

**South Carolina Board of Pharmacy
Board Meeting**

9:00 a.m., November 18, 2015
Synergy Business Park
110 Centerview Drive, Kingstree Building Room 204
Columbia, South Carolina

Wednesday, November 18, 2015

1. Approval of Minutes for September 16-17, 2015

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

2. Approval of Reciprocity Candidates for Licensure

Dates: September 23, October 9, 22, November 12, 2015

Mr. Hyatt approved the reciprocity candidates. Mr. Livingston seconded the motion and it carried unanimously.

**3. Executive Session for the Purpose of Gaining Legal Advice
Regarding Recent Statutory Changes and the Supreme Court's
Interpretation of Certain Freedom of Information Act Provisions**

4. A. Request Approval of Memorandum of Agreement - KRS Global Biotechnology

Mr. Livingston made a motion to approve the memorandum of agreement and issue a letter of caution on their obligation to follow all the state laws that are applicable in states that they are permitted. Mrs. Russell seconded the motion and it carried unanimously.

B. Request Approval of Memorandum of Agreement – George Frates

Mrs. Russell made a motion to accept the memorandum of agreement and require him to retake the MPJE with a passing grade within 90 days and suffer a \$1000 fine. Mr. Livingston seconded the motion and it carried unanimously.

C. Motion for Reconsideration - Angela Rodgers

Mrs. Gillespie made a motion to deny the request. Mr. Livingston seconded the motion. Mr. Morris voted against the motion. The motion carried.

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

Information only

6. Reports:

Finance Report – Lee Ann F. Bundrick, R.Ph and Richele Taylor, Director
Information only.

Inspectors Report

Information only.

Office of Disciplinary Council Report – Pat Hanks

Information only.

Office of Investigations and Enforcement Report

Information only.

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

IRC Report

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

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

Mr. Livingston made a motion to approve three cases for formal complaint that will result in a consent order, MOA or full board hearing. Mrs. Gillespie seconded the motion and it carried unanimously.

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

Resolution Guidelines Report

Mrs. Gillespie made a motion to approve two cases with recommendation for consent agreements. Mr. Livingston seconded the motion and it carried unanimously.

Mr. Livingston made a motion to approve one case for dismissal. Mr. Morris seconded the motion and it carried unanimously.

Mr. Hyatt made a motion to approve one case recommendation for dismissal with a letter of caution or concern. Mrs. Gillespie seconded the motion and it carried unanimously.

Mr. Livingston made a motion to approve two cases for formal complaints that will come before the board in another form. Mr. Morris seconded the motion and it carried unanimously.

Consent Agreement – Pat Hanks

Case #: 2013-128

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

Voluntary Surrender

Case #: 2015-94

Case #: 2015-111

Case #: 2015-124

Case #: 2015-132

Case #: 2015-133

Information only.

Temporary Suspension

Case #: 2015-54

Case #: 2015-114

Information only.

D. Request Modification of Order – Donnie Belton
Deferred to January 2016.

E. Request Release from Order – Philip Kirn

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

8. F. Request Approval of Reciprocity Application – Alan Dobritch

Mr. Livingston made a motion to close this request from the public to be in compliance with HIPAA regulations. Mr. Blackmon seconded the motion and it carried unanimously.

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 – Queshaun Barr

Applicant did not appear.

H. Request Approval of Pharmacy Technician Registration Application – Sayyid Abdur-Rahim

Applicant did not appear.

I. Request Approval of Pharmacy Technician Registration Application – Khamessa Miller

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

J. Request Approval of Pharmacy Technician Registration Application – Tina Azali

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

K. Report on MUSC Visit Regarding MOU and Permitting Issues – Carole Russell, R.Ph.

Mrs. Russell discussed the working group, Spencer Morris and Bonnie Wilgus, toured MUSC campus to see the facilities that are permitted and how they are run. Information only.

L. Request Approval of Non-Resident Pharmacy Application – MedzDirect, Damaine Johnson and Ken Bains

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

M. Request Approval of BLS for Health Care Professionals for Pharmacists Administered Vaccine Protocol – Health and Safety Institute, Ralph Shenefelt

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

N. Request Approval of Memorandum of Agreement – Anthony Bonofiglio

Mr. Livingston made a motion to approve the memorandum of agreement and delay his practice for 18 months. When he returns to practice, it will be a restricted setting to prevent him from dispensing controlled substances. After 18 months the license would be indefinitely suspended and stayed. He must stay in compliance with RPP for five years, can't be a permit holder or a PIC, pay a \$1,000 fine and mandate that he come back before this board for the release of his order. Mr. Morris seconded the motion and it carried unanimously.

O. 3PLs and Outsourcing Facilities- Addison Livingston, PharmD

For information only.

