

**South Carolina Board of Pharmacy  
Board Meeting**

9:00 a.m., June 18-19, 2014  
Synergy Business Park  
110 Centerview Drive, Kingstree Building Room 108  
Columbia, South Carolina

**Wednesday, June 18 2014**

**1. Approval of Minutes for March 19-20, 2014**

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

**2. Approval of Reciprocity Candidates for Licensure:**

Mr. Banks made a motion to approve the candidates. Mr. Hyatt seconded the motion and it carried unanimously.

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

Information Only

**4. Reports - Office of Investigation and Enforcement, Mark Sanders**

IRC report

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

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

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

Resolution Guidelines

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

Mr. Banks made a motion to approve the letters of concern. Mr. Blackmon seconded the motion and it carried unanimously.

**Office of General Counsel – Pat Hanks**

Report given.

**Finance Report – Lee Ann F. Bundrick, R.Ph.**

Report given.

**5. Inspectors Report**

Report given.

**6. IRC Recommendations**

Consent Agreement

Case #: 2013-18

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

Case #: 2013-53

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

Case #: 2013-67

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

Case #: 2011-26

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

Case #: 2013-97

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

Case #: 2013-138

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

Case #: 2013-105

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

Case #: 2013-119

Mr. Hyatt made a motion to approve the agreement. Mr. Banks seconded the motion and it carried unanimously.

Case #: 2013-125

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

Case #: 2013-129

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

Case #: 2013-124

Mrs. Gillespie made a motion to approve the agreement. Mr. Hyatt seconded the motion. Mr. Morris opposed the motion. The motion carried.

#### Voluntary Surrender

Case #: 2014-22

Case #: 2014-32

Case #: 2014-42

Case #: 2014-4

Case #: 2014-51

Voluntary Surrenders are for information only.

#### Agreement to Relinquish

Case #: 2012-89

Mr. Blackmon made a motion to approve the relinquishment. Mr. Hubbard seconded the motion and it carried unanimously.

Case #: 2013-30

Mr. Blackmon made a motion to approve the relinquishment. Mrs. Russell seconded the motion and it carried unanimously.

Case #: 2013-48

Mrs. Russell made a motion to approve the relinquishment. Mrs. Gillespie seconded the motion and it carried unanimously.

Case #: 2013-99

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

Case #: 2014-11

Mr. Banks made a motion to approve the relinquishment. Mr. Morris seconded the motion and it carried unanimously.

#### Cease and Desist

Case #: 201-15

Cease and Desist is for information only.

#### Temporary Suspension

Case #: 2014-53

For information only.

**A. Request Release from Order – John Hoelscher**

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

**B. Request Release from Order – Kurt Howe**

Mr. Hubbard made a motion to approve the request. Mr. Banks seconded the motion and it carried unanimously.

**C. Request Release from Order – David Nesbit**

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

**D. Request Modification of Order – Eric Bell**

Mr. Hubbard made a motion to deny the request. Mr. Blackmon seconded the motion and it carried unanimously.

**E. Request Release from Order – Terry Lewis**

Mr. Hubbard made a motion for release from the order, on probationary status and continue with RPP for an additional 4 years. If positive test or violation of Practice Act, the license would immediately be placed on administrative suspension. Mrs. Russell seconded the motion and it carried unanimously.

**7. New Business**

**F. Request Approval of Pharmacy Technician Registration Application – Jennifer Ford**

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

**G. Request Approval of Pharmacy Technician Registration – Priyanka Patel**

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

**H. Request Approval of Pharmacy Technician Registration – Elliott Malloy**

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

**I. Request Approval of Pharmacy Technician Registration – Pauline Singleton**

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

**J. Request Approval of Intern Hours – Kristen Archambeau**

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

**K. Request Approval of Pharmacist Reciprocity Application – Brian Gross**

Mr. Banks made a motion to approve the request and mirror his Pennsylvania order. Mr. Hyatt seconded the motion and it carried unanimously.

**L. Request Approval of Pharmacist Reciprocity Application – Aldo Virasi**

Mr. Banks made a motion to approve the request. Mrs. Russell seconded the motion and it carried unanimously.

