



**Arizona State Board of Pharmacy**  
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**THE ARIZONA STATE BOARD OF PHARMACY  
HELD A REGULAR MEETING NOVEMBER 18, 2015  
MINUTES FOR REGULAR MEETING**

**AGENDA ITEM 1 – Call to Order – November 18, 2015**

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

The following Board Members were present: President Dennis McAllister, Michael Blaire, Kevin Dang, William Francis, Darren Kennedy, Kyra Locnikar, Reuben Minkus, Kristen Snair and Tom Van Hassel. . The following staff members were present: Compliance Officers Tom Petersen, Sandy Sutcliffe, Steve Haiber, and Dennis Waggoner, Drug Inspectors Melanie Thayer and Joshlyn Noble, CSPMP Director Dean Wright, Executive Director Kamlesh Gandhi, Deputy Director Cheryl Frush, and Assistant Attorney General Marc Harris. Mr. Francis left the Meeting at 3:00 P.M. and returned at 3:50 P.M.

**AGENDA ITEM 2 – Introduction of New Pharmacist Board Member – Kevin Dang**

President McAllister introduced Kevin Dang the newly appointed Pharmacist Board Member. Mr. McAllister stated that Dr. Dang will replace Dr. Musil.

Dr. Dang gave a brief overview of his educational and professional background.

**AGENDA ITEM 3 – Election of New Vice President to fulfill Dr. Musil's term**

President McAllister stated that since Dr. Musil did not get reappointed it would be necessary for the Board Members to elect a new Vice President. Mr. McAllister stated that the floor was open for nominations.

Mr. Minkus nominated William Francis.

Mr. Van Hassel nominated Darren Kennedy.

Both candidates expressed their interest in the position.

**On motion by Mr. Van Hassel and seconded by Ms. Locnikar**, the Board elected Mr. Kennedy to serve as Vice President for the remainder of Dr. Musil's term.

**AGENDA ITEM 4 – Declaration of Conflicts**

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 29, License Application for Matthew Peary.

Due to having a “substantial interest” in the matter, Mr. Francis recused himself from participating under Arizona's conflict of interest laws in the review, discussion, and proposed actions concerning Agenda Item 14, Med-Impact Deviation Request.

Due to having a “substantial interest” in the matter, Mr. Van Hassel recused himself from participating under Arizona's conflict of interest laws in the review, discussion, and proposed actions concerning Agenda Item 19, Schedule T, Complaint #4460.

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 10, Schedule O, Non-Resident Pharmacy Permit for Community, A Walgreens 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 18, Schedule S, Conference #3 for Complaint #4434.

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 19, Schedule T, Complaints #4421, #4423 #4427, #4432 #4452, #4454, and #4459.

Due to having a “substantial interest” in the matter, Dr. Dang recused himself from participating under Arizona's conflict of interest laws in the review, discussion, and proposed actions concerning Agenda Item 5, Approval of Minutes. Dr. Dang did not attend the August Meeting.

**AGENDA ITEM 5– Approval of Minutes**

**Dr. Dang was recused because he did not attend the August Meeting.**

Following a review of the minutes and an opportunity for questions and **on motion by Mr. Van Hassel and seconded by Mr. Blaire**, the Board Members unanimously approved the minutes for the Regular Meeting held on August 19 & 20, 2015..

**AGENDA ITEM 6- Consent Agenda**

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**

<b>Pharmacy</b>	<b>Location</b>	<b>Owner</b>
Banner Family Pharmacy University Medical Center (Tucson)	1501 N. Campbell Ave. Tucson, AZ 85724	Banner Health
Banner Family Pharmacy University Medical Center (South)	2800 E. Ajo Way, Tucson, AZ 85713	Banner Health
Mayo Clinic Building Phoenix - Outpatient Pharmacy	5881 E. Mayo Blvd., Phoenix, AZ 85054	Mayo Clinic Foundation
Mayo Clinic Phoenix Oncology Pharmacy	5881 E. Mayo Blvd., Suite #3-400, Phoenix, AZ 85054	Mayo Clinic
Wal-Mart Pharmacy #10-7320	2675 W. 8 <sup>th</sup> St., Yuma, AZ 85364	Wal-Mart Stores, Inc.
Wal-Mart Pharmacy #10-4355	715 N. Main St., Taylor, AZ 85939	Wal-Mart Stores, Inc.
St. Mary's Medical Park Pharmacy, Inc	10860 N. Mavinee Drive, Oro Valley, AZ 85737 (O- Concentra)	St. Mary's Medical Park Pharmacy Inc. (Concentra)
Target Pharmacy #17615	3777 S. Arizona Ave., Chandler, AZ 85248 (O)	German Dobson CVS, LLC
Target Pharmacy #17463	955 S. Cotton Ln., Goodyear, AZ 85338 (O)	German Dobson CVS, LLC
Target Pharmacy #17432	3699 Hwy 95., Bullhead City, AZ 86442 (O)	German Dobson CVS, LLC
Target Pharmacy #17429	21398 S. Ellsworth Loop Rd., Queen Creek, AZ 85142 (O)	German Dobson CVS, LLC
Target Pharmacy #17418	5715 N. 19 <sup>th</sup> Ave., Phoenix, AZ 85015 (O)	German Dobson CVS, LLC
Target Pharmacy #17406	10404 N. 43 <sup>rd</sup> Ave., Glendale, AZ 85302 (O)	German Dobson CVS, LLC
Target Pharmacy #16765	1230 S. Longmore Ave., Mesa, AZ 85202 (O)	German Dobson CVS, LLC
Target Pharmacy #16725	2151 N. Power Rd., Mesa, AZ 85215 (O)	German Dobson CVS, LLC

**(O) = Ownership Change**

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

**RESIDENT PHARMACY PERMITS**

<b>Pharmacy</b>	<b>Location</b>	<b>Owner</b>
Target Pharmacy #16700	9350 W. Northern Ave., Glendale, AZ 85305 (O)	German Dobson CVS, LLC
Target Pharmacy #16699	21001 N. Tatum Blvd., Ste. 20, Phoenix, AZ 85050 (O)	German Dobson CVS, LLC
Target Pharmacy #16675	13731 W. Bell Rd., Surprise, AZ 85374 (O)	German Dobson CVS, LLC
Target Pharmacy #16668	32351 N. Scottsdale Rd., Scottsdale, AZ 85266 (O)	German Dobson CVS, LLC
Target Pharmacy #16659	1225 W. Irvington Rd., Tucson, AZ 85714 (O)	German Dobson CVS, LLC
Target Pharmacy #16593	1515 N. Litchfield Rd., Goodyear, AZ 85395 (O)	German Dobson CVS, LLC
Target Pharmacy #16564	1515 E. Warner Rd., Gilbert, AZ 85296 (O)	German Dobson CVS, LLC
Target Pharmacy #16505	2727 W. Agua Fria Freeway, Phoenix, AZ 85027 (O)	German Dobson CVS, LLC
Target Pharmacy #16366	4515 E. Thomas Rd., Phoenix, AZ 85018 (O)	German Dobson CVS, LLC
Target Pharmacy #16355	15444 N. Frank Lloyd Wright Blvd., Scottsdale, AZ 85260 (O)	German Dobson CVS, LLC
Target Pharmacy #16354	1650 S. Milton Rd., Flagstaff, AZ 86001 (O)	German Dobson CVS, LLC
Target Pharmacy #16335	4734 E. Ray Rd., Scottsdale, AZ 85260 (O)	German Dobson CVS, LLC
Target Pharmacy #16296	6500 E. Grant Rd., Tucson, AZ 85715 (O)	German Dobson CVS, LLC
Target Pharmacy #16039	5255 E. Broadway, Tucson, AZ 85711 (O)	German Dobson CVS, LLC
Target Pharmacy #16073	1135 S. Gilbert Rd., Mesa, AZ 85204 (O)	German Dobson CVS, LLC
Target Pharmacy #16110	1818 E. Baseline Rd., Tempe, AZ 85283 (O)	German Dobson CVS, LLC
Target Pharmacy #16174	1525 S. Power Rd., Mesa, AZ 85206 (O)	German Dobson CVS, LLC
Target Pharmacy #16141	9000 E. Indian Bend Rd., Scottsdale, AZ 85032 (O)	German Dobson CVS, LLC
Target Pharmacy #16768	1685 E. Shea Blvd., Fountain Hills, AZ 85268 (O)	German Dobson CVS, LLC
Target Pharmacy #16722	3699 E. Broadway Blvd., Tucson, AZ 85032 (O)	German Dobson CVS, LLC
Target Pharmacy #16959	3425 W. Frye Rd., Chandler, AZ 85226 (O)	German Dobson CVS, LLC
Target Pharmacy #16983	9615 E. Old Spanish Trail, Tucson, AZ 85748 (O)	German Dobson CVS, LLC