P. Report from MALTAGON 2015 Meeting – Rebecca Gillespie, PharmD
For information only.

Q. South Carolina Hosting MALTAGON 2017 – Rob Hubbard, R.Ph.
Mr. Hubbard asked Mrs. Russell to head the committee to work on this. Mr. Morris and Mrs. Gillespie volunteered to assist. No votes taken.

R. Medical Marijuana Bill – Addison Livingston, PharmD
The Legislative Committee will review and discuss at their January 8, 2016 meeting.

S. Physician Assistants Prescribing Controlled Substances
An email blast will be sent to pharmacists advising that physician assistants are allowed by law to write prescriptions, including schedule II controlled substances.

T. Joint Pharmacists Administered Vaccines Committee Protocol Approval by the Board of Medical Examiners
No votes taken.

U. Tri-Regulator Symposium – Rob Hubbard, R.Ph.
No votes taken.

V. FDA Inter-Governmental Meetings on Pharmacy Compounding and Drug Supply Chain Security – November 2015 – Addison Livingston, PharmD
No votes taken.

W. Review Non-Resident Application Process and Delegation of Authority to Recommend Action
No votes taken.

X. Interpretation of Use of “Dispense as Written” for Specific Generic Manufacturers
Mr. Livingston made a motion that the Board interprets the Practice Act in such a manner that the pharmacist has authority of product selection when, number one, a prescription is written and the physician signs on the substitution permitted line or number two a physician writes for a generic but does not delineate the manufacturer and signs on the dispense as written line. Mr. Hyatt seconded the motion. Mr. Morris voted against the motion. The motion carried.

Y. Consideration of Request from Greenville Health System’s Upstate Pharmacies
The Healthcare Collaborative Committee is recommending approval of Greenville Health System’s request to expand their pilot project for use of low dose Ketamine infusions to other facilities under their system. A second is not required when coming from a committee. It passed unanimously.

9. Committee Reports

- Pharmacy Technician – Rebecca Gillespie, PharmD, R.Ph.
- Compounding – Carole Russell, R.Ph.
The committee approved the non-sterile inspection form. A second is not required when a motion comes from a committee. It passed unanimously.
- Legislative – Addison Livingston, PharmD, R.Ph.
No meeting to report.
- Nuclear Pharmacy – Spencer Morris, PharmD, R.Ph.

- No meeting to report.
- Pharmacy Practice & Technology – Terry Blackmon, R.Ph.
No meeting to report.
- Recovering Professional Program – Leo Richardson, PhD
 - ❖ Update from Frank Sheheen
No votes taken.
- Medication Integrity – Addison Livingston, PharmD, R.Ph.
No meeting to report.
- Healthcare Collaborative Committee – Addison Livingston, PharmD
 - ❖ Review and Consideration of Joint Advisory Opinion Regarding Presence of a Pharmacist in a Methadone Clinic during dosing hours.
The committee approved the requirement of a pharmacist be present during dosing hours in these clinics. A second is not required when the motion comes from a committee. It passed unanimously.
 - ❖ Review and Consideration of Joint Advisory Opinion Regarding Expansion of Low Dose Ketamine Infusion Pilot Program Throughout Greenville Healthcare System
The committee recommended approval to the Board. A second is not required when the motion comes from a committee. It passed unanimously.
 - ❖ For Information:
 - A subcommittee will work to develop additional information and proposed protocols for the regulation of prescribing and administering medications in the county detention centers served by Southern Health Partners
 - The HCC will meet on April 15, 2016, July 15, 2015 and October 21, 2016. The meeting date can be cancelled if no business is pending. The HCC may schedule additional meetings as needed
- Non-Resident Application Review Committee Recommendations
 - ❖ Review of Approvals
Innovascript, Healthy Meds Pharmacy, Allied 100, D-Rex Pharmacy, Mr. Crash Cart, BDI Pharma, GenRx Pharmacy, Walgreens 07741, ReCept Pharmacy Number 1, Wyandotte Drugs, Diamondback Drugs of Delaware, McKesson Medical Surgical in Middletown, Pennsylvania, Orlando, Florida and Chino, California, ResMed Corporation, PX Drugstore, Briova Rx, Rose Roche Diabetes Care, IV Solutions of Lubbock, Pharm-EZ Medical and Infrared Rx.
A second is not required when the motion comes from a committee. It passed unanimously.
 - ❖ Review of Conditional Approvals
Dunn Meadow, Darjen, RA Rx, Simple Meds, Integrity Specialty Pharmacy, Trilogy Pharmacy and Omni Plus Pharmacy T
A second is not required when the motion comes from a committee. It passed unanimously.
 - ❖ Review of Denials
Precision Rx, Omni One Med Pharmacy Services, World Med Group
A second is not required when the motion comes from a committee. It passed unanimously.
 - Talon Compounding Pharmacy

Mr. Livingston made a motion to require a re-inspection to show compliance with the deficiencies that were noted on the inspection report. Mrs. Russell seconded the motion and it carried unanimously.

Adjournment

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