**M. Request Approval of Pharmacist Reciprocity Application – Daryl Reynolds**

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

**N. Request Approval to be Pharmacist-in-Charge at Medi Home Pharmacy and Medi Home Infusion – Joni Sane**

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

**O.** MUSC MOA – Heather Easterling, PharmD, R.Ph.  
Deferred to the September 2014 meeting.

**P.** Request Approval of Non-Resident Pharmacy Permit Application – Avita Drugs  
Mr. Banks made a motion to approve the request, with amended application reflecting “yes” to compounding. Mrs. Russell seconded the motion and it carried unanimously.

**Q.** Request Approval of Non-Resident Pharmacy Permit Application – Carolina Compounding and Nutritional Pharmacy  
Mr. Hubbard made a motion to approve the request, with a \$5000 fine for distributing in South Carolina without a permit. Mrs. Gillespie seconded the motion. Mr. Morris opposed the motion. The motion carried.

**R.** Request Approval of Non-Resident Pharmacy – Pharmacy Creations LLC, Scott Karolchyk  
Mr. Banks made a motion to approve the request. Mr. Blackmon seconded the motion and it carried unanimously.

**S.** Request Approval of Non-Resident Pharmacy Application – Physician Specialty Compounding by Sunlake Pharmacy  
Mr. Banks made a motion to approve the request. Mrs. Gillespie seconded the motion and it carried unanimously.

**T.** Approval of 2015 Board Meeting Dates: January 14-15, March 18<sup>th</sup>, June 17-18<sup>th</sup>, September 16-17<sup>th</sup>, and November 18<sup>th</sup>  
Mrs. Gillespie made a motion to approve the meeting dates. Mr. Morris seconded the motion and it carried unanimously.

**U.** Report from NABP 110<sup>th</sup> Annual Meeting – Rob Hubbard, R.Ph.  
Information only.

**V.** Elect Delegates for 2014 MALTAGON Meeting – St Petersburg, FL, October 26-29, 2014  
Mr. Blackmon made a motion for Mr. Livingston and Mr. Morris to attend the meeting. Mr. Banks seconded the motion and it carried unanimously.  
Mr. Blackmon made a motion for Lee Ann Bundrick to attend the meeting. Mr. Morris seconded the motion and it carried unanimously.

**W.** Medical Transport Services – Lee Ann Bundrick, R.Ph.  
Mrs. Gillespie made a motion to charge non-emergent medical transport services \$200 for the initial application and \$100 for the renewal. Mr. Morris seconded the motion and it carried unanimously.

**X.** Proposed Regulations  
Mr. Blackmon made a motion for Mr. Livingston, Mr. Banks, Mrs. Bundick and Mr. Trotter work on proposed legislation. Mr. Hyatt seconded the motion and it carried unanimously.

**Y.** IRC Chairperson – Lee Ann Bundrick, R.Ph.  
Mr. Hyatt made a motion to have Mr. Hugh Mobley and Mr. Davis Hook co-chair IRC. Mr. Blackmon seconded the motion and it carried unanimously.

**Z.** Full Board Attendance at NABP District III Meeting in Charleston, SC August 2-5, 2014  
Mrs. Gillespie made a motion for the full board, inspectors, Mrs. Bundrick and Ms. Gould to attend the meeting. Mr. Morris seconded the motion and it carried unanimously.

**AA.** Election of 2014-15 Board Officers  
Mr. Hyatt made a motion for Mr. Livingston continue as chairman and Mr. Hubbard as vice-chairman.  
Mr. Morris seconded the motion. Dr. Richardson opposed the motion. The motion passed.

## **8. Committee Reports**

- Pharmacy Technician – Rebecca Gillespie, PharmD, R.Ph.  
No meetings to report.
- Compounding – Carole Russell, R.Ph.

Mrs. Russell presented the changes to be proposed from the committee on UPS Chapter 800. A motion coming from a committee does not need a second. The motion passed unanimously.

