

South Carolina Board of Pharmacy

MINUTES

Board Meeting

9:00 a.m., January 16-17, 2013

Synergy Business Park

110 Centerview Drive, Kingstree Building Room 108

Columbia, South Carolina

Wednesday, January 16, 2013

Meeting Called to Order

Dan Bushardt, R.Ph., of Lake City, called the regular meeting of the SC Board of Pharmacy to order at 9:00 a.m. Other Board members participating in the meeting included Leo Richardson, Ph.D., of Columbia; Dock Henry Rose, R.Ph., of Greer, Rob Hubbard R.Ph. of Clemson, Addison Livingston, R.Ph. of Swansea, Carole Russell, R.Ph. of Charleston, Rebecca Gillespie, R.Ph. of Columbia and Darra Coleman.

Staff members participating during the meeting included: Lee Ann Bundrick, R.Ph., Administrator; Stephanie Calhoun, Administrative Assistant; Patricia White, Administrative Assistant; and Clelia Sanders, R.Ph., Inspector. LLR employees participating during the meeting included: Sara McCartha, LLR-Office of General Counsel.

Public attending the meeting included: Kitty Lindler, court reporter.

Ray Trotter, Investigator, Board of Pharmacy. Martin Chan, Board of Pharmacy Inspector.

(MR. BUSHARDT: Martin is our new inspector from upstate. Glad to have him on board.)

Rosemary Boguski, Inspector, Board of Pharmacy, Beverly Gould, Board of Pharmacy staff.

Nick Tomlinson, pharmacy director for Care South Carolina, Charles Alexander, Caroline

Alexander, Debra Alexander, Carla Schmidt, Mark Sanders, chief investigator, Office of

Investigations, Bobby Taylor, Investigator, OIE, Albert Almarode, Investigator, OIE, Caroline

Sojourner, DHEC, Kathryn J. Lindler, Laurie Reeder, South University, Kim Keenney, South

University, Nancy Taylor, South University, Eric Ridings, Fred's Pharmacy, Rich Palumbo,

Medco/Express Scripts, Jilliane Caughman, P4 at South Carolina College of Pharmacy, USC

Campus, Logan Eun, P4 South Carolina College of Pharmacy, Ivy Coleman, pharmacy

manager at Palmetto Health Richland, PC Faglie, Investigator, OIE, Robert Spires, Society of

Health Systems, Pharmacists, Bob Puckett, Lake Side Pharmacy, Jim Bell, Lake Side

Pharmacy. Terry Blackmon, Medicine Cabinet, Lake City. Spencer Morris, representing St.

Francis Health Care, Ella Firtko, P4 from South Carolina College of Pharmacy, Sarah Stamper,

P4, South University College of Pharmacy, Michael Dunphy, South Carolina College of

Pharmacy, and Cindy Voris.

Mr. Bushardt announced that this meeting was being held in accordance with Section 30-4-80 of the S. C. Freedom of Information Act by notice mailed to The State Newspaper, Associated Press, WIS-TV and all other requesting persons, organizations, or news media. In addition, notice was posted on the bulletin boards at the two main entrances of the Kingstreet Building, Columbia, South Carolina.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Introduction of Board Members

The Board members, staff and the members of the public attending the meeting introduced themselves.

Chairman's Remarks – Dan Bushardt, R.Ph

Mr. Bushardt expressed there were a few in the audience who may be our next possible board members: Spencer Morris, Terry Blackmon and Eric Ridings.

1. Approval of Minutes for the November 15-16, 2012 Minutes

Mr. Livingston moved the Board approve the minutes of the November 15-16, 2012. Ms. Russell seconded the motion and it carried unanimously.

2. Approval of Reciprocity Interview Candidates for Licensure:

Dates: Nov. 5, 13, 16, 21, 26, 28, 29; Dec. 3, 6, 10, 11, 13, 17, 19, 20, 21, 27, 2012; January 4, 8, 2013.

Ms Gillespie made a motion to accept the reciprocity candidates for licensure. Mr. Livingston seconded the motion and it carried unanimously.

3. Administrator's Report – Lee Ann F. Bundrick, R.Ph.

Report given.

4. Reports from:

Office of Investigative and Enforcement
Mr. Sanders gave the report.

Office of General Counsel
Mr. Pat Hanks gave the report.

Office of Information Services
The Board reviewed the report .

Finance Report
The Board reviewed the report.

5. Compliance and Inspectors Reports

IRC Recommendations for dismissals and dismissals with non-disciplinary letters of concern. Review of proposed Relinquishments, Voluntary Surrenders from the Investigative Review Committee, (IRC)

Mr. Livingston made a motion to approve dismissals. Ms. Gillespie seconded the motion and it carried unanimously.

