

MINUTES

OKLAHOMA STATE BOARD OF PHARMACY

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

June 13, 2018

Call to order:

President Whitehead called the June 13, 2018 meeting of the Oklahoma State Board of Pharmacy (OSBP) to order 8:30 am with a roll call vote. 5 of the 6 members were present. Dr. Greg Adams was unable to attend.

Those present were:

Board Members: Kyle Whitehead, President
Mark St.Cyr, Vice-President
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 Amber Mathias-Hodges, Wal-Mart
Robyn Janaway, Wal-Mart
Laura Cudd, Asbury Pharmacy
Mary Staples, NACDS
Regan Smith, Qualgen
Jill Shadid, OU College of Pharmacy
Terry Cothran, OU College of Pharmacy
Edna Patatanian, SWOSU College of Pharmacy
Travis Tate, HealthChoice
Debra Billingsley, OPhA
Abigail Stanford, Intern

Approval of minutes and claims:

A motion was made by Stephen Dudley and seconded by Dr. Mark St. Cyr to approve the minutes from April 18, 2018 minutes. Motion passed on roll call vote.

A motion was made by Stephen Dudley and seconded by Dr. Jim Spoon to approve the expense claims #6207-#6257, #H0381069-#H0381073, #H0382162, #H0383349-#H0383353, #H0384301, April, May and June payroll, expenses of the Executive Director and the April and May leave report of the Executive Director. Motion passed on roll call vote.

Board presents Senator AJ Griffin with Honorary Certificate:

President Whitehead presented Senator AJ Griffin with an Honorary Doctor of Pharmacy wall certificate for appreciation of her hard work with the Board of Pharmacy during the legislative session.

Cancellation of Pharmacist, Pharmacies, Facilities, and Technicians:

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

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Board reviews designation of Mission Critical Memberships:

After a review of the updated list of Board designated Mission Critical Memberships, a motion was made by Dr. Justin Wilson and seconded by Dr. Mark St.Cyr to approve the updated Mission Critical Memberships with the spelling correction to number 15. Motion passed on roll call vote.

Board reviews designation of Mission Critical Travel:

After a review of the updated list of Board designated Mission Critical Out-of-State Travel, a motion was made by Dr. Justin Wilson and seconded Dr Jim Spoon to approve the updated Mission Critical Out-of-State Travel. Motion passed on roll call vote.

Board holds discussion on Medical Marijuana:

The Board held a discussion on the topic of Medical Marijuana and what the Board stand would be with it.

Motion was made by Dr. Jim Spoon and seconded by Dr. Justin Wilson to continue to pursue support for the Board of Pharmacy to be a part of the process as long as the funding is supporting. Motion passed on roll call vote with Dr. Mark St. Cyr voting "No".

Board sets future Board meetings:

The Board will schedule more Board dates at the August meeting.

Executive Director gives Agency report:

Building Report:

Executive Director, Chelsea Church, reported that she has been told that Terracon's report has been received by the litigation attorneys. She noted that environmental monitoring and forensic testing should begin sometime this summer.

OSDH Inter-Agency Medical Marijuana Committee:

The Director reported that she attended the 1st meeting on May 22nd. She reported that the Department of Health is trying to put together guidelines in preparation of SQ788. The Inter-Agency committee was formed from agencies that will potentially be affected. She reported that the OSDH wanted to invite us to meet with OSDH staff. She reported that they are extremely interested in the Board of Pharmacy being involved with the legislative process. She also stated that she had received a call from the OSDH attorney wanting to meet to discuss the possibility of the Pharmacy Board overseeing the inspection of medical marijuana facilities.

Strategic Planning Retreat:

Director Church noted that she has been in discussions with a couple of venues in OKC and that she has not had a response yet from OMES about a facilitator. She noted that she is planning on having the retreat in August.

OK Commission on Opioid Abuse:

Director Church reported that the committee met again on May 31st at the Capitol. Members were updated on current legislative session and made plans to continue the Commission after Labor Day.

Legislative Update:

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

Technician Committee:

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Director Church reported that more than 50 pharmacists volunteered for the committee. She stated that there were 10 hospital/drug room/sterile compounders chosen and 10 retail/LTC pharmacists chosen. Derek Dennis of Walgreens is the chair for the retail group and Darin Smith is the chair for the hospital group.

NABP Meeting:

The Director reported that she, Dr. Justin Wilson, Dr. Greg Adams and Stephen Dudley attended the NABP meeting in Denver Colorado. Dr. Justin Wilson gave a brief update.

