

**South Carolina Board of Pharmacy
Board Meeting**

9:00 a.m. January 13, 2016
Synergy Business Park
110 Centerview Drive, Kingstree Building Room 204
Columbia, South Carolina

Wednesday, January 13, 2016

1. Approval of November 18, 2015 Minutes

Mr. Livingston made a motion to approve the minutes. Mr. Blackmon seconded the motion and it carried unanimously.

2. Approval of Reciprocity Candidates for Licensure:

Dates: December 17, 2015, January 6, 2016

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

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

For information only.

4. Inspectors' Report

For information only.

5. Report from:

Finance Report – Lee Ann Bundrick, R.Ph.

For information only.

Office of Disciplinary Counsel – Pat Hanks

For information only.

Office of Investigation and Enforcements – Mark Sanders

For information only.

6. IRC Recommendations for dismissals and dismissals with non-disciplinary letters of concern.

Review of proposed consent agreements, voluntary surrenders, relinquishments, cease and desist and temporary suspension from the Investigative Review Committee (IRC)

IRC Report – Mark Sanders

Mr. Livingston made a motion to approve the report. Mrs. Russell seconded the motion and it carried unanimously.

Resolution Guidelines Report – Mark Sanders

Mrs. Gillespie made a motion to approve the seven formal complaints. Mr. Blackmon seconded the motion and it carried unanimously.

Mr. Livingston made a motion to approve one letter of caution. Mrs. Russell seconded the motion and it carried unanimously.

Mrs. Gillespie made a motion to approve one cease and desist. Mr. Livingston seconded the motion and it carried unanimously.

Mrs. Gillespie made a motion to approve two consent agreements. Mr. Hyatt seconded the motion and it carried unanimously.

Mr. Blackmon made a motion to approve one dismissal with a letter of concern. Mr. Livingston seconded the motion and it carried unanimously.

Consent Agreements

Case #: 2015-13

Mr. Morris made a motion to dismiss this case with a letter of caution. Mr. Livingston seconded the motion and it carried unanimously.

Case #: 2014-125

Mr. Livingston made a motion to approve the consent agreement. Mrs. Russell seconded the motion and it carried unanimously.

Case #: 2015-21

Mr. Strauss recused himself from voting on this consent agreement. Mrs. Gillespie made a motion to approve the consent agreement. Mrs. Russell seconded the agreement. Mr. Morris voted against the agreement. The motion carried.

Case #: 2015-32

Mrs. Gillespie made a motion to approve the consent agreement. Mr. Morris seconded the motion and it carried unanimously.

Case #: 2015-36

Mr. Livingston made a motion to approve the consent agreement. Mr. Blackmon seconded the motion and it carried unanimously.

Case #: 2015-66

Mrs. Russell recused herself from voting on the consent agreement. Mr. Livingston made a motion to approve the consent agreement. Mr. Morris seconded the motion and it carried.

Case #: 2015-81

Mr. Livingston made a motion to approve the consent agreement. Mr. Morris seconded the motion and it carried unanimously.

Case # 2015-67

Mr. Morris made a motion to approve the consent agreement. Mr. Livingston seconded the request and it carried unanimously.

Case #: 2015-68

Mrs. Gillespie made a motion to approve the consent agreement. Mr. Morris seconded the request and it carried unanimously.

Voluntary Surrender

Case #: 2015-138

Case #: 2015-147

Case #: 2015-150

Case #: 2015-152

For information only.

Relinquishment

Case #: 2015-75

Case #: 2015-75

For information only.

Temporary Suspension

Case #: 2015-104

For information only.

A. Request Modification of Order – Donnie Belton

Mr. Livingston made a motion to approve the request. Mr. Blackmon seconded the motion and it carried unanimously.

B. Request Release from Order – Rafael Robles

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

C. Request Release from Order – Kevin Smith

Mrs. Gillespie made a motion to approve the request. Mr. Hyatt seconded the motion and it carried unanimously.

D. Request Release from Probation – Jodi Walker

Mr. Strauss recused himself from voting on this request. Mrs. Gillespie made a motion to approve the request. Mr. Livingston seconded the motion and it carried unanimously.

E. Request Release from Probation – Paul Rast

Mr. Livingston made a motion to approve the request. Mr. Blackmon seconded the motion and it carried unanimously.

F. Request Release from Probation – Stephen Willis

Mr. Livingston made a motion to approve the request. Mr. Morris seconded the motion and it carried unanimously.

G. Request Approval of Pharmacy Technician Registration Application – Linda Yarbrough

Mr. Livingston made a motion to approve the request. Mr. Blackmon seconded the motion and it carried unanimously.

H. Request Approval of Pharmacy Technician Registration Application – Alisha Johnson

Mr. Livingston made a motion to grant the request, with the registration being in a probationary period until the probation of the current criminal probation expires. The proof of this must be submitted to the board office. Mrs. Gillespie seconded the motion and it carried unanimously.

I. Request Approval of Pharmacy Technician Registration Application – Agustina Vessicchio

Mr. Livingston made a motion to deny the request. Mrs. Gillespie seconded the motion and it carried unanimously.

J. Request for Reconsideration of Non-Resident Pharmacy Permit Application - Preferred Rx

Mr. Livingston made a motion to approve the request. Mr. Blackmon seconded the motion and it carried unanimously.

K. Request Approval of Non-Resident Pharmacy Permit Application – Drug Depot, Jaime Rios

Mr. Morris made a motion to approve the request and suffer a \$5000 fine. Mr. Livingston seconded the motion and it carried unanimously.