- Legislative – Addison Livingston, PharmD, R.Ph.  
No meetings to report.
- Nuclear Pharmacy – Spencer Morris, PharmD, R.Ph.  
No meetings to report.
- Pharmacy Practice & Technology – Rob Hubbard, R.Ph.  
Mr. Hubbard presented a motion from the committee to the Board that the Dosis machine be used in long term care facilities. Mrs. Gillespie made a motion to amend the committee's motion to include the name of the facility that's servicing these homes and also includes skilled nursing facility. Mr. Blackmon seconded the amendment to the motion and it carried unanimously. Mrs. Gillespie made a motion that the interpretation of 40-43-86C1f with regards to duties of consultant pharmacist allow the consultant pharmacist to delegate monthly inspections to a licensed pharmacist and that the consultant pharmacist of record countersign the monthly inspection form and send to the non-dispensing site to retain it in their records. It may be sent electronically. Mr. Blackmon seconded the motion. Dr. Richardson abstained from the vote. The motion passed.

Mrs. Gillespie made a motion to amend the previous motion: the consultant pharmacist could delegate monthly inspections to a South Carolina licensed pharmacist. Mr. Hubbard seconded the motion. Mr. Morris opposed the motion. The motion passed.

Mr. Hubbard, along with Mrs. Russell, Mr. Dock Rose and Mr. Bill Stevenson will work on guidelines for automated and other technology storage dispensing.

- Scope of Practice Sub-committee – Rob Hubbard, R.Ph.
- ❖ Immunization  
Mrs. Gillespie made a motion to defer the proposed immunization regulation to the Practice and Technology Committee for their approval before coming before the full Board. Mr. Morris seconded the motion and it carried unanimously.
- Recovering Professional Program – Leo Richardson, PhD  
No meetings to report.
- Medication Integrity – David Banks, R.Ph.
- No meetings to report.
- NABP District III Planning Committee – Carole Russell, R.Ph.  
Mrs. Russell updated the Board of the upcoming meeting and agenda. No votes taken.
- HealthCare Collaborative – Carole Russell, R.Ph.  
No meetings to report.

## **9. Discussion Topics**

### **Adjournment**

**South Carolina Board of Pharmacy  
Board Meeting**

9:00 a.m., June 19, 2014  
Synergy Business Park  
110 Centerview Drive, Kingstree Building Room 204  
Columbia, South Carolina  
REVISED June 18, 2014 7:15 AM

**Thursday, June 19, 2014**

MOA in the Matter of:

Austin Gore

Mr. Blackmon made a motion to accept the MOA with sanctions: license be put in a probationary status for two years, pay \$5,000 fine to be paid within 90, obtain 20 hours of ACPE CE, in addition to the required 15 hours, specifically in sterile compounding with a minimum of 10 of the 20 hours must be live, to be completed within one year. Mr. Hyatt seconded the motion and it carried unanimously.

Frieda Cone

Mr. Blackmon made a motion to accept the MOA and revoke her license. Mrs. Gillespie seconded the motion. Mr. Hyatt, Dr. Richardson and Mr. Hubbard voted to oppose the motion. The majority carried the motion.

Reinstatement in the Matter of:

Cyril Okadigwe

Mr. Banks recused himself from voting.

Mr. Hyatt made a motion to deny the request. Mr. Morris seconded the motion and it carried unanimously.

In the matter of:

Shantis Bluford, PhT

Mr. Russell made a motion to permanently revoke the technician registration. Mr. Banks seconded the motion and it carried unanimously.

Request Approval of Pharmacist Renewal Application – Steven Madden

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

Consent Agreements

Case #: 2013-83

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

Case #: 2013-120

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

Agreement to Relinquish

Case #: 2011-92

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

**Non-Resident Application Review**

CVS Caremark Advanced Technology

Mrs. Gillespie made a motion to deny the request. Mr. Hyatt seconded the motion. Mr. Banks opposed the motion. The motion carried.

A & A Drug dba Sav-Rx Pharmacy

Deferred to September 2014 meeting.

#### LDI Specialty Pharmacy

Mr. Blackmon made a motion to deny the request. Mr. Morris seconded the motion. Mr. Banks opposed the motion. The motion carried.