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 applicants:

The Board was called to order to interview ten (10) Reciprocity applicants. All applicants had taken and passed the Oklahoma Multi-State Jurisprudence Exam.

Reciprocities:

Dustin Brownfield	AR	Jan Jones	TN	Aaron Link	OH
Dirk Harris	IN	Adam Kersten	NE	Melanie Malee	AZ
Joey L. Hart	FL	Leslie Lair	KS	Benjamin Myatt	AL
Yuliya Ilyushenko	AZ				

OSBP vs. Braxton Norman, Technician #21831, Case No. 1520:

The Board was called to order by President Whitehead to hear the case of Braxton Norman. Mr. Norman was not present. Registration Secretary Rhonda Jenkins, testified the he had been properly notified. Walgreens, Pharmacist in Charge (PIC) Jeremy Logan testified for the Board.

Assistant Attorney General John Settle presented the Board with the Complaint for review. The Board received notification that Mr. Norman had been terminated for testing positive for marijuana.

Motion was made by Dr. Justin Wilson and seconded by Dr. Mark St.Cyr that based on the clear and convincing evidence presented, Mr. Norman be found guilty as charged. Motion passed on roll call vote.

Motion was made by Dr. Justin Wilson and seconded by Dr. Mark St. Cyr that the technician permit of Norman Braxton be revoked. Motion passed on roll call vote.

OSBP vs. Alicia P. Seifert, Technician #21022, Case No. 1521:

The case of Alicia Seifert was continued until the August 8th meeting.

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OSBP vs. Skye Patteson, Technician #14591, Case No. 1527:

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

Assistant Attorney General, John Settle presented the Board with the Complaint for review. The Board received notification from Boulevard Pharmacy that Ms. Patteson had been terminated from employment for employee pilferage of Hydrocodone/APAP 7.5mg-325mg.

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

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

Sara Lake of Asteres, Inc. appears before the Board to present an educational presentation on ScriptCenter:

The Board was called to order by President Whitehead to hear the presentation of Sara Lake of Asteres, Inc. Ms. Lake was accompanied by Ann O'Brien and Daryl Johnson.

Ms. Lake presented a power point showing ScriptCenter which is a kiosk for pick-up of patient specific prescriptions. She explained that prescriptions are filled in a pharmacy and then taken to the kiosk once a day. The patient is then sent a text with an id number and whether counseling is required. The pick-up of the prescription is blocked until counseling has been completed if required. Each pick-up of a prescription is documented with a picture and signature of the person receiving the prescription.

After the presentation, President Whitehead thanked each representative for coming. Dr. Jim Spoon stated that the Board would take this information under consideration.

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

The Board was called to order by President Whitehead to hear the case of Empower Pharmacy. Souchinda Nanthavongdouangsy, PIC and representative for Empower Pharmacy was present with Attorney, Doug Rice.

Assistant Attorney General, John Settle presented the Board with the Complaint for review. Empower Pharmacy neither admits nor denies guilt on all three hundred seventy two (372) counts including compounding a drug preparation that is commercially available in the marketplace or that is essentially a copy of an available FDA-approved drug product.

Mr. Settle presented the Board with an Agreed Order. If the Board accepts the Agreed Order, Empower Pharmacy would agree to pay a fine of \$37,200.00.

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

OSBP vs. Souchinda Nanthavongdouangsy, DPh 15854, Case No. 1509:

The Board was called to order by President Whitehead to hear the case of Souchinda Nanthavongdouangsy. Ms. Nanthavongdouangsy was present with Attorney, Doug Rice.

Assistant Attorney General, John Settle presented the Board with the Complaint for review. Ms. Nanthavongdouangsy neither admits nor denies guilt on all three hundred seventy two (372) counts including compounding a drug preparation that is commercially available in the marketplace or that is essentially a copy of an available FDA-approved drug product.

Mr. Settle presented the Board with an Agreed Order. If the Board accepts the Agreed Order, Ms. Nanthavongdouangsy would agree to pay a fine of \$6045.00.

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

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OSBP vs. Lindy Rowland, DPh 10368, Case No. 1522:

The Board was called to order by President Whitehead to hear the case of Lindy Rowland. Mr. Rowland was present and chose to appear without Counsel.

Assistant Attorney General, John Settle presented the Board with the Complaint for review. Mr. Rowland was charged with multiple violations of state and federal regulations and rules including incorrect fill or misfill of a prescription or drug order which departs from the standards of care ordinarily exercised by a registrant with proof of actual injury not having to be established is a violation of registrant conduct.

