotics room and was able to see Mr. Terrell taking the pills. When asked about it, he did not deny taking the pills. Mr. Terrell had given a co-worker one of the pills for a headache. Both employees were terminated.

Ms. White then presented the Board with an Agreed Order that had been signed by Mr. Terrell. By signing the Agreed Order, Mr. Terrell admits guilt on all counts and accepts revocation of his technician permit.

Motion was made by Dr. Greg Adams and seconded by Stephen Dudley to accept the Agreed Order. Motion passed on roll call vote.

OSBP vs. Jazmine White, Technician #21331 – Case No. 1441:

The Board was called to order by President Wilson to hear the case of Jazmine White. Ms. White was not present but it was determined that she had been properly notified.

Assistant Attorney General Brinda White presented the Board with the Complaint for review. Walgreens Asset Protection noticed that there was a potential drug theft issue. It was determined that the store's reporting system showed negative adjustments on some CDS medications. The pharmacy manager and the store manager were both instructed to begin performing daily counts on several CDS medications. The counts continued to show negative adjustments on Hydrocodone 10/325 and 7.5/325 strengths. Surveillance showed suspicious behavior by Ms. White. Ms. White was interviewed by Asset Protection and admitted in a written voluntary statement to taking the pills

for a friend who was sick. Ms. White was terminated from Walgreens for theft of CDS.

Assistant Attorney General Brinda White then presented the Board with an Agreed Order that had been signed by Ms. White. By signing the Agreed Order, Ms. White admits guilt on all counts and accepts revocation of her technician permit.

Motion was made by Dr. Jim Spoon and seconded by Stephen Dudley to accept the Agreed Order. Motion passed on roll call vote.

OSBP vs. Mason Whitlock, Technician #20243 – Case No. 1442:

The Board was called to order by President Wilson to hear the case of Mason Whitlock. Mr. Whitlock was not present but it was determined that he had been properly notified.

Assistant Attorney General Brinda White presented the Board with the Complaint for review. While doing an evening count, the Pharmacist in Charge (PIC) noticed that the count was incorrect for the Hydrocodone/apap 10/325mg tablets. At the end of the workday, he asked all pharmacist and pharmacy technicians on-duty to do a voluntary pocket search. While emptying pockets, the PIC noticed 3 tablets by Mr. Whitlock's feet. Upon searching further, more tablets fell from Mr. Whitlock which were determined to be Hydrocodone/apap 10/325mg and apap/Codeine #4.

Ms. White then presented the Board with an Agreed Order that had been signed by Mr. Whitlock. By signing the Agreed Order, Mr. Whitlock admits guilt on all counts and accepts revocation of his technician permit.

Motion was made by Dr. Mark St.Cyr and seconded by Stephen Dudley to accept the Agreed Order. Motion passed on roll call vote.

OSBP vs. Bivens Drug, #70-5920 – Case No. 1447:

The Board was called to order by President Wilson to hear the case of Bivens Drug. Pharmacy owner and PIC, Jerry Dennis was present as representative for the pharmacy and chose to appear without Counsel.

Assistant Attorney General, Brinda White presented the Board with the Complaint for review. Bivens Drug was charged with multiple violations of state and federal regulations and rules including failing to have a pharmacy manager who was responsible for all aspects of the operation related to the practice of pharmacy.

Ms. White then presented the Board with an Agreed Order. If the Board accepts the Agreed Order, Bivens Drug would agree to the following: Bivens Drug admits to guilt on eight counts.

Motion was made by Dr. Jim Spoon and seconded by Dr. Kyle Whitehead to accept the Agreed Order. Motion passed on roll call vote with Stephen Dudley voting "No".

OSBP vs. Jerry Dennis, D.Ph. #9252 – Case No. 1448:

The Board was called to order by President Wilson to hear the case of Jerry Dennis. Mr. Dennis was present and chose to appear without Counsel.

Assistant Attorney General Brinda White presented the Board with the Complaint for review. Mr. Dennis was charged with multiple violations of state and federal regulations and rules including failing as a pharmacist or pharmacy manager (PIC) to fulfill the responsibilities as set out in OAC 535:15.

