



Arizona State Board of Pharmacy
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**THE ARIZONA STATE BOARD OF PHARMACY
HELD A REGULAR MEETING MAY 27, 2015
MINUTES FOR REGULAR MEETING**

AGENDA ITEM 1 – Call to Order – May 27, 2015

Vice President Musil convened the meeting at 9:00 A.M. and welcomed the audience to the meeting.

The following Board Members were present: Vice President John Musil, Michael Blaire, Darren Kennedy, Kyra Locnikar, Reuben Minkus, Kristen Snair, and Tom Van Hassel. The following Board Members were not present: Dennis McAllister and William Francis. The following staff members were present: Compliance Officers Tom Petersen, Sandra Sutcliffe, Karol Hess, Steve Haiber, and Dennis Waggoner, Drug Inspector Melanie Thayer, CSPMP Director Dean Wright, Executive Director Kamlesh Gandhi, Deputy Director Cheryl Frush, and Assistant Attorney General Carrie Smith

AGENDA ITEM 2 – Introduction of New Executive Director

Vice President Musil introduced Dr. Kamlesh Gandhi, the newly hired Executive Director. Dr. Gandhi gave a brief overview of his background.

AGENDA ITEM 3 – Introduction of New Board Member – Kristen Snair

Vice President Musil introduced Kristen Snair. Ms. Snair is the newly appointed Pharmacy Technician Board Member replacing Ms. Rosas. Ms. Snair gave a brief overview of her background.

AGENDA ITEM 4– Declaration of Conflicts of Interest

Due to having a “substantial interest” in the matter, Mr. Kennedy recused himself from participating under Arizona’s conflict of interest laws in the review, discussion, and proposed actions concerning Agenda Item 8, Schedule L, Pharmacy Application for Associates Pharmacy.

Due to having a “substantial interest” in the matter, Mr. Kennedy recused himself from participating under Arizona’s conflict of interest laws in the review, discussion, and proposed actions concerning Agenda Item 17, Schedule R, Complaint #4389, Complaint #4406, and Complaint #4408.

Due to having a “substantial interest” in the matter, Mr. Blaire recused himself from participating under Arizona’s conflict of interest laws in the review, discussion, and proposed actions concerning Agenda Item 9, Schedule M, Special Request for Lyle Brauner.

Due to having a “substantial interest” in the matter, Mr. Blaire recused himself from participating under Arizona’s conflict of interest laws in the review, discussion, and proposed actions concerning Agenda Item 18, Review of Case #15-0019-PHR for Steven LeMahieu.

AGENDA ITEM 5– Approval of Minutes

Following a review of the minutes and an opportunity for questions and **on motion by Mr. Van Hassel and seconded by Mr. Kennedy**, the Board Members unanimously approved the minutes for the Regular Meeting held on March 25 and 26, 2015, the telephonic meeting held on April 3, 2015, and the telephonic meeting held on April 14, 2015.

AGENDA ITEM 6- Consent Agreement

Items listed on the Consent Agenda were considered as a single action item by the Board Members. **On motion by Mr. Van Hassel and seconded by Mr. Kennedy**, the Board unanimously approved the following items listed on the Consent Agenda.

6. (1) Resident Pharmacy Permits – Schedule A

RESIDENT PHARMACY PERMITS

Pharmacy	Location	Owner
BioRx, LLC	9045 E. Pima Center Pwky., Scottsdale, AZ 85258 (O)	BioRx, LLC
Banner Family Pharmacy –MD Anderson	2946 E. Banner Gateway Dr., Gilbert, AZ 85234	Banner Pharmacy Services, LLC
Banner Family Pharmacy – Del E. Webb	14502 W. Meeker Blvd., Sun City West. AZ 85375	Banner Pharmacy Services, LLC
Banner Family Pharmacy – Casa Grande	1800 E. Florence Blvd., Casa Grande, AZ 85206	Banner Pharmacy Services, LLC
UA Cancer Center/ Dignity Health St. Joseph’s	625 N. 6 th St., Phoenix, AZ 85004	Dignity Health
UA Cancer Center/ Dignity Health St. Joseph’s Outpatient Pharmacy	625 N. 6 th St., Phoenix, AZ 85004	Dignity Health

(O) = Ownership Change

6. (1) Resident Pharmacy Permits – Schedule A - Continued

RESIDENT PHARMACY PERMITS

Pharmacy	Location	Owner
CVS/Pharmacy #10616	7547 Southern Ave., Mesa, AZ 85209	German Dobson CVS, LLC
Cigna Home Delivery Pharmacy	25600 N. Norterra Dr., Phoenix, AZ 85085	Cigna Health and Life Insurance Company
Key Health Pharmacy	560 N. Estrella Parkway, Ste. B9 & B10, Goodyear, AZ 85338	Banner Pharmacy Services, LLC

6. (2) Non-Resident Pharmacy Permits – Schedule B

NON-RESIDENT PHARMACY PERMITS (Out of State)

Pharmacy	Location	Owner
Bluegrass Pharmacy of Lexington, LLC	395 Elaine Dr., Ste. 110, Lexington, KY 40504	Bluegrass Pharmacy of Lexington, LLC
RepublicRx Specialty Pharmacy	1862 W. Bitters Rd., Ste. 301, San Antonio, TX 78248	Brock Rush
American Medical Direct	1862 W. Bitters Rd., Ste. 301, San Antonio, TX 78248	Brock Rush
Optimed Pharmacy, Inc.	154 S. Kalamazoo Mall, Kalamazoo, MI 49007	Optimed Pharmacy Inc
Innovation Compounding, Inc.	6095 Pine Mountain Rd. NW, Ste. 108, Kennesaw, GA 30152	Innovation Compounding, Inc.
DIVVYMED, LLC	3416 46 TH Ave., Ste. 104, Rock Island, IL. 61201	Arvind Movva
MMS Solutions	202 Cumberland Bend, Nashville, TN 37228 (O)	Cardinal Health 128, LLC
Global Pharmacy & Compounding	10872 Forbes Ave., Unit B-1, Garden Grove, CA 92843	Nha Truong
Communicare Inc.	30 E. 40 th St., New York, NY 10016	Communicare Inc.
Parkwood Pharmacy	405 E. Parkwood Ave., Friendswood, TX 77546	Marcus Davis
B & E Drugs	63-52 Woodhaven Blvd. , Rego Park, NY 11374	B & E Pharmaceuticals, Inc.
Red Chip of Nevada	18009 Sky Park Circle, Suite F, Irvine, CA 92614	Red Chip of Nevada
Vidascript	7432 SW 48 Street, Miami, FL 33155	Tech- Pharmaceuticals, Inc
Care Partners Medical	5055 Swamp Rd, Suite 202, Fountainville, PA 18923	Care Partners Medical, LLC
Newport Lido Pharmacy	351 Hospital Rd #107, Newport Beach, CA 92663	Pacific Pharmacy Group

(O) = Ownership Change

6. (2) Non-Resident Pharmacy Permits – Schedule B - Continued

NON-RESIDENT PHARMACY PERMITS (Out of State)