Mr. Settle then presented the Board with an Agreed Order. If the Board accepts the Agreed Order, Mr. Rowland would agree to guilt on all seven (7) counts. Mr. Rowland would agree to pay a fine of \$1,000.00 per count for a total of \$7,000.00 which shall be paid by June 13, 2018. Mr. Rowland would agree to attend a one-day (8 hour) law seminar in addition to the required 15 hours of CE in the calendar year 2018 and 2019 for a total of 23 hours of CE each year. All CE required to renew his license shall be live during the calendar year of 2018 and 2019. Mr. Rowland shall be required to review for errors, all prescriptions filled at the end of each work day and have his prescriptions spot checked by all relief pharmacists as part of an error prevention program.

Motion was made by Dr. Jim Spoon and seconded by Dr. Mark St.Cyr to accept the Agreed Order. Motion passed on roll call vote with Dr. Justin Wilson voting "No".

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

The Board was called to order by President Whitehead to hear the case of Wells Pharmacy Network. Kris Fishman, Senior Vice President of Wells Pharmacy Network was present along with Counsel, Doug Rice.

Assistant Attorney General, John Settle presented the Board with the Complaint for review. Wells Pharmacy Network was charged with multiple violations of state and federal regulations and rules including authorizing any person, firm or business establishment to act for it as a "pick-up station" or intermediary for the purpose of having prescriptions filled or delivered, whether for profit or gratuitously.

Mr. Settle then presented the Board with an Agreed Order. If the Board accepts the Agreed Order, Wells Pharmacy Network would agree to the following: Wells Pharmacy Network admits that if this matter went to a hearing before the Board that there is sufficient evidence for a finding of guilt on seven hundred ninety seven (797) counts. Wells Pharmacy Network would agree to pay a fine of \$75.00 per count on Counts 1-507 for a total of \$38,025.00. They would agree to pay a fine of \$50.00 per count on Counts 508-797 for a total of \$14, 500.00. The total fine \$52,525.00 is due on June 13, 2018. They would agree that as of June 13, 2018, to not compound a drug product that is commercially available within the marketplace or that is essentially a copy of an available FDA-approved drug product, for delivery to any Oklahoma residents or entities located in Oklahoma except pursuant to the provisions of OAC 535:15-10-8(h)(1) and (2). The Board shall not pursue an administrative complaint or other disciplinary action against Wells Pharmacy Network for any alleged violations arising out the actions or conduct set forth in the Agreed Order which predates the date of the approval of the Agreed Order unless the Respondent violates the order or commits any other violation of the Oklahoma Pharmacy Act or Board rules.

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

Wells Pharmacy Network, LLC in Dyersburg, TN appears before the Board:

The Board was called to order by President Whitehead to hear the request of Wells Pharmacy Network, LLC in Dyersburg, TN. Kris Fishman, Senior Vice President of Wells Pharmacy Network was present as representative along with Counsel, Doug Rice.

After a brief discussion of the audits and inspections that have taken place over the last few months, a motion was made by Dr. Justin Wilson and seconded by Stephen

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Dudley to table their request until the FDA report is received. Motion passed on roll call vote.

Board recessed for lunch

Gary Young, D.Ph. #8360 request to appear before the Board:

The Board was called to order by President Whitehead to hear the request of Gary Young. Mr. Young appeared before the Board to explain why he did not appear at his Board hearing.

After a discussion with Mr. Young, Board member Stephen Dudley explained to him that he would need to put in writing exactly what he wants to present and then re-schedule for a formal statement and request before the Board.

OSBP vs. Tom Hill, DPh 11099, Case No. 1519:

The Board was called to order by President Whitehead to hear the case of Tom Hill. Mr. Hill was present and chose to appear without Counsel.

Assistant Attorney General, John Settle presented the Board with a Complaint for review. Mr. Hill was charged with multiple violations of state and federal regulations and rules including the health and safety of patients being a registrant's first consideration.