Ms. White then presented the Board with an Agreed Order. If the Board accepts the Agreed Order, Mr. Dennis would agree to the following: Mr. Dennis admits to guilt on seven counts. As of April 25, 2017, he shall not work as a PIC. Mr. Dennis' probation, now in effect until June 27, 2018, is extended for two (2) more years, until June 27, 2020. Mr. Dennis agrees to pay a fine of \$1,000.00 per count on Counts 9 and Counts 12-15 for a total fine of \$5,000.00 which is due on January 25, 2017.

Motion was made by Dr. Jim Spoon and seconded by Dr. Kyle Whitehead to accept the Agreed Order. Motion passed on roll call vote with Stephen Dudley voting "No".

Board reviews and approves 2017 Rule Amendments and approves the filing of Notice of Rulemaking Intent:

Office Manager MaryAnn Terral presented the Board with Title 535, Chapters 1, 15 20 and 25 rule amendments to review and approve in addition to some clean up language. Pilot Program Chairman Steve Pryor was present to present to the Board the new rules that were written by the Pilot Program Committee for Subchapter 17.

After a brief discussion with Dr. Pryor over the pilot program rules and a review of Chapter 1, Administrative Operations, a motion was made by Stephen Dudley and seconded by Dr. Mark St. Cyr to approve as modified. Motion passed on roll call vote.

A discussion was held on the changes to Chapter 15, Pharmacies. A motion was made by Dr. Jim Spoon and seconded by Stephen Dudley to approve as modified. Motion passed on roll call vote.

A brief discussion was held on the changes to Chapter 20, Manufacturers, Repackagers, Outsourcing Facilities, Wholesalers, Third-Party Logistics Providers, and Medical Gas Suppliers and Distributors and to Chapter 25, Rules Affecting Various Registrants. A motion was made by Stephen Dudley and seconded by Dr. Jim Spoon to approve as modified. Motion passed on roll call vote.

Board recessed for lunch

Legislative update given by Legislative Lobbyist Jimmy Durant:

Legislative Lobbyist, Jimmy Durant appeared before the Board to present the latest updates from the Capital. The Board thanked Mr. Durant for the work that he does for the Board of Pharmacy.

David Branscum appears before the Board for approval of pharmacist license:

The Board was called to order by President Wilson to hear the request of David Branscum. Mr. Branscum was present. Oklahoma Pharmacist Helping Pharmacist (OPHP) Director Kevin Rich was present to speak on Mr. Branscum's behalf.

Mr Branscum had successfully passed the NAPLEX and the Oklahoma MPJE as required by the Board. His request was that he now be allowed to obtain his pharmacist's license so that he may secure employment as a pharmacist.

After a brief discussion with Mr. Branscum, a motion was made by Stephen Dudley and seconded by Dr. Jim Spoon that the request for licensure be granted. Mr. Branscum will need to work with another Oklahoma licensed pharmacist for 90 days before working alone. Motion passed on roll call vote.

OSBP vs. Jhona Johnson, D.Ph. #11921 – Case No. 1446:

The Board was called to order to hear the case of Jhona Johnson. Ms. Johnson was present and chose to appear without counsel. OPHP Director, Kevin Rich was present to testify for the Board.

Assistant Attorney General, Brinda White presented the Board with the Complaint for review. Ms. Johnson was charged with multiple violations of state and federal regulations and rules including violating a Board Order or Agreed Order.

Ms. White then presented the Board with an Agreed Order. If the Board accepts the Agreed Order, Ms. Johnson will agree to the following: Ms. Johnson admits to guilt on all five (5) counts. Ms. Johnson will agree to pay a fine of \$600.00 per count for a total of \$3,000.00. She will pay \$1,000.00 per month starting February 25, 2017 with the total fine due on April 25, 2017. Ms. Johnson shall extend her contract with OPHP for 2 years until January 25, 2022. She is directed to notify all future employers that she has a contract with OPHP. Ms. Johnson would agree to attend a one-day (8 hour) law seminar in addition to the required fifteen (15) hours of CE during the calendar year of 2017 for a total of twenty-three (23) hours of CE during this calendar year. All 15 hours of required CE that Ms. Johnson must have to renew her license shall be live during the time she is on probation.

Motion was made by Dr. Greg Adams and seconded by Dr. Jim Spoon to accept the Agreed Order. Motion passed on roll call vote with Dr. Kyle Whitehead voting "No".