Pharmacy	Location	Owner
Lantana Pharmacy	3206 Lantana Rd., Palm Beach, FL 33462	Charles Wilson
Healthy Pharmacy Solutions	8021 Research Forest Dr., Ste. D, The Woodlands, TX 77382	Bradley Madrid
Prescriptions Compounding & Pharmacy	511 S. Aspen Ave., Broken Arrow, OK 74012	TCAACP, LLC
Pharmacy Link, Inc.	3648 Vann Rd., Building 2, Suite 116, Birmingham, AL 35235	Pharmacy Link, Inc.
Pharmacy Depot	1119 W. Randol Mill Rd., Arlington, TX 76012	Pharmacy Depot, LLC
Primary Care Pharmacy	6612 Hornwood Dr. #C, Houston, TX 77074	Noel Chukwueke
Shields Drugs, Inc.	680 Hwy 51, Suite G, Ridgeland, MS 39157	Shields Drugs, Inc.
Imperial Point Pharmacy Center, Inc.	6310 N. Federal Hwy., Fort Lauderdale, FL 33308	Imperial Point Pharmacy Center, Inc.
Allure Pharmacy	11670 San Vicente Blvd. #A, Los Angeles, CA 90049	BBK Global Corp.
National Wellness Supply	643 Merchant St., Ambridge, PA 15003	Cayla Jones
360 Pharmacy Services, LLC	100 E. Nasa Rd., Suite 101, Webster, TX 77598	360 Pharmacy Services, LLC
Wyandotte Drugs	364 Eureka Rd., Wyandotte, MI 48192	N R and V Drugs, Inc.
Advanced Rx Pharmacy 060	1410 Donelson Pike, Suite B6, Nashville, TN 37217	Advanced Rx Pharmacy of Tennessee, LLC
Animal Health International, Inc.	1117 West Main, Manchester, CO 52057	Animal Health International, Inc.
Strohecker's Pharmacy, Inc.	2855 SW Patton Rd., Suite A, Portland, OR 97201	Strohecker's Pharmacy, Inc.
Dunn Meadow Pharmacy	1555 Center Ave., Fort Lee, NJ 07024	Dunn Meadow LLC
Heartland Veterinary Pharmacy	401 W. 33 rd St., Hastings, NE 68901 (O)	Heartland Veterinary Pharmacy
Mesa Pharmacy VII	18013 Sky Park Circle, Suite D, Irvine, CA 92614 (O)	Mesa Pharmacy, Inc.
Care Services On Call, LLC	11635 Northpark Dr., Suite 306, Wake Forest, NC 27857	Care Services, LLC
BioRx	7167 E. Kemper Rd., Cincinnati, OH 45249 (O)	BioRx, LLC
BioRx	1819 Aston Ave., Suite 102, Carlsbad, CA 92008 (O)	BioRx, LLC

(O) = Ownership Change

6. (2) Non-Resident Pharmacy Permits – Schedule B - Continued

NON-RESIDENT PHARMACY PERMITS (Out of State)

Pharmacy	Location	Owner
Vital Life Pharmacy	6063 SW 18 th St., Boca Raton, FL 33433 (O)	Vital Life Pharmacy, LLC
Legends Pharmacy	6601 Blanco Rd. #125, San Antonio, TX 78216	MLDP of Texas, LP
Good Health Pharmacy II	8301 N. Wayne Rd., Westland, MI 48185	Wissam Beydoun
Sugarland Compounding Pharmacy	14823 Southwest Freeway, Suite B, Sugarland, TX 77478	Shahid Uddin
C3 Pharmacy	126 East City Center, St. George, UT 84770	SP Care, LLC
Resource Pharmacy	1535 S. D St., Suite 230, San Bernardino, CA 92408	Felix Koltsov
ACC Apothecary	153 California St., Newton, MA 02458	AccRx, Inc,
Healthcom Pharmacy	1648 Tyler Ave., Suite F, Monte, CA 91733	Clevis Management Corp.
Perform Specialty LLC	2416 Lake Orange Dr., Suite 190, Orlando, FL 32837	PerformRx LLC
Opus Rx	50 W. Woodrow Wilson Ave., Suite 311, Jackson, MS 39213	Jonnita Barrett
Unique Pharmaceuticals, LTD	5920 S. Gen. Bruce Dr. #700, Temple, TX 76502	Unique Pharmaceuticals, LTD
Miami Springs Pharmacy	69 Curtiss Parkway, Miami Springs, FL 33166	The Circle Pharmacy, Inc.
Highland Specialty Pharmacy, LLC	23 Town Center Square, Hattiesburg, MS 39402	Highland Specialty Pharmacy, LLC
BioRx	3821 71 st St., Suite C, Urbandale, IA 50322 (O)	BioRx, LLC
Life-Q, LLC	1838 Elm Hill Pike, Suite 125, Nashville, TN 37215	MKM Distribution Holding Company, LLC
Cardiac Infusion Specialists	697 S. Stemmons Freeway, Lewisville, TX 75067	IV & Home Health Services, LLC
Forney Pharmacy	414 Pinson Rd., Forney, TX 75126	Maha Kali Naga Balaji, LLC
BGC Pharmacy	12101 Grant Rd.. Cypress, TX 77429	J.B. Adams
Healthy Meds Pharmacy Co.	730 W. Hallandale Beach Blvd., Hallandale Beach, FL 33009	Healthy Meds Pharmacy Co.
Golden Healthcare Pharmacy	383 Belmont Ave., Haledon, NJ 07508	Aysha Khan
South Valley Compounding Pharmacy	12447 S Crossing Dr., #14, Riverton, UT 84096	Bart Smith, Ryan Johanasen, Troy Johanasen

(O) = Ownership Change

6. (2) Non-Resident Pharmacy Permits – Schedule B - Continued

NON-RESIDENT PHARMACY PERMITS (Out of State)

Pharmacy	Location	Owner
Pharmacy Alternatives California, LLC	2940 E. La Palma Ave., Suite A, Anaheim, CA 92806	Community Alternatives Pharmacy, Inc.
Alternative Medicine and Pharmacy, Inc.	4916 Main St., Ste. 100, Houston, TX 77002	Alternative Medicine and Pharmacy, Inc.
RxBiotech Pharmacy, LLC	315 W. Verdugo Ave. , Burbank, CA 91502	RxBiotech Pharmacy, LLC
Pet360 Pharmacy, LLC	2815 Watterson Trail, Louisville, KY 40299	Pet360 Pharmacy, LLC
ABC Pharmacy	7974 Haven Ave. #120, Rancho Cucamonga, CA 91730	Jonathan Chan
Med-Care	1117 Harpeth Ind. Ct., Franklin, TN 37064	Med-Care, Inc.

6. (3) Resident Wholesaler Permits – Schedule C

RESIDENT WHOLESALER PERMITS

Wholesaler	Location	Owner
BioRx LLC (Full Service)	9045 E. Pima Center Pwky, Scottsdale, AZ 85258 (O)	BioRx LLC
AZ Market Makers, LLC (Non- Prescription)	810 E. 17 th St., Tucson, AZ 85719	AZ Market Makers, LLC
Dsquared Pharmaceuticals, Inc. (Full Service)	4050 E. Cotton Center Blvd., Ste. 63, Phoenix, AZ 85040	Dsquared Pharmaceuticals, Inc.
Pharmaceutical North America, Inc. (Full Service)	4620 W. Elwood St. #3, Phoenix, AZ 85040	Pharmaceutical North America, Inc.

(O) = Ownership Change

6. (4) Non- Resident Wholesaler Permits – Schedule D

NON-RESIDENT WHOLESALER PERMITS

Wholesaler	Location	Owner
Mr. Crash Cart, LLC (Full Service)	154 Cooper Rd., Ste. 602, W. Berlin, NJ 08091	Mr. Crash Cart, LLC
Professional Medical Warehouse, Inc (Full Service)	1775 E. Palm Canyon Dr. #335, Palm Springs, CA 92264	Professional Medical Warehouse, Inc.

