

MINUTES

OKLAHOMA STATE BOARD OF PHARMACY

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

April 18, 2018

Call to order:

President Whitehead called the April 18, 2018 meeting of the Oklahoma State Board of Pharmacy (OSBP) to order at 8:30 a.m. with a roll call vote. All members were present.

Those present were:

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

Board of Pharmacy: Chelsea Church, Executive Director
Gary LaRue, Senior Compliance Officer
Betty Beil, Senior Compliance Officer
Melissa Reichert, Compliance Officer
Keevie Ridener, Compliance Officer
John Settle, Assistant Attorney General
Rhonda Jenkins, Executive Secretary

Guests Shannon Griggs, Wal-Mart
Amber Mathias-Hodges, Wal-Mart
Sherrie Francisco, Wal-Mart
Derek Dennis, Walgreens
Ryan Walker, Walgreens
Jenny Stemm, Norman Regional Health Systems
Jaclyn Coffey, Norman Regional Health Systems
Mona Kamali, Norman Regional Health Systems
Michael Wisner, Norman Regional Health Systems
Jill Shadid, OU College of Pharmacy
Terry Cothran, OU College of Pharmacy
Nancy Williams, SWOSU College of Pharmacy
Travis Tate, HealthChoice
Debra Billingsley, OPhA
Roan Murphy, Department of Corrections
Erika Gales, Intern

Approval of minutes and claims:

A motion was made by Stephen Dudley and seconded by Dr. Justin Wilson to approve the March 6, 2018 minutes. Motion passed on roll call vote.

A motion was made by Dr. Jim Spoon and seconded by Stephen Dudley to approve expense claims #6170-#6206, #H0378438, #H0379180-#H03790375, March payroll and the expenses of the Executive Director. Motion passed on roll call vote.

A motion was made by Dr. Jim Spoon and seconded by Stephen Dudley to approve the March leave report of the Executive Director. Motion passed on roll call vote.

Approval of Executive Directors P-card statement:

A motion was made by Dr. Jim Spoon and seconded by Stephen Dudley to

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approve the P-card statement of the Executive Director. Motion passed on roll call vote.

Cancellation of Pharmacist, Pharmacies, Facilities, and Technicians:

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

Board reviews approved Continuing Education (CE) programs:

The Board reviewed the 1st quarter list of CE programs that had been submitted and approved by the CE Committee on March 2, 2018.

Motion was made by Dr. Justin Wilson 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.

Board sets future Board meetings:

The Board scheduled Wednesday September 26, 2018 and Wednesday November 28, 2018 as a Board meeting.

Executive Director gives Agency report:

Building Report:

Executive Director, Chelsea Church, reported that the Attorney General's office was able to provide two attorneys for litigation services. She noted that the environmental monitoring and forensic testing should begin this month and that the Terracon report should be received soon.

The Director also stated that the mylar security film was applied last month on the glass entry area and all office doors. Installation of the limited building access system and other security measures should begin soon and that the paperwork has been filed to proceed with the installation process.

New Compliance Officer:

Director Church announced that Marjan Fardadford has been hired as the compliance officer for central and southwest Oklahoma. She began working for the Board in March.

CLEET Academy:

Director Church reported that Compliance Officer, Jeremy Davis officially began CLEET Academy on April 11th and that he will be attending the Academy in Ada, OK for the next 15 weeks.

New Assistant Attorney General:

Director Church reported that Assistant Attorney General, John Settle has been assigned to replace Brinda White who retired last month.

MHSAS-OSBP Opioid Continuing Education:

Director Church stated that the Board has had extremely positive feedback from the CE conferences. The Tulsa location had 235 pharmacists attend the conference at the Schusterman Center on March 9th. The Oklahoma City location had 315 pharmacists attend at the Moore Norman Technology Center on March 30th. She also stated that we have received funding from Mental Health and Substances Abuse Services (MHSAS) to provide the 6-hour CE conferences.

Strategic Planning Retreat:

Director Church noted that she is still working on a venue and facilitator for the strategic planning retreat and that it may need to be postponed until the summer due to the Legislative session.

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TALKOM:

Director Church stated that due to the active legislative session and the training of new staff, she would like to postpone the TALKOM meeting until late 2018 or early 2019 in order to allow time to become fully staffed.

OK Commission on Opioid Abuse:

Director Church reported that the committee met again on April 9th at the Capitol. Members were updated on current legislative bills and were asked for their input.

Legislative Update:

Director Church asked Board lobbyist, Jimmy Durant, to provide an update on the pending issues with legislation.

OSHP Annual Meeting:

Director Church reported that the OSHP Annual Meeting was held on April 13, 2018 in Oklahoma City. She asked Dr. Mark St. Cyr to give a report on the meeting.

Technician Committee:

Director Church reported that Derek Dennis of Walgreens has agreed to chair the technician committee. She stated that he will stay after the meeting so they can discuss the thoughts and direction of the committee.