**(O) = Ownership Change**

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

**RESIDENT PHARMACY PERMITS**

<b>Pharmacy</b>	<b>Location</b>	<b>Owner</b>
Target Pharmacy #17024	2140 E. Baseline Rd., Phoenix, AZ 85042 (O)	German Dobson CVS, LLC
Target Pharmacy #17075	5110 S. Power Rd. , Mesa, AZ 85212 (O)	German Dobson CVS, LLC
Target Pharmacy #17076	3931 S. Gilbert Rd., Gilbert, AZ 85297 (O)	German Dobson CVS, LLC
Target Pharmacy #17171	1450 E. Yuma Palms Pkwy., Yuma, AZ 85365 (O)	German Dobson CVS, LLC
Target Pharmacy #17223	4040 N. Oracle Rd., Tucson, AZ 85705 (O)	German Dobson CVS, LLC
Target Pharmacy #17231	9830 W. Lower Buckeye Rd., Tolleson, AZ 85353 (O)	German Dobson CVS, LLC
Target Pharmacy #17256	1800 E. Rio Salada Pkwy., Tempe, AZ 85281 (O)	German Dobson CVS, LLC
Target Pharmacy #17304	24890 N. Lake Pleasant Pkwy., Peoria, AZ 85383 (O)	German Dobson CVS, LLC
Target Pharmacy #17312	16806 N. 7 <sup>th</sup> St., Phoenix, AZ 85022 (O)	German Dobson CVS, LLC
Target Pharmacy #16217	10555 N. Oracle Rd., Oro Valley, AZ 85737 (O)	German Dobson CVS, LLC
Target Pharmacy #16220	4151 E. Hwy 90, Sierra Vista, AZ 85635 (O)	German Dobson CVS, LLC
Target Pharmacy #16272	8055 W. Bell Rd., Peoria, AZ 85382 (O)	German Dobson CVS, LLC
Target Pharmacy #16292	7409 W. Virginia Ave., Phoenix, AZ 85035 (O)	German Dobson CVS, LLC
Target Pharmacy #16295	3901 W. Ina Rd., Tucson, AZ 85741(O)	German Dobson CVS, LLC
Grand Pharmacy	1659 E. Florence Blvd., Casa Grande, AZ 85122	Casa Grande Pharmacy, Inc.
St Joseph Pharmacy	333 W. Thomas Rd., Suite 102 Phoenix, AZ 85013	Central Pharmacy, Inc.

(O) = Ownership Change

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

**NON-RESIDENT PHARMACY PERMITS (Out of State)**

<b>Pharmacy</b>	<b>Location</b>	<b>Owner</b>
Omni Pharmacy Services, LLC	375 E. Elm St., Suite 110-B Conshohocken, PA 19428	Omni Pharmacy Services, LLC
Hawthorn Drug Group, Inc.	21 Design Dr., North Kansas City, MO 64116	Hawthorn Drug Group, Inc.

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

**NON-RESIDENT PHARMACY PERMITS (Out of State) (Continued)**

<b>Pharmacy</b>	<b>Location</b>	<b>Owner</b>
Affordable Pharmacy	8030 FM 1765 Suite A104, Texas City, TX 77591	Joseph Kohan
American Specialty Pharmacy	2733 W. 15 <sup>th</sup> St., Plano, TX 75075	Abdul Hameed
We Care Pharmaceutical Services, Inc.	2121 N D St., San Bernardino, CA 92405	We Care Pharmaceutical Services, Inc.
Time Square Drugs, Inc.	451 University Blvd., Suite 103, Jupiter, FL 33458	Time Square Drugs, Inc.
Healthcare Pharmacy	6735 Sunset Strip, Sunrise, FL 33313	Health Resources Consultants Inc.
Independent Health Services, Inc.	504 McCurdy Ave., Rainsville, AL 35986	Independent Health Services, Inc.
Dermatran Health Solutions LLC	2700 Stanley Gault Pkwy., Ste. 103, Louisville, KY 40223	Dermatran Health Solutions LLC
Advanced Family Pharmacy, Inc.	5191 N. 6 <sup>th</sup> St., Fresno, CA 93710	Advanced Family Pharmacy, Inc.
Nashville Pharmacy Services, LLC	719 Thompson Lane, Suite 57100, Nashville, TN 37204	Nashville Pharmacy Services, LLC
Pharmacy and Compounding Solutions, LLC	595 Chapel Hills Dr., Suite 104, Colorado Springs, CO 80920	Pharmacy and Compounding Solutions, LLC
Avella of St. Louis	450 N. New Ballas Rd., Ste. 256, St. Louis, MO 63141	Avella of St. Louis, Inc.
Vital MedRx, LLC	235 E. Morris Blvd., Morristown, TN 3781	Vital MedRx, LLC
Meds in Motion, LLC	3798 South 700 E #7, Salt Lake City, UT 84106	Meds in Motion, LLC
G & K Pharmacy	4680 Broadway, Allentown, PA 18104	Glades Drugs, Inc.
Intermountain Homecare Pharmacy	11520 S. Redwood Rd., South Jordan, UT 84095	Intermountain Healthcare, Inc.
Agnes Rx, Inc.	2800 N. MacDill Ave. #C, Tampa, FL 33607	Agnes Rx, Inc.
All Scripts Pharmacy	1530-B West Vine St., Kissimmee, FL 34741	C & M HealthPro, LLC
Union Center Pharmacy	2324 Eastlake Ave E, Seattle, WA 98102	Kelley Ross & Assoc., Inc.
Infiniti Pharmacy and Infusion Services	701 Park Avenue, Plainfield, NJ 07060	Infiniti Pharmacy and Infusion Services
Rx Unlimited	8641 Wilshire Blvd., Suite #120, Beverly Hills. CA 90211	Rx Unlimited, LLC
Value Pharmacy	5917 Junction Blvd., Corona, NY 11368	Value Pharmacy
Life Worth Living Foundation, Inc.	6488 Currin Dr., #100, Orlando, FL 32835	Life Worth Living Foundation, Inc.

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

**NON-RESIDENT PHARMACY PERMITS (Out of State) (Continued)**

<b>Pharmacy</b>	<b>Location</b>	<b>Owner</b>
SMA Pharmacy #20	502 Wynnewood Village Shp. Ctr., Ste. 102B, Dallas, TX 75224	SMA Group, Inc.
Pharma Select Texas	1535 W. Loop South Office Building, Suite 319, Houston, TX 77027	Pharma Select Texas, LP
Altus Pharmacy	1535 West Loop South Office Building, Suite #322, Houston, TX 77027	Progressive Pharma, LLC
Darjen, Inc.	8645 N. Military Trail, Ste. 405-406, Palm Beach Gardens, FL 33418	Darjen, Inc.
Watson Rx Solutions, Inc.	1106 Bradshaw Dr., Florence , AL 35630	Watson Rx Solutions, Inc.
Onco360	1901 Campus Place, Suite 100, Louisville, KY 40299	Sina Drug, LLC
Rx.com Community Pharmacy	401 Jim Wright Freeway South, Fort Worth, TX 76108	Rx.com, Inc.
Humana Pharmacy, Inc.	11744 Beach Blvd, Suite 107, Jacksonville, FL 32246	Humana Pharmacy, Inc.
Biologic Tx, LLC	40D Commerce Way, Totowa, NJ 07512 (O)	Biologic Tx, LLC
Ocean Breeze Healthcare	235 Dongan Hills Ave., Suite 2B, Staten Island, NY 10305	Ocean Breeze Associates, LLC
Tetra Rx	1930 E. Rt. 70 Unit B10, Cherry Hill, NJ 08003	SKAR Pharmacy LLC
CSR Company, Inc	11701 Centennial Rd., La Vista, NE 68128	CSR AVP Holdings, LLC
Providence Infusion and Pharmacy Services	3333 S. 120 <sup>th</sup> Pl., Suite 100, Tukwila, WA 98168	Providence Health and Services – Washington
Kohana Pharmacy and Center for Regenerative Medicine	181 Tank Farm Rd., Ste. 120, San Luis Obispo, CA 93401	Robert Quinn
Ocean Breeze Pharmacy	1817 Hylan Blvd., Staten Island, NY 10305	Ocean Breeze Associates, LLC
Prescription Health Resources of Puerto Rico, LLC	Calle Arpegio A-1, Suite 2, Highland Gardens, Guaynabo, Puerto Rico 00969	Prescription Health Resources of Puerto Rico, LLC
Crevena Health, LLC	6348 NE Halsey St., Ste. A, Portland, OR 97213	Providence Health & Services - Oregon
DelivercareRx Pharmacy	8950 Gross Point Rd., Suite 600, Skokie, IL 60077	DelivercareRx Pharmacy
Hospital Pharmaceutical Consulting	4742 Dodge St., San Antonio, TX 78217	Real Value Products Corp
Daily Dose Pharmacy	4534 West Gate Blvd. #111, Austin, TX 78745	Kimberli Wiley