6. (4) Non- Resident Wholesaler Permits – Schedule D- Continued

NON-RESIDENT WHOLESALER PERMITS

Wholesaler	Location	Owner
Blessings International (Full Service)	1650 N. Indianwood Ave. , Broken Arrow, OK 74012	Blessings International
Pharmaceutical Credit Company, LLC (Full Service – Reverse Distributor)	1775 E. Palm Canyon Dr. #335, Palm Springs, CA 92264	Pharmaceutical Credit Company, LLC
Westminster Pharmaceuticals, LLC (Full Service)	8680 Swinnea Rd., Southaven, MS 38671	Westminster Pharmaceuticals, LLC
BDI Pharma, Inc. (Full Service)	3250 W. Story Rd., Ste. 104, Irving, TX 75038	BDI Pharma, Inc.
Safe Chain Solutions (Full Service)	822 Chesapeake Dr., Cambridge, MD 21613	Safe Chain Solutions, LLC
Carlsbad Technology, Inc. (Full Service)	5928 Farnsworth Court, Carlsbad, CA 92008	Carlsbad Technology, Inc.
The Proctor And Gamble Distributing, LLC (Non-Prescription)	5576 Ontario Mills Parkway, Unit B, Ontario, CA 91764	The Proctor And Gamble Distributing, LLC
Lambert Distributing (Full Service)	814 K Street, Belleville, KS 66935	Lambert Distributing, LLC
PA Healthcare Pharmaceutical Company (Full Service)	575 Exton Commons, Exton, PA 19341	PA Healthcare Pharmaceutical Company
Chinook Healthcare (Full Service)	325 W. South Boulder Rd., #5, Louisville, CO 80027	Chinook Healthcare, Inc.
Allied 100, LLC (Full Service)	1800 US Hwy 51 N, Woodruff, WI 54568	Allied 100, LLC
Unit Dose Services, LLC (Full Service)	321 N. Bryan Rd., Dania Beach, FL 33004	Unit Dose Services, LLC
ResMed Corp. (Full Service)	23650 Brodiaea Ave., Moreno Valley, CA 92553	ResMed Corp.
ResMed Corp. (Full Service)	600 Riverside Parkway, Ste. 100, Lithia Springs, GA 30122	ResMed Corp.

6. (5) Non-Resident Manufacturer Permits – Schedule E

NON-RESIDENT MANUFACTURER PERMITS

Manufacturer	Location	Owner
EnteroMedics	2800 Patton Rd., Saint Paul, MN 55113	EnteroMedics, Inc.
Cardinal Health 200, LLC	460 Greenway Industrial Dr., Unit R, Fort Mill, SC 29708	Cardinal Health 200, LLC
New Haven Pharmaceuticals, Inc.	116 Washington Ave., 4 th Floor, North Haven, CT 06474	New Haven Pharmaceuticals, Inc.
Carlsbad Technology, Inc.	5923 Balfour Dr., Carlsbad, CA 92008	Carlsbad Technology, Inc.
Roche Diabetes Care, Inc.	9115 Hague Rd., Indianapolis, IN 46250	Roche Diabetes Care, Inc.

6. (6) – New Pharmacists – Schedule F

The Board approved the 70 New Pharmacist Licenses listed on the attachments.

6. (7) – New Interns – Schedule G

The Board approved the 114 New Intern Licenses listed on the attachments.

6. (8) – New Pharmacy Technicians – Schedule H

The Board approved the 948 New Pharmacy Technicians listed on the attachments.

6. (9) -Pharmacy Technician Trainee Requests for Approval to Reapply for Licensure – Schedule I

The Board approved the following individuals for one additional two year period.

Abdullah, Zinah	Flores, Erika D.	Nguyen, Stephanie Oanh
Acejo, Johnny Rico	Folsom, Kristen Michelle	Niyazova, Rena
Acosta, Amanda Marie	Fuentes, Dalia	Nunez, Richard
Alatrash, Sana Majdi	Gennan, Karina Guadalupe	Olea, Zachary
Alejandro, Stella	Gilbow, Robin Marie	Peary, Matthew Ryan
Archibald • Leslie'Anne Elizabeth	Gonzales, candice J.	Petersen, Janice Maurine
Ayala-Cueto, Jose Guadalupe	Gonzalez, Mildred Xareny	Pham, Ngoc Phung Thi
Baca, Andrea Monie	Gutierrez, Stephanie L.	Phompanya, Chanthavy Vanessa
Bailey, Laura Jean	Hampton, Michelle Kathryn	Proudfoot, Jessica Cheri
Bajrami, Skender	Hansen, Stephen Howard G.	Rakestraw, Iesha Iman
Bakhda, Parth Pankaj	Herndon, Sarah Renee	Ray, Andrea Elizabeth
Barnhart, Erik Joseph	Homyak, Lori Lynn	Refonnado, Evelyn Manlangit
Barraza, Elsa Theresa	Hubbard, Julie Ann	Reid, Sharon Ann
Bayler, Heather Lynn	Hughes, Jennifer Michelle	Rendon, Yesenia
Beard, Stephanie	Huyser, Katie	Rivas-Carrera, Emily Yesenia
Begay, Clarissa Ann	Islava, Krystal Naidene	Robinson, Kiera D'Alene
Berhane, Deliet Samson Yacob	Jaime, Jessica	Robles, Mark Zachary
Bernal, Kristina Delia	Jeffrey, Benjamin	Romero, Dominique Elaine
Bracamonte, Ruben Anthony	Jennings, Shantell Marie	Rynn, Shilo Everest
Brookhouse, Sherry	Jimenez, Michelle Marie	Rzayev, Mary
Bullen, Tyler J.	Kaericher Jr. , John Allen	Sanchez, Corina Monica
Bussey, Denise Dana	Kas-Marogi, Bianca Ann	Sanchez. Rachel Mercedes
Calderon, Michelle Yvonne	Ketchum, Naomi Ann	Santa Maria, Chez James

6. (9) -Pharmacy Technician Trainee Requests for Approval to Reapply for Licensure – Schedule I - Continued

The Board approved the following individuals for one additional two year period.

Carrasco, Anthony Marlin	Komerdelj, Ivan Adrian	Seymour, David P.
Castillo , Alejandra Agundez	Krick, Joel Micheal	Silver, Cree Oceana
Cesar, Alba Judith	Labas,Janos	Smith, Lukea Lise
Chambertin, Rose Marie	Landis, Zachary Alan	Smith, Melanie Alice
Chavez Sapien, Joseline Michelle	Lawson, Sarah L.	Smothers, Sherle Hammond
Conover, Jordan Taylor	Layton, Kavin Michael	Sotelo-Espinoza, Leobardo
Contreras, Anissa Briane	Ledenbach, Kylie Gayle	Spooner. Breana Angelique
Contreras, Reana Kelley	Leier, Toni Vanessa	Squires, Julie Alice
Conway, Richard Dustin Thomas	Lewis, Vanessa	Swope, Catherine Amanda
Cordova, Bobbie Sue	Lobato, Ryan Albert	Tibbs, Stephanie Lynn
Cordova, Vanessa Ann	Lopez Saucedo, Jessika Sarai	Torres, Rene Anthony
Cottrill, Melissa Marie	Madrigal, Vivian Elizabeth	Tran. Kim Tuyen
Cruz, Jonathan Antonio	Majidi, Golshan	Trombino, Andrea Megan
Cuevas, Michelle M.	Maldonado, Natalie Marie	Tsinnijinnie, Ellouise
Dayton, Nannette Kaye	Martinez, Henry	Tucker, Donna Ann
Delgado, Stephanie Lorraine	Merino. Lindsay Danielle	Valenzuela. Ashley Michelle
Densmore, Bennett James	Merrweather. Mylatesha	Vu. Phuoc Van
Dietrich, Denine Marie	Miller, Janice Elaine	Wadeea. Marcus S.
Dominguez, Jessenia	Mitchell, Jennifer Lynn	Walsh, Caitlin Jade
Eichhorst, Nicole Ann	Moberly, Linda Ann	Whitmire, Kathleen M.
Esparza, Carlos Alejandro	Mohomoud, Luui Mohamed	Williams. Eidrin Jermayne
Felix, Veronica Betty	Morlan, Michael William	Williams, Lasheena
Fernandez, Amanda Louise	Morrison, Alex Arthur	Woodard, Jessica Lynn
Fernandez Velazquez, Jazmin	Morrow, Collin Brice	Yellowhair, Sharalee
Fields, Darla Michelle	Mottonen. David John	Zell, Autumn J.