OSBP vs. Sarah Martin, D.Ph. #13361 – Case No. 1332 – Request for Probation:

The Board was called to order to hear the request of Sarah Martin. Ms. Martin was present with her husband Chad Martin. OPHP Director Kevin Rich testified on her behalf.

After a brief discussion with Ms. Martin and Mr. Rich on her progress, a motion was made by Dr. Jim Spoon and seconded by Stephen Dudley to grant probation. Motion passed on roll call vote with Dr. Mark St.Cyr and Dr. Kyle Whitehead voting “No”.

OSBP vs PPM Pharmacy #1-6190 – Case No. 1407 – Request Approval for New Pharmacy License:

The request of PPM Pharmacy was continued until a later date.

OSBP vs. Jie Ren, D.Ph. #16054 – Case No. 1451:

The Board was called to order to hear the case of Jie Ren. Ms. Ren was present with Attorney Libby Scott.

Assistant Attorney General Brinda White presented the Board with the Complaint for review. Ms. Ren was charged with multiple violations of state and federal regulations and rules including failing as a pharmacy manager, to be responsible for all aspects of the operation related to the practice of pharmacy including the supervision of all employees as they relate to the practice of pharmacy.

Ms. White then presented the Board with an Agreed Order. If the Board accepts the Agreed Order, Ms. Ren will agree to the following: Ms. Ren admits to guilt on Counts 1-5 and denies guilt on Counts 6-9. Ms. Ren agrees to a fine of \$200.00 per count on Counts 1-5 for a total of \$1,000.00 which is due on January 25, 2017. Ms. Ren would attend a one-day (8 hour) law seminar in addition to the required fifteen (15) hours of CE during the calendar year of 2017 for a total of twenty-three (23) hours of CE during this calendar year. All 15 hours of required CE that Ms. Ren must have to renew her license shall be live during the calendar year of 2017.

Motion was made by Stephen Dudley and seconded by Dr. Kyle Whitehead to accept the Agreed Order. Motion passed on roll call vote.

OSBP vs Harbor Drug Co. Inc. d/b/a Steven’s Pharmac, #99-1424 – Case No. 1452:

The Board was called to order to hear the case of Harbor Drug Co., Inc., d/b/a Steven’s Pharmacy. PIC, Jie Ren was present with Attorney Libby Scott as representative of the pharmacy.

Assistant Attorney General Brinda White presented the Board with the Complaint for review. Steven’s Pharmacy was charged with multiple violations of state and federal regulations and rules including failing to have a pharmacy manager who is responsible for all aspects of the operation related to the practice of pharmacy including the supervision of all employees as they relate to the practice of pharmacy.

Ms. White then presented the Board with an Agreed Order. If the Board accepts the Agreed Order, Steven’s Pharmacy will agree to the following: Steven’s Pharmacy admits to guilt on Counts 1-4 and denies guilt on Counts 5-7. The pharmacy is placed on probation for three (3) years until January 25, 2020. Steven’s Pharmacy will agree to a fine of \$1250.00 per count on Counts 1-4 for a total fine of \$5,000.00 which is due on January 25, 2017.

Motion was made by Stephen Dudley and seconded by Dr. Greg Adams to accept the Agreed Order. Motion passed on roll call vote.

Board to review and possibly approve the 2017 Rule Amendments on Chapter 15 Pharmacies, Remote Medication Order Processing (RMOP) for Retail Pharmacy:

Office Manager MaryAnn Terral presented the Board with Title 535, Chapter 15, Subchapter 4.1. RMOP for Retail Pharmacy to review and approve.

The Board held a discussion on what some of the requirements might be considered for licensing a RMOP retail pharmacy. Some questions from Acting Director Fain and the Pilot Program Committee Chairman were, would the Board allow the pharmacist to work from their home; would each pharmacist that came in contact with the prescription need to have an Oklahoma pharmacy license or would just the PIC need to be licensed; would the technician be allowed to fill the

prescription or just the pharmacist.

A motion was made by Dr. Greg Adams and seconded by Dr. Kyle Whitehead to table this part of the rules and to form a committee for retail and hospital RMOP's. Motion passed on roll call vote.

President Wilson adjourned the Board meeting:

Motion was made by Dr. Kyle Whitehead and seconded by Dr. Greg Adams to adjourn the meeting. Motion passed on roll call vote. President Wilson adjourned the Board meeting at 3:50 p.m.