**(O) = Ownership Change**

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

**NON-RESIDENT PHARMACY PERMITS (Out of State) (Continued)**

<b>Pharmacy</b>	<b>Location</b>	<b>Owner</b>
CPRx Pharmacy	351 Cypress Creek Rd. #100, Cedar Park, TX 78613	Kimberli Wiley
Burbank Compounding Pharmacy	201 S. Buena Vista St., Ste 110, Burbank, CA 91505	Armen Tatevossian
OptionOne, LLC	14000 N. Portland, Suite 205, Oklahoma City, OK 73134	OptionOne, LLC
Specialty Med Services	440 S. Hindry Ave., Suite F, Inglewood, CA 90301	Insure Nutrition, Inc
M.D. Pharmacy	1467 W. Morris Blvd., Morristown, TN 37813	Bunch Medical, LLC
Family Pharmacy #2	2698 N. Galloway Ave., Suite 108, Mesquite, TX 75150	L & S Pharmacy, Inc.
Clybourn Park Pharmacy, LLC	1117 W. Wisconsin St., Chicago, IL 60614	Clybourn Park Pharmacy, LLC
Lenox Hill Pharmacy, Inc.	1103 Lexington Ave., New York, NY 10076	Lenox Hill Pharmacy, Inc.
Diplomat Specialty Pharmacy of Chicago	1370 Busch Parkway, Buffalo Grove, IL 60089	Diplomat Pharmacy, Inc
Best Care Pharmacy, Inc.	2657 NW 20 <sup>th</sup> St., Miami, FL 33142	Best Care Pharmacy, Inc.
Conversio Health	2445 Technology Forest Blvd., The Woodlands, TX 77381	Integrated Health Concepts, Inc
Twin Lakes Pharmacy, LLC	15462 FM 529, Houston, TX 77095	Twin Lakes Pharmacy, LLC
Benzer Pharmacy GAI, LLC	1021 Village Park Dr., Suite 104, Greensboro, GA 30642	Benzer Pharmacy GAI, LLC
Enclara Pharmacia, Inc.	1601 Cherry St., Suite 1800, Philadelphia, PA 19102	Eagle Rx, Inc.
Albertsons-Safeway Pharmacy #4705	12874 E. Florence Ave., Santa Fe Springs, CA 90670	The Vons Companies, Inc.
.IsoRx	845 Marina Bay Pkwy, Ste. 9, Richmond, CA 94804.	IsoRx, Inc.
Total Home Health Care, Inc.	437 Main St., Stroudsburg, PA 18360	Total Home Health Care, Inc.
Santa Barbara Specialty Pharmacy	174 Aero Camino, Goleta, CA 93117	Marcel Sassola
AmericaMeds Direct Rx	5728 LBJ Freeway, Suite 215, Dallas, TX 75240	JPX2, LLC
Diabetic Support Pharmacy	3381 Fairlane Farms Rd., #2B, Wellington, FL 33414	Coast to Coast Pharmacy, Inc.
BioTek reMEDys	2 Penns Way, Suite 404, New Castle, DE 19720	Chai Gadde
RSVP Pharmacy #7, LLC	4343 Sigma Rd., Suite 400, Farmers Branch, TX 75244	RSVP Pharmacy #7, LLC

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

**NON-RESIDENT PHARMACY PERMITS (Out of State) (Continued)**

<b>Pharmacy</b>	<b>Location</b>	<b>Owner</b>
EZ Scripts	24340 Sperry Dr., Westlake, OH 44145	Michael Holmes
Xpress Long Term Care Pharmacy	915 W. Belknap St., Suite 105, Fort Worth, TX 76102	Hall's Long Term Care Pharmacy,
Main Avenue Pharmacy	1094 A Main Ave., Clifton, NJ 07011	Main Avenue Pharmacy, Inc
Tidwell Rx, LLC	712 E. Tidwell, Houston, TX 77022	Tidwell Rx, LLC
Jersey Village Pharmacy	17400 Hwy 290, Suite 400, Houston, TX 77040	Jersey Village Pharmacy, LLC
Prime Aid Pharmacy	3915 Bergenline Ave., Union City, NJ 07087	Prime Aid Pharmacy, Inc.

**6. (3) Resident Wholesaler Permits – Schedule C**

**RESIDENT WHOLESALER PERMITS**

<b>Wholesaler</b>	<b>Location</b>	<b>Owner</b>
Hi-Caliber Inc. (Full Service)	24134 West Hadley St., Buckeye, AZ 85326	Hi-Caliber Inc.
Forsta, LLC (Full Service)	3200 N. Delaware, Chandler, AZ 85225	Forsta, LLC
Mayo Clinic Building Phoenix (Full Service)	5881 E. Mayo Blvd., Phoenix, AZ 85054	Mayo Clinic
St. Mary's Medical Park Pharmacy, Inc.	1860 N. Mavinee Dr., Oro Valley, AZ 85737 (O)	St. Mary's Medical Park Pharmacy, Inc. (Concentra)

(O) = Ownership Change

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

**NON-RESIDENT WHOLESALER PERMITS**

<b>Wholesaler</b>	<b>Location</b>	<b>Owner</b>
Eagle Pharmacy, Inc. (Full Service)	12200 Riverchase Center, Birmingham, AL 35244	Eagle Pharmacy, Inc.
Danox Environmental Services, Inc.(Full Service- Reverse Distributor)	767 Peachtree Pkwy., Suite 2, Cumming, GA 30041	Danox Environmental Services, Inc.
PharmaGenetico, LLC (Full Service)	17806 Interstate Highway 10, Suite 300, San Antonio, TX 78257	Safe Harbor Compliance & Clinical Services
Two Rivers Medical (full Service)	3088 Elm Point Indus, St. Charles, MO 63301	T.Q.M. Inc.
McKesson Medical-Surgical, Inc. (Full Service)	3500 Centerpoint Dr., Ste. A, Urbancrest, OH 43123	McKesson Medical-Surgical, Inc.

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

**NON-RESIDENT WHOLESALER PERMITS**

<b>Wholesaler</b>	<b>Location</b>	<b>Owner</b>
Prescription Supply, Inc. (Full Service)	2233 Tracy Rd., Northwood, OH 43619	Prescription Supply, Inc.
Urgent Surgery Solutions (Full Service)	950 Francis Pl. #111, St. Louis, MO 63105	Urgent Surgery Solutions, Inc.
Woodfield Distribution, LLC (Full Service)	1113 Gillingham Ln., Suite A, Sugar Land, TX 77478	Woodfield Distribution, LLC
NuMed (Full Service)	455 Utica Ave., Brooklyn, NY 11203	YS Marketing, Inc
United Drug Supply, Inc. (Full Service)	3000 Beareat Way, Suite 114, Morrisville, NC 27560	United Drug Supply, Inc.
Paragon Enterprises, Inc. (Full Service)	4183 Senator St., Memphis, TN 38118	Paragon Enterprises, Inc.
EUSA Pharma (US) LLC (Full Service)	100 Horizon Center Blvd., Hamilton, NJ 08691	EUSA Pharma (US) LLC
Reckitt Benckiser LLC (Full Service)	345 Toy Wright Rd., Jefferson, GA 30549	Reckitt Benckiser LLC
Glenmark Pharmaceuticals, Inc. (Full Service)	1015 Central Parkway N, Suite 130, San Antonio, TX 78232	Glenmark Pharmaceuticals, Inc.

**6. (5) Resident Manufacturer Permits – Schedule E**

**RESIDENT MANUFACTURER PERMITS**

<b>Manufacturer</b>	<b>Location</b>	<b>Owner</b>
St. Mary’s Medical Park Pharmacy	10860 N. Mavinee Dr., Oro Valley, AZ 85737 (O)	St. Mary’s Medical Park Pharmacy (Concentra)
MedAire, Inc.	23610 N. 20 <sup>th</sup> Dr, Suite 10, Phoenix, AZ 85085	MedAire, Inc.