6. (10) – Complaints with No Violations – Schedule J

The Board unanimously agreed to dismiss the following complaints and take no further action on the complaints:

Complaint #4403

AGENDA ITEM 7– Resident Pharmacy Permits – Schedule K

1. Intown Pharmacy

Vice President Musil stated that representatives from Intown Pharmacy were present to answer questions from Board Members.

Howard and Rampung Pulver, Owners, were present to answer questions from Board Members.

Dr. Musil opened the discussion by asking Mr. Pulver about the ownership change. Mr. Pulver stated that he was working for APAC and when his contract was completed he started working part-time at Intown Pharmacy. Mr. Pulver stated that the owner of the pharmacy wants to retire and he is interested in purchasing the pharmacy.

Dr. Musil asked Mr. Pulver if he had ever been disciplined by the Board. Mr. Pulver stated that he was disciplined previously. Mr. Pulver stated that he is being seen by a private physician and the problems that occurred before would not happen again.

Mr. Van Hassel asked Mr. Pulver to describe his business model. Mr. Pulver stated that the pharmacy is a small retail pharmacy.

Mr. Van Hassel asked if Mr. Pulver would be doing any compounding. Mr. Pulver stated that they would do some compounding but would not be doing any sterile compounding.

Mr. Van Hassel asked if there is a front end portion to the pharmacy. Mr. Pulver stated that the pharmacy is a converted restaurant and the front portion of the pharmacy is where the OTC products are located.

Mr. Van Hassel asked Mr. Pulver if he would be the only pharmacist working at the store. Mr. Pulver replied yes. Mr. Pulver stated that there would also be two technicians working at the pharmacy. Mr. Pulver stated that they would hire an extra clerk during the winter due to the increase in the snowbird population.

Mr. Blaire asked if there are any other pharmacies located in the area. Mr. Pulver stated that the nearest pharmacy is in Parker.

Mr. Kennedy asked Mr. Pulver who is currently the Pharmacist in Charge at the Pharmacy. Mr. Pulver stated that the current owner is the Pharmacist in Charge.

Mr. Kennedy asked Mr. Pulver if he has ever been a Pharmacist in Charge. Mr. Pulver replied yes.

Dr. Gandhi asked Mr. Pulver if he appeared before the California Board for a license. Mr. Pulver stated that his license application was denied in California but he could appear at a meeting to discuss the denial. Mr. Pulver stated that he did not pursue the license because he was hired for a job in the meantime.

RESIDENT PHARMACY PERMITS

On motion by Mr. Van Hassel and seconded by Ms. Locnikar, the Board unanimously approved the following resident pharmacy application listed below pending final inspection.

RESIDENT PHARMACY PERMITS – Schedule K

Pharmacy	Location	Owner
Intown Pharmacy	60 W. Main St. Quartzsite, AZ 85346 (O)	Howard and Rampung Pulver

(O) = Ownership Change

AGENDA ITEM 8– Non- Resident Pharmacy Permits – Schedule L

1. Associates Pharmacy

Mr. Kennedy was recused due to a conflict of Interest.

NON-RESIDENT PHARMACY PERMITS

On motion by Dr. Musil and seconded by Mr. Van Hassel, the Board unanimously approved the following non-resident pharmacy application listed below.

NON-RESIDENT PHARMACY PERMITS – Schedule L

Pharmacy	Location	Owner
Associates Pharmacy	795C Woodlake Rd., Kohler, WI 53044	Walgreen Co.

AGENDA ITEM 9 – Special Requests

#1 Mark Placek

Mark Placek appeared on his own behalf to request to terminate his probation per Board Order 14-0018-PHR.

Vice President Musil opened the discussion by asking Mr. Placek why he was appearing in front of the Board.

Mr. Placek stated that he is requesting that his probation be terminated. Mr. Placek stated that he has experienced many changes in his life since his probation started. Mr. Placek stated that he is no longer employed at the pharmacy where the errors occurred. Mr. Placek stated that he has been a floater pharmacist for the last 6 months. Mr. Placek indicated in the past that his actions were reckless, careless, and unprofessional. Mr. Placek stated that he failed to follow standards and has altered his practices. Mr. Placek stated that he is thankful that nobody was harmed and all the errors were corrected. Mr. Placek stated that he does not want to appear in front of the Board for any further errors and thus has changed his practices.

On motion by Mr. Van Hassel and seconded by Mr. Kennedy, the Board unanimously approved Mr. Placek’s request to terminate his probation per Board Order 14-0018-PHR.

#2 Lyle Brauner

Mr. Blaire was recused due to a conflict of interest.

Lyle Brauner appeared on his own behalf to request to terminate his probation per Board Order 15-0003-PHR. Steven Perlmutter, Legal Counsel for Mr. Brauner, was also present.

Vice President Musil opened the discussion by asking Mr. Brauner why he was appearing in front of the Board.

Mr. Brauner stated that he is requesting that his probation be terminated. Mr. Brauner stated that he has learned from the experience.

Mr. Perlmutter stated that Mr. Brauner has learned from his experience and does not want to appear in front of the Board again.

Dr. Musil asked Mr. Brauner if he is employed. Mr. Brauner stated that he is employed at Safeway as a Pharmacist in Charge.

Mr. Van Hassel asked Mr. Brauner about the compounding course he attended. Mr. Brauner stated that the course was a good start. Mr. Brauner stated that they taught the attendees how to design a clean room for USP 800. Mr. Brauner stated that they also reviewed USP 797 and USP 795 requirements. Mr. Brauner stated that they taught them how to build a clean room from scratch. Mr. Brauner stated that a 2 day compounding course was not really enough time to teach everything.

Dr. Musil stated that the certificate indicated that the course was for advanced non-sterile compounding. Mr. Brauner stated that they talked about sterile and non-sterile compounding.

On motion by Mr. Van Hassel and seconded by Mr. Kennedy, the Board unanimously approved Mr. Brauner's request to terminate his probation per Board Order 15-0003-PHR.

#3 Jacqueline Rothschild

Jacqueline Rothschild appeared on her own behalf to request to terminate her probation per Board Order 09-0013-PHR.

Vice President Musil opened the discussion by asking Ms. Rothschild why she was appearing in front of the Board.

Ms. Rothschild stated that she had to appear before the Board to have her probation removed. Ms. Rothschild stated that she has learned a lot about addiction and has been attending 12-step meetings.

Dr. Musil asked Ms. Rothschild if she had a relapse in 2012. Ms. Rothschild stated that she attended 12-step meetings which included alcohol. Dr. Musil stated that the counseling notes indicate a positive for alcohol in 2012. Ms. Rothschild admitted that she did have a positive screen and went to counseling.

Dr. Musil asked Ms. Rothschild about her missing drug screens and counseling reports. Ms. Rothschild stated that she believed that she went for all the screenings but the screening center did not turn in reports. Ms. Rothschild stated that she does have some receipts for the screenings. Ms. Rothschild stated that no one told her that she was missing the counseling reports.