L. Review of Accreditation Commission for Health Care – Jose Domingos
For information only.

M. Review of Ethics and Boundaries Assessment Services – Dr. Henry Hulteen
For information only.

N. Request for Interpretation of Change of Ownership- Addison Livingston, PharmD
Mr. Hyatt made a motion that the Board's interpretation of a change of ownership where an entity is exchanging, stock with no monetary exchange, not be considered a change where an application must be filed with the board office. Mr. Strauss seconded the motion and it carried.

O. Request Approval for the University of Kentucky, College of Pharmacy Immunization Training Program – Lee Ann Bundrick, R.Ph.
Mr. Livingston made a motion to approve the request. Mr. Blackmon seconded the motion and it carried unanimously.

P. Clarification on Delivery Sites and Permits - Martin Chan, PharmD
Mr. Livingston made a motion that a permitted pharmacy be allowed to send a patient specific medicine to another permitted pharmacy that was labeled from the first pharmacy and all the counseling was provided at the first pharmacy to be sent to the second pharmacy just for patient pick up within an organization that has common ownership. Mr. Morris seconded the motion and it carried unanimously.

Q. Approval of 2017 Board of Pharmacy Meeting Dates January 18-19, March 15, June 14-15, September 13-14, November 15, 2017
Mr. Livingston made a motion to approve the meeting dates. Mrs. Russell seconded the motion and it carried unanimously.

R. Update on Domestic Violence Task Force – Alex Imgrund
Mr. Livingston made a motion to send an email blast to pharmacists about LLR's website information regarding domestic violence. Mrs. Gillespie seconded the motion and it carried unanimously.

S. Elect Delegate and Staff for NABP's 112th Annual Meeting, San Diego, CA, May 14-17, 2016
Mr. Blackmon made a motion for Mr. Hubbard be the delegate and Mr. Livingston be the alternate. Mr. Livingston seconded the motion and it carried unanimously.
Mr. Hyatt made a motion for Mrs. Bundrick to attend and for her to select a member of the staff to attend. Mr. Blackmon seconded the motion and it carried unanimously.

8. Committee Reports

Pharmacy Technicians – Rebecca Gillespie, PharmD
No meeting to report.

Compounding – Carole Russell, R.Ph.

The committee made a motion to ask the Board for approval of their proposed USP 797 revisions and comments to USP. A second to the motion is not required when coming from a committee. It passed unanimously. The committee made a motion to ask the Board to approve the following advice for the inspectors on how to handle Domperidone questions: 1. When a

facility has a Domperidone powder that has a British Pharmacopeia Monograph that isn't labeled for veterinary use only, remind the pharmacist that it may disqualify them from their 503A exempt status upon inspection by the FDA. 2. If a facility has this powder and it's labeled for veterinary use only and it's being used for human products, follow procedures for handling as a misbranded or adulterated product. 3. A facility may use "for veterinary use" powder to compound veterinary prescriptions. A second to the motion is not required when coming from a committee. It passed unanimously. The committee made a motion to approve the Non-Sterile Compounding List of Requirements non-resident facilities. A second to the motion is not required when coming from a committee. It passed unanimously. The committee formed a sub-committee/working group to work on the sterile compounding inspection form and will present to the board after completion.

Legislative – Addison Livingston, PharmD

The committee made a motion to create a permit classification under the non-dispensing drug outlet permit for outsourcing facilities, in that creating a policy and procedure to define the types of facilities that will be permitted under the non-dispensing drug outlet permit. A second to the motion is not required when coming from a committee. It passed unanimously.

The committee asked that the Chairman send a letter to the Medical Affairs Committee and Senate advising that the Board is not in favor of a non-pharmacist dispensing medical marijuana.

Nuclear Pharmacy – Spencer Morris, PharmD

No meeting to report.

Pharmacy Practice & Technology – Terry Blackmon, R.Ph.

No meeting to report.

Recovering Professional Program – Leo Richardson, PhD

Healthcare Collaborative Committee

Mrs. Gillespie gave a report. No votes taken.

Medication Integrity – Addison Livingston, PharmD

No meeting to report.

Non-Resident Application Review

Recommendation for Approvals

Jefferson Pharmacy, Pro Pharma Distribution, Best Care d/b/a ASP Cares, MS-RX, Reliance Wholesale, Den Mat Holdings, Sina Drug d/b/a Onco 360, Eagle Pharmacy, DSC Logistics, TruCare Pharmacy, Alvix Laboratories, Legacy Pharmaceutical Packaging and Covidien Sales. A second to the motion is not required since it is coming from a committee. It passed unanimously

Review of Conditional Approvals

Prime Aid Pharmacy, Wesley Pharmacal Company, Pharmaceutic Labs, Healthy Pharmacy Solutions, Northeast Veterinary Sales, River Medical Pharmacy, Health Partners Refill Center Pharmacy, Home Scripts.com, GR Health Pharmacy, Manhasset Park d/b/a Allegria, Staley Pharmacy, DivvyMed d/b/a Divvy Dose, Carters Ortega Pharmacy.

A second to the motion is not required when the motion comes from a committee. It passed unanimously.

Recommended for Denial

Precision Rx Compounding

A second to the motion is not required when it comes from a committee. It passed unanimously.

Innoveix Pharmaceuticals

A second to the motion is not required when it comes from a committee. It passed unanimously.

Adjournment

Mr. Morris made a motion to adjourn the meeting. Mrs. Gillespie seconded the motion and it carried unanimously.