#### Walgreens

Mr. Morris made a motion to approve this pharmacy permit with the requirement that Walgreen's provide a report to the board at the January 2015 meeting with statistics indicating the total number of calls, the percentage of calls received for South Carolina residents, the nature of the calls, the percentage of calls answered by a pharmacist versus pharmacy technicians and any statistics related to medication errors or mis-fills related to calls received through the call center. Mrs. Gillespie seconded the motion and it carried unanimously.

#### SimfaRose Pharmacy

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

#### Rx to You Pharmacy

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

#### Meds Director Rx of NY

Mr. Banks made a motion to deny the request and applicant must wait one year before re-applying. Mr. Blackmon seconded the motion and it carried unanimously.

#### Acardia Health

Mr. Hubbard made a motion to defer the request for additional information. Mr. Hyatt seconded the motion and it carried unanimously.

#### Dalton Pharmacy

The Non-Resident Application Review Committee recommended denying this application. The motion came from a committee and does not require a second. It passed unanimously.

#### American Specialty Pharmacy

The committee recommended denial of the application. A motion from a committee does not require a second. It passed unanimously.

#### BriovaRx

Mr. Banks made a motion to approve the request. Mr. Hubbard seconded the motion and it carried unanimously.

#### Goot Nursing Home

Mr. Hubbard made a motion to defer the request for additional information. Mr. Hyatt seconded the motion and it carried unanimously.

#### Medline Industries, Inc.

The Non-Resident Application Review Committee recommended approval of this application. The motion came from a committee and does not require a second. It passed unanimously.

Mrs. Gillespie made a motion to deny the request of not having to appear before the Non-Resident Application Review Committee if new locations are opened. Mr. Blackmon seconded the motion and it carried unanimously.

#### Non-Resident Application Review Committee – March 26, 2014 meeting

The committee recommends approvals for: TheraCom, Medical Specialties Distributors, Spacelabs Health Care, Southern Anesthesia; Alcon Laboratories, McKesson Medical, Hawkins Pharmacy, Alliance Community Pharmacy, Zyna Drugs, Acaria Health Pharmacy, Med Care Choice Pharmacy, Specialty Medical Drugstore, Rx E-Fill Solutions and Roxsan Pharmacy. A motion from a committee does not require a second. It passed unanimously.

The committee recommended some approvals with conditions:

Live Better Pharmacy, the committee recommended a \$500 fine for shipping into South Carolina without a permit.

Southern Pharmacy Services, the committee recommended approval pending successful inspection by North Carolina Board of Pharmacy.

FPR Specialty Pharmacy, the committee recommended approval pending submission and approval of worksheets showing conversion for C of A and salt to base conversions.

Empower Pharmacy the committee recommended approval pending submission of a plan to address inspection deficiencies and submission of revised worksheets showing adjustments for C of A and salt to base conversions.

All Care Pharmacy the committee recommended approval pending submissions of amended application.

A motion from a committee does not require a second. It passed unanimously. It passed unanimously.

#### Non-Resident Application Review Committee – May 14, 2014

The committee recommended approvals for: Professional Hospital Supply, Asclemed USA, KY Meds, Angelina Pharma, Progressive Distributors, Apollo Endosurgery and Emerson Ecologics, Safety Drugs, Pensacola Apothecary, Independent Holdings, Complete Medical Home Care and Henry Ford Pharmacy Advantage Southfield. A motion from a committee does not require a second. It passed unanimously.

The committee recommended approvals with conditions:

Solutions Rx Pharmacy, pending approval with a successful inspection by the Alabama Board of Pharmacy or another approving inspection entity to be reviewed by the administrator.

Peterson Rx, dba Peterson Pharmacy, pending a successful inspection by the board of pharmacy in their state or another board-approved authority to be reviewed by staff. A motion from a committee does not require a second. It passed unanimously.

The committee recommended denying: Cornerstone Compounding Pharmacy, Zynex Medical Pharmacy and NMB Generics. A motion from a committee does not require a second. It passed unanimously.

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