Dr. Musil asked Ms. Rothschild if she would be opposed to entering into a PAPA contract. Ms. Rothschild stated that she had issues with the current counselors.

On motion by Mr. Van Hassel and seconded by Ms. Snair, the Board unanimously agreed to deny Ms. Rothschild's request at this time. Ms. Rothschild was told that she could submit the missing paperwork and appear at the June meeting.

AGENDA ITEM 10– License Applications Requiring Board Review – Schedule N

#1 Mary Olson

Mary Olson appeared on her own behalf to request to proceed with Pharmacist Licensure.

Vice President Musil asked Ms. Olson why she was appearing in front of the Board. Ms. Olson stated that she was asked to appear because she was reciprocating her license and had received a citation in California. Ms. Olson stated that she has a pharmacist license in California and Kansas.

Dr. Musil asked Ms. Olson to give a brief overview of her background. Ms. Olson stated that she was a pharmacist for Longs Drugstore and they were purchased by CVS. Ms. Olson stated that it was a difficult transition and she had stepped down as pharmacy manager in 2011. Ms. Olson stated she stepped down due to performance demands.

Ms. Olson stated that she knew nothing about the missing drugs. Ms. Olson stated that she had called the California Board. Ms. Olson stated that CVS did not approach her about the losses. Ms. Olson stated that she was not aware of the missing CII medications. Ms. Olson stated that she believes that there were issues in the paperwork due to the transition.

Mr. Van Hassel asked Ms. Olson if she had any idea of what happened to the drugs. Ms. Olson stated that she had no idea what happened to the medications. Ms. Olson stated that she noticed that there was an issue with the Tussionex and she had placed that medication in the CII drawer.

Mr. Van Hassel asked Ms. Olson if she planned to move to Arizona. Ms. Olson stated that she needs to have an Arizona license before she moves.

Mr. Van Hassel asked if Kansas took any action against her license. Ms. Olson replied no. Mr. Blaire asked Ms. Olson if any action was taken against her successor. Ms. Olson replied that she does not know if any action was taken against the new pharmacy manager.

Mr. Minkus asked if the inventory is monitored. Ms. Olson stated that there is an automated ordering system based on the products sold.

Mr. Minkus asked if the two systems would indicate that a shortage has occurred. Ms. Olson stated that corporate should have sent a message indicating that the medication was off.

Dr. Gandhi asked if there is an online inventory. Ms. Olson stated that the inventory was not off and she did not feel the inventory was off.

Dr. Gandhi asked Ms. Olson if anyone could have manipulated the numbers. Ms. Olson stated that anyone could manipulate the numbers at any time.

On motion by Mr. Kennedy and seconded by Mr. Van Hassel, the Board agreed to approve Ms. Olson's pharmacist application. There were two nay votes by Mr. Minkus and Ms. Locnikar.

On motion by Dr. Musil and seconded by Mr. Kennedy, the Board unanimously agreed to issue Ms. Olson a non-disciplinary advisory letter requiring her to complete 3 hours of CE on law and recordkeeping on controlled substances. These 3 hours must be completed after she has taken and passed the law exam.

#2 David Rand

David Rand appeared on his own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Vice President Musil asked Mr. Rand why he was appearing in front of the Board. Mr. Rand stated that he has applied for a pharmacy technician trainee license.

Mr. Rand stated that he was asked to appear because he was disciplined by the Medical Board. Mr. Rand stated that in 2001 he was working as an orthopedic physician on a trauma team at John C. Lincoln hospital. Mr. Rand stated that a patient had experienced complications. Mr. Rand stated that since he was planning on retiring he did not oppose the consent agreement. Mr. Rand stated that he retired in 2004.

Mr. Rand stated that he decided that he wanted to do something and felt that pharmacy would be a close adjunct. Mr. Rand stated that he does have a job prospect.

On motion by Mr. Van Hassel and seconded by Mr. Blaire, the Board unanimously agreed to approve Mr. Rand's pharmacy technician trainee application.

#3 Kimberly Wyant

Kimberly Wyant appeared on her own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Vice President Musil asked Ms. Wyant why she was appearing in front of the Board. Ms. Wyant stated that she had applied for a pharmacy technician trainee license and was asked to appear.

Dr. Musil asked Ms. Wyant why she did not disclose her felony conviction on her application. Ms. Wyant stated that the charges were a deferred adjudication and involved an incident that happened 12 years ago. Ms. Wyant stated that she was placed on probation and restitution was paid. Ms. Wyant stated that the charges were dismissed.

Mr. Van Hassel asked Ms. Wyant to explain the charges. Ms. Wyant stated that she had applied for food stamps and her husband's income was reported incorrectly and they were fined. Ms. Wyant stated that her husband was making more money than reported and they were charged with receiving extra money. Ms. Wyant stated that she pled guilty to the charges.

A motion was placed on the floor by Mr. Van Hassel and seconded by Mr. Kennedy to approve Ms. Wyant's application. The motion was withdrawn.

On motion by Mr. Van Hassel and seconded by Mr. Kennedy, the Board unanimously agreed to deny Ms. Wyant's pharmacy technician trainee application. Ms. Wyant was told that she could resubmit her application indicating the charges that were levied against her.

#4 Anthony Hill

Anthony Hill appeared on his own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Vice President Musil asked Mr. Hill why he was appearing in front of the Board. Mr. Hill stated that he had applied for a pharmacy technician trainee license and was asked to appear.

Dr. Musil asked Mr. Hill about his non-disclosure on his application. Mr. Hill stated that he was charged with receiving stolen property as a juvenile. Mr. Hill indicated that he completed the requirements of his juvenile order and the charges were dismissed.

Mr. Hill stated that he was a medical combat nurse. Mr. Hill stated that he is currently working at Walgreens and was asked to be a pharmacy technician. Mr. Hill stated that he is currently attending motorcycle mechanic school and is graduating soon. Mr. Hill stated that he would like to be a technician.

On motion by Mr. Van Hassel and seconded by Mr. Blaire, the Board unanimously agreed to deny Mr. Hill's pharmacy technician trainee application. Mr. Hill was told that he could resubmit his application indicating the charges that were levied against him.

#5 Wesley Scott

Wesley Scott appeared on his own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Vice President Musil opened the discussion by asking Mr. Scott why he was appearing in front of the Board. Mr. Scott stated that he had applied for a pharmacy technician trainee license and was asked to appear because of his felony conviction.

Dr. Musil asked Mr. Scott about his felony charges. Mr. Scott stated that in 2012 the neighbors above him were making noise and they got into an altercation. Mr. Scott stated that he did jail time. Mr. Scott stated that he has completed his probation and paid his fines. Mr. Scott stated that he has learned that if he is placed in the same situation to take a walk and calm down.

Mr. Minkus asked Mr. Scott to elaborate about the altercation. Mr. Scott stated that he had an issue with the neighbors above him for about three months. Mr. Scott stated that one day he got upset and when the neighbors came down stairs they all had words. Mr. Scott stated that he did not hit anyone. Mr. Scott stated that the neighbors called the police and he was charged with a felony and spent four months in jail.

Mr. Scott stated that he has attended classes at Phoenix College and ASU West.

Ms. Snair asked Mr. Scott if he has a history of making comments. Mr. Scott stated no that he was just upset that day.

Ms. Snair asked Mr. Scott if he was provoked in a pharmacy would he be able to handle himself. Mr. Scott replied yes.

Mr. Minkus asked if this was the only time something like this has happened. Mr. Scott replied yes.

Dr. Gandhi asked if he had consumed any alcohol that day. Mr. Scott replied no.