(O) = Ownership Change

**6. (6) Non-Resident Manufacturer Permits – Schedule F**

**NON-RESIDENT MANUFACTURER PERMITS**

<b>Manufacturer</b>	<b>Location</b>	<b>Owner</b>
Baxalta US, Inc.	1455 Lawrence Dr., Thousand Oaks, CA 91320	Baxalta US, Inc..
Ortho Technology, Inc.	4614 Pet Lane, Suite D-101, Lutz, FL 33559	Henry Schein Orthodontics
Merit Medical Systems, Inc.	12701 Kingston Ave., Chester, VA 23836	Merit Medical Systems, Inc.

**6. (6) Non-Resident Manufacturer Permits – Schedule F**

**NON-RESIDENT MANUFACTURER PERMITS**

<b>Manufacturer</b>	<b>Location</b>	<b>Owner</b>
Time-Cap Labs, Inc.	7 Michael Avenue, Farmingdale, NY 11735 (O)	Time-Cap Labs, Inc.
Cantrell Drug Company	7700 N. Shore Place, Little Rock, AR 72118	James McCarley, Jr., Lynn McCarley
Gambo Renal Products, Inc.	1845 Mason Ave., Daytona Beach, FL 32117	Gambo Renal Products, Inc.
Merit Medical Systems, Inc.	65 Great Valley Parkway, Malvern, PA 19355	Merit Medical Systems, Inc.
US Compounding, Inc.	1270 Dons Lane, Conway, AR 72032	US Compounding, Inc.
Total Pharmacy Supply, Inc.	3400 Avenue E East, Arlington, TX 76011	Total Pharmacy Supply, Inc.
Medimetriks Pharmaceuticals, Inc.	383 Route 46 West, Fairfield, NJ 07004	Medimetriks Pharmaceuticals, Inc.
Paddock Laboratories, LLC	3940 Quebec Ave. North, Minneapolis, MN 55427	Perrigo Company
Infrared, Inc.	34 Third Ave., Burlington, MA 01803	Infrared, Inc.
QuVa Pharma, Inc	1075 West Park One Drive, Suite 100, Sugar Land, TX 77478	QuVa Pharma, Inc
Mentor Texas, LP	555 Airline Dr., Coppel, TX 75019	Mentor Texas GP LLC & Mentor Partnership Holding Company

(O) = Ownership Change

**6. (7) – New Pharmacists – Schedule G**

The Board approved the 261 New Pharmacist Licenses listed on the attachments.

**6. (8) – New Interns – Schedule H**

The Board approved the 160 New Intern Licenses listed on the attachments.

**6. (9) – New Pharmacy Technicians – Schedule I**

The Board approved the 1487 New Pharmacy Technicians listed on the attachments.

**6. (10) -Pharmacy Technician Trainee Requests for Approval to Reapply for Licensure – Schedule J**

The Board approved the 193 Pharmacy Technician Trainee Reapply requests listed on the attachments. The Pharmacy Technician Trainees are approved for one additional two year period.

**6. (11) – Consent Agreements – Schedule K**

The Board accepted the following Consent Agreements:

1. Sohelia Soraya - 16-0001-PHR
2. James Thurlkill - 16-0004-PHR

**6. (12) – Complaints with No Violations – Schedule L**

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

Complaint #4419	Complaint #4424
Complaint #4442	Complaint #4445
Complaint #4450	Complaint #4455

**AGENDA ITEM 7 – Requests/Applications for Non- Resident Manufacturer Permits (Virtual) – Schedule M**

President McAllister opened the discussion by stating that non-resident manufacturers are asking to obtain a permit but do not manufacture the product and ship the product into Arizona.

President McAllister stated that Tom Croxford, senior consultant, for Turing Pharmaceuticals was present via telephone to describe virtual manufacturing.

Mr. Croxford stated that Turing Pharmaceutical does not handle any drug products. Mr. Croxford stated that Turing holds the exclusive distribution, manufacturing, and regulatory rights for two products. Mr. Croxford stated that the two products are Vecamyl and Daraprim. Mr. Croxford stated that Turing outsources the manufacturing and distribution of the two products. Mr. Croxford stated that Turing outsources manufacturing and a 3PL delivers the products. Mr. Croxford stated that in other states they are licensed as a virtual manufacturer.

Mr. Van Hassel asked Mr. Croxford why they needed a license. Mr. Croxford stated that they need to be licensed as a manufacturer because they have acquired the products.

Mr. Blaire noted that the product is coming from a compounding pharmacy and not a manufacturer. Mr. Croxford stated that they have a licensing agreement with Nexgen.

Mr. McAllister stated that the Board would need to know who to sanction if an issue occurred.

Mr. Francis stated that if something on toward were to happen with the products who would the Board hold accountable. Mr. Francis asked if the Board would hold the actual manufacturer or the virtual manufacturer responsible for the problem.

**On motion by Mr. Blaire and seconded by Mr. Kennedy**, the Board unanimously agreed to table the applications.

Mr. McAllister stated that the Board is tabling Schedule M which lists the three Virtual Manufacturers that have applied for a permit.

**On motion by Mr. Blaire and seconded by Ms. Locnikar**, the Board unanimously agreed to form a committee and report their recommendation back to Board. The Board Members that would serve on the committee would be Mr. Kennedy and Mr. Blaire. Board Staff and the Attorney General would also serve on the committee.

**AGENDA ITEM 8 – Presentation of Proposed Legislation to change DME (Durable Medical Equipment) requirements to allow resident permit holders only to service in-state residents**

President McAllister opened the discussion by stating that representatives proposing the change to the DME regulations were present to discuss the changes.

The following individuals were present: Kirit Patel ( Pharmacist and Owner of Progressive Home Medical), Lynn Nickel (Sales Representative for Progressive Home Medical), and Mark Farmer (Owner of Southwest Mobility).

Mr. Patel explained that they are requesting a change in the regulations because instate DME providers cannot service local residents due to Medicare competitive bidding. Mr. Patel stated often the out of state provider that wins the contract does not provide the equipment or oxygen to the patient.

Mr. Patel stated that they met with Representative Regina Cobb to propose a change in the legislation. The legislation would require the company to have an instate brick and mortar presence in order to service Arizona patients.

Mr. McAllister stated that this appears to be an economic issue created by Medicare and not a patient safety issue.

Mr. Nickel stated that patient safety is an issue when a patient is discharged and does not receive their oxygen from the out of state provider who was the winner of the contract

Mr. McAllister asked if there have been any complaints filed against these providers.

Mr. Farmer stated that as a result of the competitive bidding program there have been Legislative changes.

Mr. Blaire asked about the Medicaid contracts. Mr. Farmer stated that about 80% of the providers have been removed from the program as the contract is awarded to the lowest bidders.

Mr. Van Hassel stated that he views this as a way to restrict trade. Mr. Van Hassel stated that there have not been any complaints and it seems we would be restricting trade without any reason.

Mr. Minkus asked if any of the out of state contractors subcontract with instate providers. Mr. Patel stated that some providers will subcontract. Mr. Patel stated that he has one subcontract.

Mr. McAllister stated that the Board does not handle economic issues but patient safety issues.

### **AGENDA ITEM 9– Resident Pharmacy Permits – Schedule N**

#### **1. Davita Rx, LLC**

President McAllister stated that representatives from Davita Rx, LLC were present to answer questions from Board Members.

The following individuals were present:

1. Mark Carlson - Pharmacist in Charge
2. Neil Prezioso – Vice President
3. Phil Wickhouser –Legal Counsel
4. Greg Chavez – Operations Manager

President McAllister asked the representatives to describe their pharmacy operation. Mr. Carlson stated that they would be focusing on complex conditions such as RA and Dialysis.

Mr. McAllister asked about the license. Mr. Carlson stated that they are applying as a community pharmacy.

Mr. McAllister asked if they would be a mail order pharmacy. Mr. Carlson stated that they would be mailing some prescriptions.

Mr. Carlson stated that they are a division of Davita Healthcare.

Mr. McAllister asked if they have other pharmacies. Mr. Carlson stated that they have pharmacies in Orlando, Dallas, and one in California. Mr. Carlson stated that the pharmacies are licensed as non-resident pharmacies in Arizona.

Mr. McAllister asked if there are any disciplinary issues with any of the other pharmacies. Mr. Carlson replied no.

Mr. Blaire asked if they would be doing any compounding. Mr. Carlson replied no.

Mr. Carlson stated that by partnering with Davita Healthcare they needed additional dispensing capacity. Mr. Carlson stated that the Chandler facility will be dispensing the specialty products.

Mr. Prezioso stated that the new pharmacy would be dealing with dialysis patients and other complex diseases.