Mr. Settle then presented the Board with an Agreed Order. If the Board accepts the Agreed Order, Mr. Hill would agree to the following: Mr. Hill admits to guilt on all nine (9) counts. His license is suspended for ten (10) years and immediately placed on probation for ten (10) years until June 13, 2028. Mr. Hill is to remain compliant with all terms of his then (10) year "Recovering Monitoring Agreement" with Oklahoma Pharmacists Helping Pharmacists (OPHP) and must notify all future employers of his contract. After June 30, 2023, Mr. Hill may petition the Board and request the suspension be stayed and probation be lifted. Granting probation may be at the Board's discretion upon Mr. Hill showing compliance with his OPHP contract and practicing would not put the public at risk. During probation, the Board may add to or modify any conditions or the probation that the Board determines necessary to protect the public. Termination of Mr. Hill's OPHP contract is cause for immediate suspension of his license and to require an appearance before the Board to show evidence that he has entered into and is compliant with all conditions of a "Recovery Monitoring Agreement" and that he has a "Fit for Duty" evaluation. Mr. Hill would agree to attend a one-day (8 hour) law seminar in addition to the required 15 hours of CE in the calendar year 2018 and 2019 for a total of 23 hours of CE each year. All CE required to renew his license shall be live during the calendar year of 2018 and 2019.

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

OSBP vs. Wal-Mart Pharmacy, 10-0113 #18-5060, Case No. 1524:

The Board was called to order by President Whitehead to hear the case of Wal-Mart Pharmacy. Debbie Mack, Shelly Tustison and Robyn Janaway appeared as representatives for Wal-Mart Pharmacy and chose to appear without Counsel.

Assistant Attorney General, John Settle presented the Board with a Complaint for review. Wal-Mart Pharmacy was charged with multiple violations of state and federal regulations and rules including failing to establish and maintain effective controls against the diversion of prescription drugs into other than legitimate medical, scientific or industrial channels as provided by federal, state or local law or rules.

Mr. Settle then presented the Board with an Agreed Order. If the Board accepts the Agreed Order, Wal-Mart would agree to the following: Wal-Mart Pharmacy neither admits nor denies guilt on Counts I-V. The Pharmacy agrees to pay a fine of \$3,000.00 per count for a total of \$15,000.00 which is due on June 13, 2018.

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

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OSBP vs. Affordable Pharmacy #1-7848, Case No. 1525:

The Board was called to order by President Whitehead to hear the case of Affordable Pharmacy. Irene Nguyen, owner and PIC was present and chose to appear without Counsel.

Assistant Attorney General, John Settle presented the Board with a Complaint for review. Affordable Pharmacy was charged with multiple violations of state and federal regulations and rules including conducting business in conformity with all federal, state or municipal laws at all times.

Mr. Settle then presented the Board with an Agreed Order. If the Board accepts the Agreed Order, Affordable Pharmacy would agree to the following: Affordable Pharmacy admits to guilt on all four (4) counts. The pharmacy agrees to pay of \$250.00 on Counts I-III for a total of \$750.00 and a fine of \$1,000.00 on Count IV for a total fine of \$1,750.00 which is due on June 13, 2018.

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. Irene Thi Nguyen, DPh. #13478, Case No. 1526:

The Board was called to order by President Whitehead to hear the case of Irene Thi Nguyen. Ms. Nguyen was present and chose to appear without Counsel.

Assistant Attorney General, John Settle presented the Board with a Complaint for review. Ms. Nguyen was charged with multiple violations of state and federal regulations and rules including as PIC being responsible for all aspects of the operation related to the practice of pharmacy which include proper record keeping system for the purchase, sale, deliver, possession, storage and safekeeping of drugs.

Mr. Settle then presented the Board with an Agreed Order. If the Board accepts the Agreed Order, Ms. Nguyen would agree to the following: Ms. Nguyen admits to guilt on all four (4) counts. She would agree to pay a fine of \$250.00 per count on Counts I, III and IV for a total of \$750.00 and \$1,000.00 on Count II for a total fine of \$1750.00 which is due on August 15, 2018. Ms. Nguyen would agree to attend a one-day (8 hour) law seminar in addition to the required 15 hours of CE in the calendar year 2018 and 2019 for a total of 23 hours of CE each year. All CE required to renew her license shall be live during the calendar year of 2019 and 2020.

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

OSBP vs. R & S Drug #3 #13-7787, Case No. 1529:

The Board was called to order by President Whitehead to hear the case of R & S Drug #3. PIC, Lisa Ledford and owner Leslee Kern were present and chose to appear without Counsel.

Assistant Attorney General, John Settle presented the Board with a Complaint for review. R & S Pharmacy was charged with multiple violations of state and federal regulations and rules including failing to establish and maintain effective controls against diversion of prescription drugs and/or controlled dangerous drugs into other than legitimate medical, scientific or industrial channels as provided by federal, state or local law or rules.