Mr. Van Hassel asked Mr. Scott if he has a job offer. Mr. Scott replied that he does have an offer with Pharmerica.

Dr. Gandhi asked Mr. Scott about his interaction with law enforcement. Mr. Scott stated that he was cooperative.

Dr. Musil stated that Mr. Scott was charged with aggravated assault and threatening.

On motion by Mr. Van Hassel and seconded by Mr. Kennedy, the Board unanimously agreed to table Mr. Scott's pharmacy technician trainee application and requested that he submit a copy of the police report explaining the charges.

#6 Amy Chaney

Amy Chaney appeared on her own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Vice President Musil opened the discussion by asking Ms. Chaney why she was appearing in front of the Board. Ms. Chaney stated that she had applied for a pharmacy technician license and was asked to appear because of her felony convictions. Ms. Chaney stated that she was in a first offenders program and the charges were not be seen. Ms. Chaney stated that she did get in further trouble with the law and she has to have her attorney change her status back to first offender so that her charges do not show.

Mr. Kennedy asked Ms. Chaney about the charge of drug manufacturing. Ms. Chaney stated that she was at her uncle's house because he was dying. Ms. Chaney stated that the police raided the house while she was there and she was arrested for drug manufacturing. Ms. Chaney stated that she knew that it was a drug house. Ms. Chaney stated that she received a lesser sentence that was for criminal trespassing.

Mr. Minkus asked Ms. Chaney about the drug paraphernalia charges. Ms. Chaney stated that she took her niece shopping. Ms. Chaney stated that her niece wanted to go to Burlington to return some products. Ms. Chaney stated that she was waiting in the car and then decided to go into the store to look for her niece. Ms. Chaney indicated that she was arrested with her niece because her niece had merchandise from other stores and paraphernalia in her bag. Ms. Chaney stated that they were both charged.

Ms. Chaney stated that she works for Walgreens at the Pharmacy Care Center and would like to work as a technician.

Mr. Kennedy recused himself at this point due to the disclosure by Ms. Chaney.

Mr. Blaire asked Ms. Chaney about the use of a credit card. Ms. Chaney stated that the incident occurred 13 years ago in Atlanta. Ms. Chaney stated that the charges were under the first offender program and she did some jail time. Ms. Chaney stated that she gave a fake name and address to the police officer.

On motion by Mr. Van Hassel and seconded by Mr. Minkus, the Board unanimously agreed to deny Ms. Chaney's pharmacy technician trainee application.

#7 Michael Todd Peters

Michael Peters appeared on his own behalf to request to proceed with Pharmacist licensure.

Vice President Musil opened the discussion by asking Mr. Peters to discuss why he was appearing in front of the Board and to discuss what the current status of his pharmacist license in California.

Mr. Peters stated that his license is revoked in California. Mr. Peters stated that he closed his Pharmacy in California and his attorney submitted the paperwork. Mr. Peters stated that he did not agree with the California Board and he lost his case and his license was revoked.

Mr. Blaire asked Mr. Peters about the returned medications. Mr. Peters stated that he took back used syringes and medications and was not aware that he could not take those items back.

Mr. Blaire asked about the inventory discrepancy. Mr. Peters stated that the number was fictitious. Mr. Peters stated that he could not recreate the numbers because he sold the business and he could not get the records from the new owner. Mr. Peters indicated that the numbers were wrong because the state inspector did not use all the NDC numbers. Mr. Peters stated that the inspector told him that California does not have a formal protocol for conducting audits.

Dr. Musil asked about the paperwork that Mr. Peters sent to the Board. Mr. Peters stated that he sent the paperwork pre-closure and post-closure.

Dr. Musil asked Mr. Peters if he kept a copy of the paperwork. Mr. Peters stated that he did not keep a copy of the paperwork and he could not go back to his computer system.

Mr. Kennedy asked Mr. Peters if he had a break-in at the pharmacy. Mr. Peters indicated that he had a break-in 10 months prior to closing the pharmacy. Mr. Peters stated that he kept his CII medications in a Craftsman tool case locked in an office. Mr. Peters stated that they took the whole case and his narcotics inventory was in the case. Mr. Peters stated that he made an incorrect guess of what was taken and his controlled substance inventory. Mr. Peters stated that he had placed new protocols in place for keeping his inventory records separate from the inventory. Mr. Peters stated that he gave incorrect amounts because he did not know what was stolen. Mr. Peters stated that he could not get any assistance from the Board.

Mr. Kennedy asked Mr. Peters about the documents that were faxed to the California Board. Mr. Peters stated that he had faxed the drug usage report for a certain period of time. Mr. Peters stated that it involved the NDC in discrepancy. Mr. Peters stated that the inspector did not use all the NDC numbers to calculate the totals.

Mr. Minkus asked if they caught the people that broke into the pharmacy. Mr. Peters stated that they did not find them and they did not find any of the bottles that were taken. Mr. Peters stated that the pharmacy was located in a small strip mall.

On motion by Mr. Minkus and seconded by Mr. Van Hassel, the Board denied the request by Mr. Peters to proceed with pharmacist licensure due to unprofessional conduct. (A.R.S 32-1901.01.)

#8 Eberenna Battle

Eberenna Battle appeared on her own behalf to request to reinstate her expired pharmacist license.

Vice President Musil opened the discussion by asking Ms. Battle to discuss why she was appearing in front of the Board.

Ms. Battle stated that she would like to reinstate her expired pharmacist license but was told that she would have to appear because she did not complete the requirements of a previous Consent Agreement. Ms. Battle stated that in 2010 she moved to Illinois to live with her parents due to health issues. Ms. Battle stated that she was unable to pay her fine and should have reached out to the Board. Ms. Battle stated that she wishes to reinstate her Arizona pharmacist license. Ms. Battle stated that she holds pharmacists licenses in Illinois and Minnesota.

Mr. Kennedy asked Ms. Battle if she has practiced since that time. Ms. Battle replied yes.

On motion by Mr. Van Hassel and seconded by Mr. Kennedy, the Board unanimously agreed to table the discussion until Board staff could verify if Illinois or Minnesota had taken action against her license.

Board staff reported that no action was taken against her license in either state.

Dr. Musil asked Ms. Battle if she reported the disciplinary action to the Illinois Board. Ms. Battle replied yes.

Dr. Musil asked Ms. Battle if she appeared before the Minnesota Board. Ms. Battle stated that she did speak with them. Ms. Battle stated that she indicated the action on the renewal form.

Dr. Musil asked Ms. Battle if she completed the Arizona consent. Ms. Battle replied no.

On motion by Mr. Van Hassel and seconded by Mr. Minkus, the Board unanimously agreed to offer Ms. Battle a Consent Agreement for reinstatement and be placed on probation until the requirements of the previous consent are completed. The requirements of the previous Consent Agreement should be completed within 120 days from the effective date of the consent and then Ms. Battle needs to appear to remove the probation.

#9 Thomas Coppola

Thomas Coppola appeared on his own behalf to request to reinstate his revoked pharmacist license.

Vice President Musil opened the discussion by asking Mr. Coppola to discuss why he was appearing in front of the Board. Mr. Coppola stated that he apologizes for not coming in sooner. Mr. Coppola stated that he would like to reinstate his revoked pharmacist license. Mr. Coppola stated that he has continued doing his CE and has attended live seminars. Mr. Coppola stated that he had a lawyer advise him and he just took his money. Mr. Coppola stated that he was unable to attend the meeting and his response was a day late.

Dr. Musil asked Mr. Coppola if he holds any other licenses. Mr. Coppola stated that he is licensed in New York, Hawaii, North Carolina, and Arizona.