Mr. McAllister asked if the pharmacy should be a limited service pharmacy. Mr. Wickhouser stated that there are issues on the payor side and that is why they are applying for a community pharmacy permit.

Mr. Carlson stated that they would be dispensing medications and there would be no compounding.

Mr. McAllister asked if they would have a call center. Mr. Carlson stated that they have about 75,000 square feet at the facility. Mr. Carlson stated that about 10,000 square feet would be for the dispensing area. Mr. Carlson stated that other employees would be handling insurance issues and prior authorizations, so that is why the whole facility would be licensed as a pharmacy. Mr. Carlson stated they plan to employ about 150 pharmacists and they plan to grow over the next three years and hire about 550 employees.

## **2. Forsta, LLC**

President McAllister stated that representatives from Forsta, LLC were present to answer questions from Board Members.

Gary Tanner (Owner) and Jake Power (Pharmacist in Charge) were present to answer questions from Board Members.

President McAllister asked the representatives to describe their business model. Mr. Tanner stated that they would be dispensing dermatology products.

Mr. McAllister asked if they would be doing any office use medications. Mr. Tanner replied no.

Mr. Van Hassel asked where the drop off area is located on the floor plan. Mr. Tanner stated that the drop off area is located where the roll up security door is located.

Mr. Tanner stated that they would not be doing any compounding. Mr. Tanner stated that they would work with general dermatology offices in the valley.

Mr. McAllister asked Mr. Tanner if he ever owned a pharmacy. Mr. Tanner replied no. Mr. Power indicated that he has been a pharmacist in charge.

### 3. El Dorado Palms

President McAllister stated that representatives from El Dorado Palms were present to answer questions from Board Members.

Maureen Womack (CEO) and Allana Lloyd- Hills (Pharmacist in Charge) were present to answer questions.

President McAllister asked the representatives to describe their business model. Ms. Womack stated that they are a behavioral health hospital

Mr. McAllister asked how many beds are in the hospital. Ms. Womack stated that there will be 36 beds.

Mr. McAllister asked if they have a space issue. Ms. Womack stated that they are asking for a waiver of the 500 square feet. Ms. Womack stated that they have 185 square feet.

Mr. McAllister asked if they would be doing any IV therapy. Ms. Womack stated no.

Dr. Dang asked if they would be mixing any IV products. Ms. Womack replied no.

Dr. Gandhi asked what medications they would be stocking. Ms. Womack stated that they would be stocking psychotropic meds, hypertensive meds, diabetic meds, and suboxone.

Dr. Gandhi asked how they would obtain other medications. Ms. Womack stated that they could be supplied by the hospital or the patient could bring in their own medication. Ms. Lloyd-Hills stated that they would be stocking unit dose medications. Ms. Womack stated that they are in proximity to Cornerstone Hospital that could supply medications that they do not stock.

Mr. Van Hassel asked about the size of the pharmacy because he felt that the pharmacy was not large enough. Ms. Womack stated that the average census would be 28.

Dr. Dang asked if they would have a narcotic safe. Dr. Dang stated that the area is small because they would need a refrigerator and a safe. Ms. Lloyd-Hills stated that they could have a small safe on the ground because they would be stocking a limited number of controlled substances.

Mr. Kennedy asked if there was any other area in the hospital that is larger for a pharmacy. Ms. Womack stated that there might be an additional space.

Mr. Blaire asked how the medications were being dispensed. Ms. Lloyd-Hills stated that they would be in a Pyxis machine.

Mr. McAllister stated that he thinks it could work with a small narcotic safe and the use of technology with the Pxyis machine.

Mr. Gandhi asked if they expand the facility would they need to revisit the Board.

Mr. McAllister stated that the Compliance staff could report how it is working.

Mr. Minkus asked if another space could be added to make the pharmacy larger. Ms. Womack stated that this is the architect's best recommendation

**On motion by Mr. Blaire and seconded by Mr. Kennedy**, the Board approved the waiver request for 185 square feet and the compliance staff would report if there are any issues. They would also need to notify the Board of an increase in the census. A roll call vote was taken. (Ms. Locnikar – aye, Mr. Blaire – aye, Mr. Francis – aye, Mr. Minkus – nay, Mr. Van Hassel-nay, Ms. Snair – aye, Dr. Dang – nay, Mr. Kennedy- aye, and Mr. McAllister – aye)

#### **4. Pharmcare USA of Greater Phoenix, LLC**

President McAllister stated that representatives from Pharmcare USA of Greater Phoenix, LLC were present to answer questions from Board Members.

Dan Mason (Pharmacist in Charge and Previous Owner) and Kent Abbott (New Owner) were present to answer questions from Board Members.

President McAllister asked the representatives to describe their business. Mr. Mason stated that this is an ownership change. Mr. Mason stated that he started Arizona Senior Care as a long term care pharmacy 13 years ago. Mr. Mason stated that the business would continue to service skilled nursing homes and long term care homes.

#### **5. Total Wellness Pharmacy - Glendale**

President McAllister stated that representatives from Total Wellness Pharmacy- Glendale were present to answer questions from Board Members.

Matt Fisher (Pharmacist in Charge) and Paul Gibbs (Pharmacy Director) were present to answer questions from Board Members.

President McAllister asked the representatives to describe their business model. Mr. Gibbs stated that they would be opening their second pharmacy in Arizona. They would be compliant with USP 795 compounding and would be doing immunization therapy and pain management.

Mr. Blaire asked if they would compound anything on the NIOSH list. Mr. Gibbs replied no.

Mr. Blaire asked about the owner Dr. Karasek. Mr. Gibbs stated that he would not be seeing any patients in Arizona as Dr. Karasek practices in San Antonio.

## 6. RSVP RX, LLC

President McAllister stated that representative from RSVP RX, LLC was present to answer questions from Board Members.

Jerry Grover (Pharmacist In Charge) was present to answer questions from Board Members.

President McAllister asked Mr. Grover to describe their business model.

Mr. Grover stated that they would be a full service retail pharmacy and would be doing no compounding.

Mr. Blaire asked where the patient would drop off their prescription. Mr. Grover stated that the patient would drop off their prescription at the opening on the right side of the counter in the waiting area.

## RESIDENT PHARMACY PERMITS

**On motion by Mr. Van Hassel and seconded by Mr. Kennedy**, the Board unanimously approved the resident pharmacy permits below pending final inspection. The deviation request for El Dorado Palms Hospital was also approved for 185 square feet.

### RESIDENT PHARMACY PERMITS – Schedule L

<b>Pharmacy</b>	<b>Location</b>	<b>Owner</b>
Davita Rx, LLC	485 N. Jupiter Dr., Chandler, AZ 85226	Davita Rx, LLC
Forsta, LLC	3200 N. Delaware St., Chandler, AZ 85225	Forsta, LLC
El Dorado Palms	1400 North Wilmot Rd., Tucson, AZ 85712	Cornerstone Behavioral Health, Tucson, LLC
Pharmcare USA of Greater Phoenix, LLC	2727 W. Baseline, Tempe, AZ 85283 (O)	Pharmcare USA Corp.
Total Wellness Pharmacy – Glendale	18555 B, 79 <sup>th</sup> Ave., Ste. D107, Glendale, AZ	Dennis Karasek, MD
RSVP RX, LLC	1525 N. Granite Reef, Suite 5, Scottsdale, AZ 85259	RSVP RX, LLC

**(O) = Ownership Change**

**AGENDA ITEM 10– Non- Resident Pharmacy Permits – Schedule O**

**1. Community, A Walgreens Pharmacy**

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

**On motion by Mr. Van Hassel and seconded by Mr. Francis**, the Board unanimously agreed to approve the permit application for Community, A Walgreens Pharmacy.

**2. Special Care Pharmacy, LLC**

President McAllister stated that representatives from Special Care Pharmacy were present to answer questions from Board Members.

Julia Narowski (Pharmacist in Charge) and David Brass (Compliance Officer) were present to answer questions from Board Members.

President McAllister asked the applicants if they have had issues in Massachusetts. Mr. Brass stated that Special Care Pharmacy is owned by the same corporation as another facility that has a consent agreement with the Massachusetts Board. Mr. Brass stated that Georgia denied the other facility a permit.

Mr. Brass stated that they provide fertility medications to patients.

Mr. McAllister asked if any of the staff works at both pharmacies. Mr. Brass replied that both pharmacies have different pharmacists in charge. Mr. Brass stated that they do not share any resources.

Mr. Van Hassel asked about the type of pharmacy. Ms. Narowski stated that they specialize in fertility drugs and are also a retail pharmacy.

Mr. Van Hassel asked if they do any compounding. Ms. Narowski replied no.