Mr. Settle then presented the Board with an Agreed Order. If the Board accepts the Agreed Order, R & S Drug #3 will agree to the following: R & S Drug #3 admits to guilt on all five (5) counts. The pharmacy agrees to pay a fine of \$2,400.00 on each count for a total of \$12,000.00 which is due on June 13, 2018.

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

OSBP vs. Lisa Rene Ledford, DPh. #11103, Case No. 1528:

The Board was called to order by President Whitehead to hear the case of Lisa Rene Ledford. Ms. Ledford was present with owner, Leslee Kern and chose to appear without Counsel.

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Assistant Attorney General, John Settle presented the Board with a Complaint for review. Ms. Ledford was charged with multiple violations of state and federal regulations and rules including failing to guard against diversion.

Mr. Settle then presented the Board with an Agreed Order. If the Board accepts the Agreed Order, Ms. Ledford would agree to the following: Ms. Ledford admits to guilt on all five (5) counts. She would agree to pay a fine of \$1,200.00 per count for a total of \$6,000.00 which is due on June 13, 2018. Ms. Ledford would agree to attend a one-day (8 hour) law seminar in addition to the required 15 hours of CE in the calendar years 2018 and 2019 for a total of 23 hours of CE each year. All CE required to renew her license shall be live during the calendar year of 2018 and 2019.

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

OSBP vs. Valimohammed Panara, DPh. #16396, Case No. 1531:

The Board was called to order by President Whitehead to hear the case of Valimohammed Panara. Mr. Panara was present with Attorney, Neel Natarajan.

Assistant Attorney General, John Settle presented the Board with a Complaint for review. Mr. Panara was charged with multiple violations of state and federal regulations and rules including only a pharmacist being responsible for control and distribution of all drugs.

Mr. Settle then presented the Board with an Agreed Order. If the Board accepts the Agreed Order, Mr. Panara would agree to the following: Mr. Panara neither admits nor denies guilt on all six (6) counts. He would agree to pay a fine of \$3000.00 per count for a total of \$18,000.00 which is due on June 13, 2018. Mr. Panara would agree to probation of his license for two (2) years. He would also agree to attend a one-day (8 hour) law seminar in addition to the required 15 hours of CE in the calendar year 2018 and 2019 for a total of 23 hours of CE each year. During the entire term of his probation, all CE required to renew his license shall be live during the calendar year of 2018 and 2019.

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

Board discusses confidential communications between the Board and Assistant Attorneys General concerning pending investigation and claims regarding water intrusion problems with the Board of Pharmacy Building:

Motion was made by Dr. Jim Spoon and seconded by Stephen Dudley 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.

Motion was made by Dr. Mark St.Cyr and seconded by Stephen Dudley to pursue litigation for the issues with the Board of Pharmacy building. Motion passed on roll call vote.

Board discusses Blanchard Drug request:

Motion was made by Dr. Mark St. Cyr and seconded by Dr. Justin Wilson to go into Executive Session. Motion passed on roll call vote with Dr. Jim Spoon voting "No".

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

The Board held a brief discussion on the letter sent in by Blanchard Drug. The Board agreed that because the Attorney General Opinion was approved, they would not take any action on the letter. The Board suggested that if they would like to come and present, they have that option.

Board discusses Board Director evaluation and staff 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. Jim Spoon to return from Executive Session. Motion passed on roll call vote.

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The Board agreed that President Whitehead would talk to Dr. Church on her evaluation.

OSBP vs. David Branscum, DPh. #17352, Case No. 1514:

The Board was called to order by President Whitehead to hear the case of David Branscum. Mr. Branscum was present with Attorney Terry Pierce. Assistant Attorney General, Mitch McGrew was present as the Boards advisor. Assistant Attorney General, John Settle was also present. Compliance Officer, Keevie Ridener, Billy Wilson, DPh and OPHP Director, Kevin Rich were all present to testify for the Board.

Motion was made by Stephen Dudley and seconded by Dr. Jim Spoon to conduct this case in Executive Session. Motion passed on roll call vote.

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

Motion was made by Dr. Justin Wilson and seconded by Stephen Dudley that due to the clear and convincing evidence presented, Mr. Branscum has violated his Board order. He will maintain the indefinite suspension. He must request reinstatement following renewing his contract with OPHP or an OPHP approved rehabilitation program and receiving an approved "Fit for Duty". Motion passed on roll call vote.

President Whitehead adjourned the Board meeting:

A motion was made by Dr. Justin Wilson and seconded by Dr. Mark St. Cyr to adjourn the Board meeting. Motion passed on roll call vote. President Whitehead adjourned the Board meeting at 6:22 p.m.

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