Dr. Musil asked Mr. Coppola if the licenses are active. Mr. Coppola stated that he has to satisfy his CE requirements in New York to be able to work in New York. Mr. Coppola stated that his license in North Carolina is suspended due to the mis-fill in Arizona. Mr. Coppola stated that he felt that it was none of their business. Mr. Coppola stated that he did not plan on going back to North Carolina so he did not answer their notice. Mr. Coppola stated that he would try to remove the suspension when he is financially able. Mr. Coppola stated that he did not renew his Hawaii license.

Dr. Musil asked Mr. Coppola what type of work he has been doing since his revocation. Mr. Coppola stated that in 2012 he had a business where he sold products on Amazon. Mr. Coppola stated that he then purchased a taxi cab and he does not want to continue driving a cab.

On motion by Mr. Van Hassel and seconded by Mr. Minkus, the Board unanimously agreed to deny Mr. Coppola's request to reinstate his revoked pharmacist license based on his unprofessional conduct. (A.R.S. 32-1901.01).

AGENDA ITEM 11– Reports

Executive Director

Budget

Dr. Gandhi reviewed the Budget with the Board Members.

Legislation

Assistant Attorney General, Carrie Smith, reviewed the recent bills that were passed during the Legislative Session that affects Health Care Boards.

NABP Annual Meeting

Dr. Gandhi stated that the following topics were discussed at the annual meeting:

1. Corresponding Responsibility
2. Legitimate patients not able to fill Controlled Substance Prescriptions
3. Measuring Competency – CE
4. DQSA
5. Inspection tools
6. Teambase Care

Deputy Director Report

Ms. Frush reviewed the Compliance Officers Activity Report and the Drug Inspector Report with the Board Members.

During the months of March and April, the Compliance Staff issued letters for the following violations:

Pharmacy Violations

1. Expired OTC and Rx products in Pharmacy -1
2. Hot water not working properly – 5
3. Expired pharmacy technician license -1
4. Pharmacy technician trainees compounding – 1
5. Expired Immunization Certificate -1
6. Pharmacy technician offering to counsel -1
7. Counseling not being performed - 2

Controlled Substance Violations

1. Controlled Substance Overage -4
2. Controlled Substance Shortage - 10
3. Controlled Substance Inventory not available - 2
4. Controlled Substance record invoices not filed appropriately (“C” Stamped or Separated) - 1
5. Hydrocodone products not inventoried -3
6. Controlled Substance Invoices not readily retrievable - 5
7. Tramadol not inventoried – 3
8. Controlled Substance Inventory not completed at change of Pharmacist in Charge – 1
9. Controlled Substance Inventory not signed - 1

Documentation Violations

1. Mechanical Storage Documentation - 1
2. Not able to print a single drug use report – 1
3. Failure to have Pharmacy Technician Compounding Training program – 1
4. DEA forms not complete - 1

The following areas were noted on the inspection reports for improvement:

1. Monitoring of Controlled Substances

Areas outside the inspection reports that may be of interest:

1. No Transfers on CII prescriptions

PAPA Report – Schedule O

Kelly Ridgway and Deb Marcum were present to represent the PAPA program. Ms. Ridgway stated that there are a total of thirty– eight (38) participants in the PAPA program. Ms. Ridgway stated that one participant has completed the program. Ms. Ridgway stated that three new participants have signed a PAPA contract. Ms. Ridgway stated that two participants are behind in the PAPA payments and signed promissory notes and are working on making their payments.

AGENDA ITEM 12– Consent Agreements – Schedule P

On motion by Mr. Van Hassel and seconded by Mr. Kennedy, the Board unanimously agreed to accept the following Consent Agreements:

1. Wells Pharmacy - 14-0019-PHR
2. Bailey McComb - 15-0021-PHR

AGENDA ITEM 13 – Martin Jacobs – Request to Amend Consent Agreement to reflect the change in his charge from a felony charge to a misdemeanor charge

Martin Jacobs appeared on his own behalf to address the Board concerning his request to amend his Consent Agreement.

Vice President Musil opened the discussion by asking Mr. Jacobs why he was appearing in front of the Board. Mr. Jacobs stated that he would like the Board to change his charges. Mr. Jacobs stated that the records indicate the he was charged with a felony and the charges have been changed to a misdemeanor.

On motion by Mr. Van Hassel and seconded by Mr. Minkus, the Board unanimously agreed to meet in Executive Session to obtain legal advice. The Board Members returned and the regular session resumed.

Dr. Musil stated that the Board does not have procedural grounds to change the previous decision. Dr. Musil stated that the Hearing occurred and the decision was made.

On motion by Mr. Kennedy and seconded by Mr. Van Hassel, the Board unanimously agreed to deny Mr. Jacob's request to re-examine his Hearing.

AGENDA ITEM 14 – Conferences – Schedule Q

The conferences scheduled were postponed until the June Meeting.

AGENDA ITEM 15 – Annette Palumbo – Case #14-0006-PHR- Request by Board Members to appear concerning PAPA concerns

Annette Palumbo appeared on her own behalf to address Board Member concerns about her PAPA contract compliance.

Vice President Musil opened the discussion by asking Ms. Palumbo to address the concerns about her PAPA contract.

Ms. Palumbo stated that while working at Safety Drug she experienced mental health issues. Ms. Palumbo stated that she had a mental health evaluation and was placed on medications. Ms. Palumbo stated that she was having sleep issues. Ms. Palumbo stated that she attended counseling in addition to her PAPA group.

Ms. Palumbo stated that she transferred to another pharmacy that was owned by the same owners as Safety Drug. Ms. Palumbo stated that this is a retail pharmacy and things have been going better. Ms. Palumbo stated that her anxiety is under control. Ms. Palumbo stated that during this time she discovered that she was pregnant. Ms. Palumbo stated that she did miss a screen in January and discussed this at her PAPA group. Ms. Palumbo stated that she did miss one group meeting a month because she was having difficulty getting up in the morning. Ms. Palumbo stated that she found out that if she missed a meeting she could go to another meeting.

Dr. Musil asked Ms. Palumbo if she attended any self help meetings. Ms. Palumbo stated that she did not attend meetings for one month. Ms. Palumbo stated that she sent in the missing meeting sheets that she did attend.

Ms. Ridgway indicated that they did receive the meeting sheets.

Ms. Palumbo indicated that now that the pregnancy has been diagnosed she is doing better. Ms. Palumbo stated that she is communicating in group. Ms. Palumbo stated that her goal is to stay compliant.

On motion by Mr. Van Hassel and seconded by Mr. Kennedy, the Board unanimously agreed to take no action at this time.

AGENDA ITEM 16 – Ralph Troller – Case #14-0007-PHR- Request to review PAPA contract violations and Consent Agreement violations

Ralph Troller appeared on his own behalf to address his PAPA contract violations and Consent Agreement violations.

Vice President Musil opened the discussion by asking Mr. Troller to address his recent PAPA violations.

Mr. Troller stated that he has been in PAPA for two years. Mr. Troller stated that he received his Pharmacist license last year in January. Mr. Troller stated that he scheduled a trip to Hawaii to have a reunion with his children. Mr. Troller stated that his children did not tell him that they did not plan on going on the trip.

Mr. Troller stated that he went to work that night and halfway through his shift he was called out to the parking lot by an employee who was celebrating and the employee offered him a drink. Mr. Troller stated that he had two drinks. Mr. Troller stated that he went back into work and when he looked at the monitor he thought he was having a stroke. Mr. Troller stated that he went to the emergency room and then admitted he had a drink of alcohol during his shift. Mr. Troller stated that he was dismissed and subsequently fired from his job.