Ms. Narowski stated that some of their patients travel and it is important that they receive their fertility medications because they are time sensitive.

**On motion by Mr. Kennedy and seconded by Mr. Van Hassel**, the Board unanimously agreed to approve the permit application for Special Care Pharmacy.

**NON-RESIDENT PHARMACY PERMITS – Schedule O**

The Board unanimously approved the following non- resident pharmacy applications listed below.

<b>Pharmacy</b>	<b>Location</b>	<b>Owner</b>
Community, A Walgreens Pharmacy	2100 Lyndale Avenue South, Suite A Minneapolis, MN 55405	Walgreen Co.
Special Care Pharmacy, LLC	335 Bear Hill Rd., Ste. B, Waltham, MA 02451	Special Care Pharmacy, LLC

**AGENDA ITEM 11 – Special Requests – Schedule P**

**#1 Karen Lieb**

**Karen Lieb** appeared on her own behalf to request to terminate her probation per Board Order 10-0052-PHR. Kelly Fine with the PAPA program was also present.

President McAllister opened the discussion by asking Ms. Lieb why she was appearing in front of the Board.

Ms. Lieb stated that she is asking the Board to terminate her probation. Ms. Lieb stated that she is working the program. Ms. Lieb stated that she is a different person than she was before and she has regrets of what she did to herself and her family.

Mr. McAllister asked Ms. Lieb if she is working. Ms. Lieb stated that she is working at a compounding only pharmacy.

Ms. Fine stated that PAPA supports her request.

**On motion by Mr. Van Hassel and seconded by Mr. Francis**, the Board unanimously approved Ms. Lieb’s request to terminate her probation per Board Order 10-0052-PHR.

**#2 Thomas Goebig**

**Thomas Goebig** appeared on his own behalf to request to terminate his probation per Board Order 10-0046-PHR. Kelly Fine with the PAPA program was also present.

President McAllister opened the discussion by asking Mr. Goebig why he was appearing in front of the Board.

Mr. Goebig stated that he is asking the Board to terminate his probation. Mr. Goebig stated that he is doing well and has a better relationship with his family and friends.

Mr. McAllister asked Mr. Goebig if he is working. Mr. Goebig replied yes.

Ms. Fine stated that PAPA supports his request.

**On motion by Mr. Francis and seconded by Ms. Snair**, the Board unanimously approved Mr. Goebig's request to terminate his probation per Board Order 10-0046-PHR.

### **#3 Bailey McComb**

**Bailey McComb** appeared on her own behalf to request to terminate her suspension per Board Order 15-0021-PHR and impose probation. Kelly Fine with the PAPA program was also present.

President McAllister opened the discussion by asking Ms. McComb why she was appearing in front of the Board.

Ms. McComb stated that she would like the Board to terminate her suspension and impose probation.

Mr. McAllister asked Ms. McComb what she has done during her suspension. Ms. McComb stated that she completed an inpatient and outpatient program.

Mr. McAllister asked Ms. McComb if she was ready to return to work. Ms. McComb stated that she is thankful for the second chance and she is not proud of what she did.

Ms. Fine stated that PAPA supports her request.

**On motion by Mr. Van Hassel and seconded by Mr. Kennedy**, the Board unanimously approved Ms. McComb's request to terminate her suspension and impose probation per Board Order 15-0021-PHR.

## **AGENDA ITEM 12– License Applications Requiring Board Review – Schedule Q**

### **#1 Dennis Foster**

**Dennis Foster** appeared on his own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Mr. Gandhi swore in the applicant.

President McAllister opened the discussion by asking Mr. Foster why he was appearing in front of the Board.

Mr. Foster stated that he was charged with possession of marijuana and paraphernalia possession. Mr. Foster stated that he is in a diversion program and he can have his charges removed with prejudice. Mr. Foster stated that he has been compliant with his diversion program. Mr. Foster stated that he is currently working and going to school. Mr. Foster stated that the incident occurred last October.

Mr. McAllister asked Mr. Foster about his marijuana use. Mr. Foster stated that it was the only time he used marijuana. Mr. Foster indicated that he is tested weekly.

Mr. McAllister asked Mr. Foster why he wanted to be a technician. Mr. Foster stated that he currently works as a cashier in the pharmacy. Mr. Foster stated that he is interested in what the technicians are doing and he wants to go to school for biomedical engineering.

Mr. Kennedy asked about Mr. Foster's recovery program. Mr. Foster stated that he started in August and will continue until February. Mr. Foster stated that he has to pass his drug class and finishing pay his fees.

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

## **#2 Ernest Vega**

**Ernest Vega** appeared on his own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Mr. Gandhi swore in the applicant.

President McAllister opened the discussion by asking Mr. Vega why he was appearing in front of the Board.

Mr. Vega stated that he was charged with a DUI in 2014. Mr. Vega stated that he is completing the requirements of his sentence and attends meetings. Mr. Vega stated that he is taking online classes at Pima Community College.

Mr. Kennedy asked Mr. Vega if he had any other DUI charges. Mr. Vega stated that he had a previous charge in 2004

Mr. Minkus asked if the 2014 charge was an isolated incident. Mr. Vega indicated that he had been sober until that time. Mr. Vega stated that his brother came to visit and he drank with him. Mr. Vega stated that he had moved away to avoid that environment. Mr. Vega stated that he lives in Phoenix with his wife and children.

Dr. Gandhi asked Mr. Vega about his Pima College experience. Mr. Vega stated that he enjoys the online program and goes to Tucson to do his labs.

Dr. Dang asked Mr. Vega if he ever worked in a pharmacy. Mr. Vega stated that he has not. Mr. Vega stated that he had worked at University Medical Center doing custodial work and always was interested in working in the pharmacy.

Ms. Snair asked if completed his counseling. Mr. Vega stated that he has completed 96 hours of outpatient counseling.

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

### **#3 Casandra Salazar**

**Casandra Salazar** appeared on her own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Mr. Gandhi swore in the applicant.

President McAllister opened the discussion by asking Ms. Salazar why she was appearing in front of the Board.

Ms. Salazar stated that she would like to proceed with technician trainee licensure. Ms. Salazar stated that she had a DUI charge. Ms. Salazar stated that she was assigned to complete 16 hours of education and was placed on unsupervised probation. Ms. Salazar stated that she attended the MADD conference, completed Tucson traffic school, and paid her fine. Ms. Salazar stated that she had to serve time for 4 nights. Ms. Salazar stated that she went to a party with a friend and wanted to leave so she left in his car after drinking.

Mr. McAllister asked about her pharmacy technician training. Ms. Salazar stated that she has completed school and is waiting to do her internship. Ms. Salazar stated that she knows an incident like this would not occur again. Ms. Salazar stated that she would like to become a Pharmacist.

Mr. Van Hassel asked about her charge for driving on a suspended license. Ms. Salazar stated that she did not maintain her insurance and her license was suspended.

**On motion by Mr. Kennedy and seconded by Mr. Francis**, the Board unanimously agreed to approve Ms. Salazar's pharmacy technician trainee application.

**#4 Alan Seidel**

**Alan Seidel** appeared on his own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Mr. Gandhi swore in the applicant.

President McAllister opened the discussion by asking Mr. Seidel why he was appearing in front of the Board.

Mr. Seidel stated that he is working at GenRx Pharmacy and would like to work there as a technician. Mr. Seidel stated that he came to Phoenix because of his son and decided to stay. Mr. Seidel stated that his most recent DWI was 13 years ago and he went to rehab. Mr. Seidel stated that his last charge was for domestic violence with his ex-wife.

Mr. McAllister asked about his rehab. Mr. Seidel stated that he has no incidents since that time and should have went to rehab 30 years ago.

Mr. Minkus asked where he worked before coming to Phoenix. Mr. Seidel stated that he worked at a call center for Veterans.

Mr. Blaire asked Mr. Seidel what he does at GenRx. Mr. Seidel stated that he works customer service and is training to be a technician.

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

**#5 Buford Brown**

**Buford Brown** appeared on his own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Mr. Gandhi swore in the applicant.

President McAllister opened the discussion by asking Mr. Brown why he was appearing in front of the Board.

Mr. Brown stated that he is attending Carrington College to become a pharmacy technician. Mr. Brown stated that he was charged with a DUI in 2013. Mr. Brown stated that he has attended counseling sessions, attends AA meetings, and is still paying his fine on a monthly basis. Mr. Brown stated that he had a previous DUI in 1999 that is closed.

Mr. McAllister asked when his fine would be paid. Mr. Brown stated that if he is working it should be another year. Mr. Brown stated that he is now current on his payments.