Mr. Livingston made a motion to approve the formal complaints. Ms. Gillespie seconded the motion and it carried unanimously.

Mr. Livingston made a motion to approve the letters of caution. Ms. Russell seconded the motion and it carried unanimously.

- **Agreement to Relinquish**

2012-91

Mr. Rose made a motion to accept. Mr. Livingston seconded the motion and it carried unanimously

2012-112

Ms. Gillespie made a motion to accept. Mr. Livingston seconded the motion and it carried unanimously

2012-123

Mr. Rose made a motion to accept. Mr. Hubbard seconded the motion and it carried unanimously

2013-5

Ms. Gillespie made a motion to accept. Mr. Livingston seconded the motion and it carried unanimously

- **Consent Agreements**

2012-32

Mr. Livingston made a motion to accept. Ms. Russell seconded the motion and it carried unanimously

2012-33

Ms. Gillespie made a motion to accept. Ms. Russell seconded the motion and it carried unanimously

2012-34

Mr. Livingston made a motion to accept. Ms. Russell seconded the motion and it carried unanimously

2012-58

Mr. Livingston made a motion to accept. Mr. Rose seconded the motion and it carried unanimously

2012-84

Ms. Gillespie made a motion to accept. Mr. Livingston seconded the motion and it carried unanimously

- **Voluntary Surrender –**

The voluntary surrenders were taken as information.

- **Temporary Suspension –**

The temporary suspension was taken as information

6. New Business

**A. Request Approval of Pharmacy Technician Registration Application –
Caroline Alexander**

Mr. Hubbard made a motion to approve the Pharmacy Technician Registration Application request. Mr. Rose seconded the motion and it carried unanimously.

**B. Request Release from Probation –
Melinda Martland**

Mr. Livingston made a motion to deny the release from Probation request. Mr. Rose seconded the motion and it carried unanimously.

**C. Request Reinstatement of Pharmacist License –
Jennifer Boggs**

Mr. Livingston made a motion to deny the Reinstatement of Pharmacist license request. Mr. Hubbard seconded the motion and it carried unanimously.

**D. Request Approval of Pharmacist Reciprocity Application –
Karen Balcerzak**

Mr. Livingston made a motion to approve the Pharmacist Reciprocity Application request. Mr. Hubbard seconded the motion and it carried unanimously.

**E. Request Approval of Non-Resident Pharmacy Permit Application –
Barney's Pharmacy – Ashley Riggs, RPh**

Mr. Rose made a motion to deny the Non-Resident Pharmacy Permit Application. Barney's Pharmacy violated statute and did not send representatives of their pharmacy to answer questions from the Board. Ms. Russell seconded the motion and it carried unanimously.

**F. Request Approval of Pharmacy Technician Registration Application –
Jessica Fullard**

Dr. Richardson made a motion to approve the Pharmacy Technician Registration Application request. Mr. Livingston seconded the motion and it carried unanimously.

**G. Request Approval of Pharmacy Technician Registration Application –
Kyle Heiser**

Mr. Livingston made a motion to approve the Pharmacy Technician Registration Application request. Ms. Gillespie seconded the motion and it carried unanimously.

H. Request Approval of Pharmacy Technician Registration Application – Leslie Gaskins –

Mr. Rose made a motion to deny the Pharmacy Technician Registration Application request until she appears before the Board. Mr. Livingston seconded the motion and it carried unanimously.

I. Request Approval of Pharmacy Technician Registration Application – Latrice Ancrum –

Mr. Rose made a motion to deny the Pharmacy Technician Registration Application until the applicant appears before the Board. Mr. Livingston seconded the motion and it carried unanimously.

J. Request Approval of Pharmacy Technician Registration Application – Leslie Samuels –

Ms. Gillespie made a motion to approve the Pharmacy Technician Registration Application request contingent upon a positive letter from the 12-step program sponsor. Mr. Livingston seconded the motion and it carried unanimously.

7. Old Business

- Approval of 2014 Board Meeting Dates: January 15-16, March 19, June 18-19, September 17-18, and November 20, 2014 –

Ms. Gillespie made a motion to approve. Mr. Livingston seconded the motion and it carried unanimously.

- Non-Resident Application Review Committee

Would like to form an autonomous sub-committee that will handle applications they are comfortable making decisions on. If they are not comfortable, it will go before full Board. The sub-committee will include Mr. Livingston, Ms. Gillespie and Mr. Hubbard. They will also choose their own Chairman, and Counsel will also be present, along with a court reporter. They will meet bi-monthly when the Board is not scheduled to meet. The sub-committee will give notice of date and time selected. Non-resident applicants will be asked to appear in person in front of sub-committee.