Mr. Troller stated that he admitted to PAPA that he consumed alcohol. Mr. Troller also admitted to PAPA that he had a drink while on the cruise in Hawaii. Mr. Troller stated that he was assessed by Dr. Pickens and he discussed recovery prevention with him. Mr. Troller stated that he attended the Survivor Series at Meadows. Mr. Troller stated that he is attending Leonard Day recovery relapse program. Mr. Troller stated that a relapse will not happen again.

Dr. Musil asked Mr. Troller if he drank while he was in Hawaii. Mr. Troller admitted to pretty heavy alcohol consumption while he was in Hawaii.

Dr. Musil asked Mr. Troller if he is currently working. Mr. Troller stated that he has not applied for a job because he did not know what the Board's decision would be concerning his license.

Mr. Kennedy stated that he has concerns about Mr. Troller drinking in the middle of his shift. Mr. Kennedy stated that he is concerned about the safety of the patients.

Ms. Locnikar stated that Mr. Troller is receiving treatment as documented by his counselor's letters. Ms. Locnikar stated that she appreciates his honesty.

On motion by Dr. Musil and seconded by Ms. Locnikar, the Board unanimously agreed to offer Mr. Troller a new Consent Agreement with a 6 month suspension and a new PAPA contract.

AGENDA ITEM 17– Complaint Review – Consideration of Complaints on Schedule R

Vice President Musil opened the discussion by stating the Board Members would review all the complaints on schedule R.

Complaint #4389

Mr. Kennedy was recused due to a conflict of interest.

On motion by Dr. Musil and seconded by Mr. Van Hassel, the Board unanimously agreed to dismiss the complaint and take no further action on the complaint.

Complaint #4404

On motion by Dr. Musil and seconded by Ms. Locnikar, the Board unanimously agreed to ask the pharmacist and the intern to appear for a conference.

Complaint #4406

Mr. Kennedy was recused due to a conflict of interest.

On motion by Dr. Musil and seconded by Mr. Minkus, the Board unanimously agreed to ask the pharmacist and the pharmacy technician to appear for a conference.

Complaint #4408

Mr. Kennedy was recused due to a conflict of interest.

On motion by Dr. Musil and seconded by Mr. Van Hassel, the Board unanimously agreed to issue a non-disciplinary advisory letter to the pharmacists requesting them to complete 6 hours of CE on veterinary dispensing. The CE units must be completed within 90 days of the letter date.

Complaint #4409

On motion by Mr. Van Hassel and seconded by Dr. Musil, the Board unanimously agreed to ask the pharmacist and pharmacy technician to appear for a conference.

Complaint #4413

On motion by Mr. Van Hassel and seconded by Mr. Kennedy, the Board unanimously agreed to ask the pharmacist to appear for a conference.

Complaint #4414

On motion by Mr. Van Hassel and seconded by Mr. Kennedy, the Board unanimously agreed to ask the permit holder to appear for a conference.

Complaint #4415

On motion by Mr. Kennedy and seconded by Mr. Van Hassel, the Board unanimously agreed to dismiss the complaint and take no further action on the complaint.

AGENDA ITEM 18- Steve LeMahieu – Case 15-0019-PHR

Mr. Blaire was recused due to a conflict of interest.

Vice President Musil stated that Mr. LeMahieu has submitted a Proposed Consent Agreement in lieu of a public hearing.

On motion by Mr. Kennedy and seconded by Mr. Van Hassel, the Board unanimously agreed to accept the Proposed Consent Agreement.

AGENDA ITEM 19 – Motions to Deem/Hearings – Schedule S

Vice President Musil stated since the Board has accepted the Consent Agreements for the two Hearings listed he would entertain a motion to vacate the Hearings.

On motion by Mr. Van Hassel and seconded by Mr. Kennedy, the Board unanimously agreed to vacate the following Hearings:

1. Steve LeMahieu - Case 15-0019-PHR
2. Bailey McComb - Case 15-0021-PHR

AGENDA ITEM 20 – Banner Request to Change Rule for Reciprocity

Vice President Musil asked if a representative from Banner Health was present to discuss the request. No one came forth.

On motion by Mr. Kennedy and seconded by Mr. Van Hassel, the Board unanimously agreed to table the request until the June meeting.

AGENDA ITEM 21 – Federation of Association of Regulatory Boards (FARB)

Vice President Musil stated that this issue was discussed at NABP meeting. Dr. Musil stated that the action involves a case where the North Carolina Dental Board has entered into a case with the Federal Trade Commission. Dr. Musil stated that the case indicates that Boards should not go outside their statutory authority. Dr. Musil stated that the rules should protect the public.

AGENDA ITEM 22 – Arizona Ophthalmological Society concerns on Avastin Dating

Vice President Musil stated that a representative from the Arizona Ophthalmological Society is present to address this issue. Dr. Milad Haak was present to represent the Arizona Ophthalmological Society.

Dr. Haak stated that there are 9 physicians who provide retinal care and use Avastin injections daily. He stated that Avastin is used to stop the progression of macular degeneration. He stated that the medicine works and their issue is with the 5 day beyond use date proposed by the FDA for outsourcing facilities. They would like the Board to send letters to the FDA concerning the 5 day beyond use date.

Dr. Musil stated that he shares their concerns but the outsourcers are legally bound to comply with federal regulations.

Mr. Van Hassel stated that the product could be obtained ahead of time because the patients do have an appointment to get the injection.

Dr. Haak stated that he would like the Board to send letters to the FDA expressing their concerns so that patients do not go without treatment.

AGENDA ITEM 23 – CSPMP Task Force Meeting

Vice President Musil asked Mr. Wright to address this agenda item. Mr. Wright stated that the Computerized Central Database System Task Force held a meeting on April 20, 2015 to further discuss changes to the Unsolicited Reporting Threshold established by the Board in 2008. Mr. Wright stated that at that time the threshold was established at 7 prescribers and 7 pharmacies.

Mr. Wright stated that the task force decided that the new threshold should be set at 4 prescribers and 4 pharmacies.

On motion by Mr. Van Hassel and seconded by Ms. Locnikar, the Board unanimously agreed to accept the new threshold level proposed by the CSPMP task force. The new threshold will be set at 4 prescribers and 4 pharmacies.

AGENDA ITEM 24 – Call to the Public

Vice President Musil announced that interested parties have the opportunity at this time to address issues of concern to the Board; however the Board may not discuss or resolve any issues because the issues were not posted on the meeting agenda.

Kelly Ridgway and Lori Walmsley, representing the Arizona Pharmacy Association, came forth to address two issues.

Ms. Ridgway stated that they would like to have a way for the PGY2 residents to be licensed faster. Ms. Ridgway stated that they cannot do certain tasks if they are not licensed as a pharmacist. Ms. Ridgway stated that they are licensed as a pharmacist in another state.

Ms. Walmsley stated that they are also concerned about the time to process an application because of the fingerprint requirements. Ms. Walmsley stated that it is taking 4 to 6 weeks to process an application because of the fingerprint requirement. Ms. Walmsley stated that the fingerprint delay is causing issues for applicants and employers.

Roger Morris, Attorney at Quarles and Brady, stated that the Board can express their opinions concerning the FDA Memorandum of Understanding.

Rebecca Sheehan, Pharmacist in Charge, at Roadrunner Pharmacy, came forth to discuss veterinary compounding.

AGENDA ITEM 25– Future Agenda Items

The following items will be placed on a future agenda for discussion:

1. Licensure for Residents doing a PGY2 rotation
2. Memorandum of Understanding
3. Veterinary Compounding
4. Biological beyond use dating (Avastin)

AGENDA ITEM 26– Adjournment

There being no further business to come before the Board, Vice President Musil adjourned the meeting at 2:44 P.M.