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

#### **#6 Christopher Link**

**Christopher Link** appeared on his own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Mr. Gandhi swore in the applicant.

President McAllister opened the discussion by asking Mr. Link why he was appearing in front of the Board.

Mr. Link stated that he was working at a pharmacy and tested positive on a random drug test. Mr. Link stated that he continued to work and went through his employer's program. Mr. Link stated that he did not respond to the Board's notice and his license was revoked.

Mr. Link stated that he has been working as a cashier at CVS for the last four months.

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

#### **#7 Sarah Chaudhry**

**Sarah Chaudhry** appeared on her own behalf to request that the Board waive the internship requirements because she has not practiced in the last year.

Mr. Gandhi swore in the applicant.

President McAllister opened the discussion by asking Ms. Chaudhry why she was appearing in front of the Board.

Ms. Chaudhry stated that she is requesting that the Board waive the internship requirements because she has not worked 400 hours in the last year. Ms. Chaudhry stated that she would like to continue with reciprocity. Ms. Chaudhry stated that she has an active license in New Jersey. Ms. Chaudhry stated that she took the law exam three years ago and got a 72. Ms. Chaudhry stated that she has been in Arizona three years and has finally got acclimated to the environment. Ms. Chaudhry stated that she has completed CE. Ms. Chaudhry stated that her husband is a doctor and she helps at the free clinic so she is familiar with new drugs.

Mr. McAllister asked Ms. Chaudhry if her license in New Jersey is active. Ms. Chaudhry replied yes.

Mr. Van Hassel asked Ms. Chaudhry if she worked in New Jersey. Ms. Chaudhry stated that she worked at CVS and has worked at a hospital.

Mr. Francis stated that the intern hours would help her with the flow in the pharmacy since she has not worked the last three years. Ms. Chaudhry stated that she knows she can perform. Ms. Chaudhry stated that any new pharmacist would need to learn the system.

Mr. Blaire asked if performing the intern hours would create a financial hardship. Ms. Chaudhry replied no.

**On motion by Mr. Van Hassel and seconded by Mr. Kennedy**, the Board unanimously agreed to deny Ms. Chaudhry's request to waive the intern hours.

#### **#8 Rianne Michael**

**Rianne Michael** appeared on her own behalf to request to proceed with Intern licensure.

Mr. Gandhi swore in the applicant.

President McAllister opened the discussion by asking Ms. Michael why she was appearing in front of the Board.

Ms. Michael stated that she is applying for an Intern license and she had charges. Ms. Michael stated that in 2010 she was charged with disorderly conduct for fighting with her boyfriend and in 2011 she was charged with shoplifting and had marijuana in her possession. Ms. Michael stated that she has completed her charges.

Mr. McAllister asked Ms. Michael if she is in school. Ms. Michael stated that she is completing her first semester at University of Arizona College of Pharmacy.

Mr. McAllister asked Ms. Michael if she had to pass a urine screen to enter school. Ms. Michael replied no. Ms. Michael stated that she had to pass a drug screen for employment at CVS where she works as a pharmacy technician trainee. Ms. Michael stated that she had also volunteered at the Mayo Clinic.

**On motion by Mr. Van Hassel and seconded by Ms. Snair**, the Board unanimously agreed to approve Ms. Michael's Intern application.

#### **#9 Ralph Benitz**

**Ralph Benitz** appeared on his own behalf to request to reinstate his expired Arizona Pharmacist license which he has not renewed since 1979.

Mr. Gandhi swore in the applicant.

President McAllister opened the discussion by asking Mr. Benitz why he was appearing in front of the Board.

Mr. Benitz stated that he wants to reinstate his Arizona license. Mr. Benitz stated that he got licensed in 1977 and let his license lapse. Mr. Benitz stated that due to the economy he needs to work.

Mr. McAllister asked Mr. Benitz if he has an active license. Mr. Benitz stated that he has a California license.

Mr. McAllister asked Mr. Benitz about his work experience the last 5 years. Mr. Benitz stated that he worked per diem at Pharmerica since March of 2013. Mr. Benitz stated that he completed his non-traditional PharmD through Idaho State. Mr. Benitz stated that he obtained a job 2 weeks ago at the Camerino Clinic for 15 hours a week. Mr. Benitz stated that he retired from the State of California Corrections Pharmacy in 2007.

Mr. McAllister asked Mr. Benitz when he completed the PharmD program. Mr. Benitz stated that he completed the program in May of this year.

**On motion by Mr. Van Hassel and seconded by Mr. Francis**, the Board unanimously agreed to reinstate Mr. Benitz's license after he passes the NAPLEX exam and then follows the reinstatement process (Pass MPJE and pay all back fees).

### **AGENDA ITEM 13 – Caremark PCS Deviation Request to Deviate from R4-23-609 – Community Pharmacy Space**

President McAllister stated that a representative from Caremark was present to address the deviation request.

Lauren Breton, Director of Regulatory Affairs at Caremark Health, was present to discuss the deviation request. Ms. Breton stated that the CVS space in Scottsdale was licensed as a limited service pharmacy. The pharmacy does not dispense medications and served as an office workspace for the pharmacists and technicians. Currently, the pharmacists and technicians that worked in that space will be working remotely. Ms. Breton stated that the space is 260 square feet. The only person working in that office space would be the pharmacist in charge.

**On motion by Mr. Van Hassel and seconded by Mr. Kennedy**, the Board unanimously agreed to approve the deviation request to allow the downsizing of the pharmacy space to 260 square feet.

**AGENDA ITEM 14 – Med-Impact Deviation Request to Deviate from R4-23-408 (H)-Record Retention of Hard Copy Prescriptions.**

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

President McAllister opened the discussion by stating that representatives from MedImpact were present to discuss their deviation request.

Donald Dean (Pharmacist in Charge) and Steven Kramer (Computer Engineer for MedImpact) were present. Roger Morris, Legal Counsel was also present.

Mr. Dean stated that they are requesting not to maintain the hard copies of non-controlled prescriptions for 30 days. Mr. Dean stated that they do not dispense drugs and most of the prescriptions that they process are sent to the pharmacy electronically. Mr. Dean stated that they have to print the prescriptions to maintain the hard copies. Mr. Kramer explained the technology.

Mr. McAllister asked if the Board could ask the governor's office if the Board could change the rule or write a substantive policy until the rule could be changed. The Board had approved the change previously but the rule could not be changed due to the rule moratorium.

**On motion by Mr. Kennedy and seconded by Mr. Van Hassel**, the Board unanimously agreed to approve the deviation request to allow MedImpact to no longer maintain the hard copy prescriptions for 30 days for non-controlled prescriptions due to technology.

**AGENDA ITEM 15 – Pharmerica Deviation Request to Deviate from R4-23-701.02 (D) (4) Emergency Box Weekly Filling**

President McAllister opened the discussion by stating that representatives from Pharmerica were present to discuss their deviation request.

Robert Sarvis (Pharmacy Operation Manager) and Roger Morris (Legal Counsel) were present.

Mr. Morris stated that Pharmerica is requesting to fill the Emergency Boxes on an "as-needed" basis. Mr. Morris stated that Pharmerica has technology that allows them to know when medications are low. Mr. Morris stated that the Emergency Box can be filled when the pharmacy is notified that the medication needs filled. Mr. Morris stated that the Emergency Box would be replenished no less frequent than every 2 weeks.

**On motion by Mr. Van Hassel and seconded by Mr. Kennedy**, the Board unanimously agreed to approve the deviation request to allow Pharmerica to fill the Emergency Boxes on an "as-needed" basis due to technological advancements.

**AGENDA ITEM 16– Mountain Valley Rehabilitation Hospital Request to Deviate from R4-23-655 (B) – Hospital Pharmacy Space**

President McAllister opened the discussion by stating that a representative from Mountain Valley Rehabilitation Hospital was present to discuss their deviation request.

Robert George (Architect) was present to discuss the deviation request. Mr. George stated that Mountain Valley Rehab Hospital is remodeling and expanding their pharmacy area. Mr. George stated that the pharmacy has been operating the last 10 years in a space that was about 250 square feet with 60 square feet for the IV room. Mr. George stated that they are modifying the pharmacy. Mr. George stated that they will have a biological safety cabinet. They are also proposing to have an ante room. Mr. George stated that they will have a positive and a negative pressure room.

Mr. George stated that they are asking the Board to approve a pharmacy size of 295 square feet with an IV room of 91 square feet.

Mr. George stated that the hospital is a 40 bed hospital for inpatient physical rehabilitation. Mr. George stated that they do not do surgery at the hospital or have an Emergency Room.