If the sub-committee approves the application, they will be issued a two-month permit until full Board approval.

- Update on Non-Resident Legislation – Mr. Livingston gave an update.

Executive Session

Mr. Hubbard made a motion to go into executive session. Mr. Livingston second the motion and it carried unanimously.

LUNCH

Executive Session

Mr. Rose made a motion to come out of Executive Session. Mr. Livingston seconded the motion and it carried unanimously.

New Business Continued

- K. Hospital Drug Shortages, U.S. Senate Sub-committee report –**
Bill Stevenson gave a report.
- L. Request Approval of Pharmacy Technician Reinstatement Application-
Rokeisha Byrd –**
- Ms. Byrd emailed she was not coming. Mr. Rose made a motion to deny. Ms. Gillespie seconded the motion and it carried unanimously.
- M. Request Approval of Pharmacy Technician Training Certificate –
Belinda Laws**
- Mr. Rose made a motion to deny the Pharmacy Technician Training Certificate request. Ms. Gillespie seconded the motion and it carried unanimously.
- N. Request Approval of Pharmacy Technician Registration Application
Renee Florie –**
- Ms. Gillespie made a motion to approve the Pharmacy Technician Registration Application. Mr. Rose seconded the motion and it carried unanimously.
- O. Request Approval of Pharmacy Technician Registration Application -
Gina Rose**
- Mr. Rose made a motion to deny because she was not present. Mr. Hubbard seconded the motion and it carried unanimously.
- P. Request Approval of Remote Order Entry Pilot Project – Pipeline
Healthcare, Chris Ciolko, R.Ph., and David White –**
- Ms. Russell moved to approve the facility permit application, but moved to deny the pilot project as it is not in compliance with the Board policy. Mr. Rose seconded the motion and it carried unanimously.
- Q. Request Approval of Non-Resident Pharmacy Permit Application for
Remote Order Entry – Pharmacy Consulting & Management Company,
Joseph Rowland, R.Ph.**

Mr. Livingston made a motion to deny the Non-Resident Pharmacy Permit Application request. Mr. Hubbard seconded the motion and it carried unanimously.

R. Election of Hearing Officer –

Mr. Rose made a motion to elect Hugh Mobley as the Hearing Officer. Ms. Gillespie seconded the motion and it carried unanimously.

S. The Impact of Ephedrine/Pseudoephedrine in the Proliferation of Meth Labs in South Carolina – Max Dorsey, SLED

Mr. Livingston made a motion to support SLED in developing a bill to make Pseudoephedrine a controlled substance. Dr. Richardson seconded that motion and it was carried unanimously.

T. FDA Inter-Governmental Meeting on Pharmacy Compounding, December 19, 2012 – Addison Livingston, PharmD, R.Ph.

Mr. Livingston lead the discussion with the Board regarding the trip to Washington DC to meet with the FDA regarding Pharmacy Compounding.

U. Elect Delegate and Alternate Delegate for NABP's 109th Annual Meeting, St. Louis, Missouri, May 18-21, 2013

Mr. Livingston made a motion to elect Rob Hubbard as a delegate for NABP's 109th Annual Meeting, and Carole Russell as alternate. Mr. Hubbard seconded the motion and it carried unanimously. Mr. Livingston made a motion for Ms. Bundrick to attend. Mr. Hubbard seconded the motion and it carried unanimously.

8. Committee Reports

- **Pharmacy Technician – Rebecca Gillespie, PharmD, R.Ph. –**
No report
- **Compounding – Addison Livingston, PharmD, R.Ph. –**
No report
- **Legislative – Addison Livingston, PharmD, R.Ph. –**
No report
- **Nuclear Pharmacy – Dock Rose, R.Ph. –**
No report
- **Pharmacy Practice – Dock Rose, R.Ph. –**
Mr. Rose gave a report

The Pharmacy Practice Committee did meet on December 5. Ed Vess had asked us to discuss policy and procedure number 144 which is permitting South Carolina pharmacists to donate legend medications or

legend medical devices. Mr. Rose stated that they were not going to discuss policies today, and thought they were put off until March. Ms. Bundrick stated that policies and procedures are reviewed in June.

- **Pharmacy Technology – Rob Hubbard, R.Ph. –**
No report
- **Recovering Professional Program – Leo Richardson, Ph.D. –**
No report
- **Medication Integrity Committee – Carole Russell, R.Ph. –**
No report

Discussion Topics

*All discussion topics discussed as time permits at the call of the Chairman

Public Comments
Adjournment