Mission Critical Meetings:

Director Church reminded the Board of the Mission Critical Meetings that are coming up. They are as follows:

- OPhA 2018 Unify Conference – July 27th-29th in Oklahoma City
- CLEAR's Annual Educational Conference – Sept. 26th-29th in Philadelphia, PA
- MALTA-GON –October 11th -14th in Kansas City, MO
- NABP Districts 6, 7, 8 Meeting – October 14th-17th in Kansas City, MO
- NASCSA 2018 Conference – October 30th-November 2nd in Scottsdale, AZ
- ASHP Midyear Clinical Meeting – December 2nd-6th, Anaheim, CA

P-4 Students:

The Director 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.

Board interviews Reciprocity and Score Transfer applicants:

The Board was called to order to interview thirteen (13) Reciprocity and two (2) Score Transfer applicants. All applicants had taken and passed the Oklahoma Multi-State Jurisprudence Exam.

Reciprocities:

Trang Altman	SC	John McKinney	TN
Cheryl Christie	KS	Linda Nguyen	TX
Eric Crumbaugh	AR	Leann Rainwater	AR
Cassandra Davis	MD	Michael Schraad	TX
John Guthrie	TN	Tonya Stear	MO
Lauren Harrington	GA	Evelyn Turner	AK
Michelle Huck	IN		

Score Transfer:

Brendon Kestler	OH
Rene Tamah	OH

OSBP vs. Tiffany Tusia, Technician #8729, Case No. 1502:

The Board was called to order by President Whitehead to hear the case of Tiffany Tusia. Ms. Tusia was not present. Registration Secretary, Rhonda Jenkins, testified that she had been properly notified. Walgreens Asset Protection Manager,

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Mike Schaeffer testified for the Board.

Assistant Attorney General John Settle presented the Board with the Complaint for review. Mr. Schaeffer had initiated an investigation after he was notified of an incident that had occurred. While verifying a script for Oxycodone 15mg tablets that Ms. Tusia had filled, it was determined that 4 tablets were missing. When asked by the pharmacist about the missing tablets, Ms. Tusia stated that she did not have them. The store manager reviewed surveillance and observed Ms. Tusia appear to be dumping the remaining tablets from the counting tray into her hand and put her hand in her smock pocket. A narcotic count was performed and there was a variance of Oxycodone 15mg.

Mr. Schaeffer then interviewed Ms. Tusia with the store manager present. Ms. Tusia verbally denied and completed a voluntary statement denying any involvement with the missing tablets. After further investigation, it was determined through surveillance that Ms. Tusia had on several different occasions taken other medications for her own personal use. Mr. Schaeffer asked Ms. Tusia to meet him to close out the investigation but she failed to show up for the meeting.

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

Motion was made by Dr. Justin Wilson and seconded by Dr. Greg Adams that the technician permit of Tiffany Tusia be revoked. Motion passed on roll call vote.

Board discusses request from Oklahoma Medical Equipment Providers Association (OMEPA):

The Board was called to order to hear the request of Larry Dalton, President of OMEPA. Mr. Dalton was present along with OMEPA Secretary, Katie Roberts and Collin Brecher, Government Relations and Regulatory Affairs Vice-General Manager.

After a brief presentation and discussion on the possibility of licensing facilities that sell durable medical equipment, the Board thanked them for their time and asked that they bring back language to review in order to submit in the next legislative session.

OSBP vs. Gaston Pharmacy #2, #99-7801, Case No. 1513

The case of Gaston Pharmacy #2 was continued until the June 13, 2018 meeting.

OSBP vs. Kristi Kubosh, DPh #15874, Case No. 1512:

The case of Kristi Kubosh was continued until the June 13, 2018 meeting.

OSBP vs. Empower Pharmacy #99-7549, Case No. 1510

The case of Empower Pharmacy was continued until the June 13, 2018 meeting.

OSBP vs. Souchinda Nanthavongdousangsy, DPh #15854, Case No. 1509:

The case of Souchinda Nanthavongdousangsy was continued until the June 13, 2018 meeting.

OSBP vs. Wells Pharmacy Network, #99-6026, Case No. 1506

The case of Wells Pharmacy Network was continued until the June 13, 2018 meeting.

OSBP vs. David Branscum, D.Ph., #17352, Case No. 1514

The case of David Branscum was continued until the June 13, 2018 meeting.

FOR REVIEW, DISCUSSION AND POSSIBLE BOARD ACTION:

Wells Pharmacy Network, LLC in Dyersburg, TN to appear before the Board to discuss their application for an Outsourcing Facility.

The request from Well Pharmacy Network, LLC was continued until the June 13, 2018 meeting.

Board discusses staff additions, changes and salaries:

Motion was made by Stephen Dudley and seconded by Dr. Mark St. Cyr to go into Executive Session. Motion passed on roll call vote.

Motion was made by Stephen Dudley and seconded by Dr. Justin Wilson to return from Executive Session. Motion passed on roll call vote.

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President Whitehead adjourned the Board meeting:

A motion was made by Dr. Justin Wilson and seconded by Stephen Dudley to adjourn the Board meeting. Motion passed on roll call vote. President Whitehead adjourned the Board meeting at 12:10 p.m.

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