**On motion by Mr. Van Hassel and seconded by Mr. Francis**, the Board unanimously approved the deviation request to allow Mountain Valley Rehabilitation Hospital to have 295 square feet in the pharmacy area.

**AGENDA ITEM 17– Reports**

**Executive Director**

**1. Domperidone Compounding in the Tucson Market**

Dr. Gandhi stated that they have been asked to stop compounding Domperidone. Dr. Gandhi stated that Domperidone is not authorized for use in the United States.

**2. Valeant and Philidor**

Dr. Gandhi stated that it has been reported that Valeant and Philidor are experiencing billing issues. Dr. Gandhi stated that Philidor holds a non-resident pharmacy permit and is operating a call center in Phoenix and Tempe with neither site licensed.

**3. NADDI and NASCSA Meetings**

Dr. Gandhi stated that he and the Compliance Staff attended both meetings. Dr. Gandhi stated that the meetings dealt with drug abuse and fraud.

**4. New Office Personnel**

Dr. Gandhi stated that a new person has been hired in the office and a new drug inspector has been hired.

**5. Dean Bootman Update**

Dr. Gandhi stated that the Board will review Dr. Bootman's status as his case proceeds.

**6. Financials**

Dr. Gandhi reviewed the Budget with the Board Members.

**Deputy Director Report**

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

During the month of August and September, the Compliance Staff issued letters for the following violations:

**Pharmacy Violations**

1. Expired OTC and Rx products in Pharmacy -5
2. Hot water not working properly -4
3. Pharmacy Technicians offering counseling - 3
4. Facility Cleanliness - 2
5. Pharmacy Technician Trainee Compounding - 4
6. Immunization certificate expired - 1

**Controlled Substance Violations**

1. Controlled Substance Overage -1
2. Controlled Substance Shortage - 4
3. Controlled Substance Inventory not available - 2

**Documentation Violations**

1. Mechanical Storage Documentation - 4
2. Current license not maintained in pharmacy - 1
3. Pharmacist administered immunizations information sent to physician or missing physician information - 1
4. Failure to document training for pharmacy technician -1
5. Daily log not signed - 1
6. Missing information of new telephone prescription or transfer - 2

**Areas outside the pharmacy inspection:**

1. Cleanliness of OTC products and the covering of expiration dates and medication information with security tags
2. Pharmacist in Charge - Remove licenses of employees no longer working in the pharmacy

### **PAPA Report – Schedule R**

Kelly Fine, PAPA administrator, was present to represent the PAPA program. Ms. Fine stated that there are a total of thirty– seven (37) participants in the PAPA program. Ms. Fine stated that there have been 3 contract terminations. Ms. Fine stated that PAPA terminated one contract for non-compliance and the other 2 contracts were terminated by the participants. Ms. Fine stated that one participant has completed their contract. Ms. Fine stated that there was one new participant. Ms. Fine stated that two new contracts were signed by confidential members. Ms. Fine stated that there was one concern.

The Board requested that a complaint be opened against the participant with the concerns and ask the participant to appear at the next Board Meeting.

### **AGENDA ITEM 18– Conferences – Schedule S**

**All Conferences have been recorded and can be viewed on our website. To view the conference discussions follow the steps below:**

- 1. Go to our Website – [www.azpharmacy.gov](http://www.azpharmacy.gov)**
- 2. Under Quick Links, click on Watch the latest Board Meeting video**
- 3. Click on November 2015 Board Meeting and click on Afternoon Session.**
- 4. The conferences begin the Afternoon Session**

### **Conference 1– Complaint #4418**

The following individuals were present to discuss the complaint:

1. Jackie Truong – Pharmacist- Respondent
2. Seth Dallman – Pharmacy Intern – Respondent
3. Radihka Pasi- Pharmacy Supervisor – Witness
4. Caroline Geisler – In house Legal Counsel for CVS

Tom Retzlaff, the complainant, was also present

President McAllister asked Mr. Haiber to give a brief overview of the complaint. Mr. Haiber stated that the complainant stated that the patient was given 4 syringes of enoxaprin 40mg/04ml instead of 10 syringes. The prescription was written for 10 syringes. As a result of receiving the wrong quantity of syringes the patient had to be sent to the emergency room and was hospitalized for 4 days. The complainant filed a second complaint. The complainant stated that when he went to the pharmacy and asked to see the employee's licenses his request was denied. The pharmacy was called by Deputy Director Cheryl Frush and informed the pharmacy staff that they are obligated to show the licenses to any public member upon request. The complainant returned to the pharmacy later and was shown the licenses at this point. The pharmacist stated that the prescription was typed correctly however was incorrectly filled with 4 syringes by the intern. The pharmacist stated that she did not catch the error and sold the medication with

counseling to the patient. The pharmacist stated that additional training and coaching have been performed to help prevent this error from happening again. The pharmacist stated that the complainant asked to see all pharmacy employee licenses however the assistant manager and manager declined to show him after asking him for his credentials.

The Board Members discussed the complaint with the respondents. The video of the conference discussion can be viewed on our website.

**On motion by Dr. Dang and seconded by Ms. Locnikar**, the Board unanimously agreed to issue a non-disciplinary advisory letter to the pharmacist and pharmacy intern requesting them to complete 2 hours of CE on anticoagulation therapy. The CE units must be completed within 90 days of the letter date. If not completed a complaint will be opened.

### **Conference 2– Complaint #4430**

The following individuals were present to discuss the complaint:

1. Janie Natkowski – Pharmacist- Respondent
2. Bruce Beckwith- Pharmacy Supervisor – Witness
3. Caroline Geisler – In house Legal Counsel for CVS

President McAllister asked Mr. Petersen to give a brief overview of the complaint. Mr. Petersen stated the complainant dropped off two prescriptions. One prescription was for Percocet 5-325 mg tablets and the other prescription was written for Ibuprofen 600mg tablets. Two prescriptions were sold to the complainant and were packaged in a paper bag with receipts attached. The receipts included the complainant's name and correct medication names. When the complainant opened the bag at home she discovered that the prescription labeled oxycodone-acetaminophen 5-325 actually contained ibuprofen 600mg tablets. The other prescription in the bag contained Cephalexin 250mg/5ml suspension (not reconstituted) and it had another customer's name on the bottle. Both prescriptions were returned to the pharmacy the next day and were corrected by the Pharmacist in Charge. The Pharmacist in Charge stated that the prescriptions were filled by a floater pharmacist. The Pharmacist in Charge stated that he viewed the video and the pharmacist was on the phone during the verification process and multiple patients prescriptions were on the counter prior to bagging. The Pharmacist in charge stated that the Oxycodone label was edited and then inadvertently placed on the ibuprofen vial. The Pharmacist in Charge stated that it does not appear the Oxycodone was ever counted from the stock bottle during the filling process. The pharmacist does not recall the filling of these prescriptions and was not notified of the error. The prescriptions were new prescriptions and there was no documentation of counseling for either prescription.

The Board Members discussed the complaint with the respondents. The video of the conference discussion can be viewed on our website.

**On motion by Mr. Kennedy and seconded by Mr. Minkus**, the Board agreed to issue an advisory letter to the pharmacist concerning the completion of a final accuracy check on the completed prescription and to check data entry of a prescription. A roll call vote was taken. (Ms. Locnikar – aye, Mr. Blaire – aye, Mr. Francis – nay, Mr. Minkus – aye, Mr. Van Hassel-nay, Ms. Snair – aye, Dr. Dang – nay, Mr. Kennedy- aye, and Mr. McAllister –nay)

### **Conference 3– Complaint #4434**

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

The following individuals were present to discuss the complaint:

1. Mary McDaniel – Pharmacist- Respondent
2. Kyle Rowland – Pharmacy Technician - Respondent
2. Mike Brancato- Pharmacy Supervisor – Witness
3. Christine Cassetta – Legal Counsel for Walgreens

President McAllister asked Mr. Haiber to give a brief overview of the complaint. Mr. Haiber stated that the complainant stated that he received Flecainide 100mg (used to treat arrhythmias) instead of Buprenorphine/naloxone 8mg/2mg (used to treat narcotic dependence or pain). The complainant stated that he took the wrong medication three times daily for 2 or 3 weeks and became ill with nausea, vomiting, dizziness, and blurred vision and ultimately went to the ER. The complainant stated that he received an EKG at the ER but the doctor was unable to determine if he would have any long term effects from the Flecaidine. The complainant stated that he still suffers from chest pains as well as other symptoms. The pharmacist stated that the prescription was for 90 tablets. The medications come in bottles of 30. The prescription was filled with one bottle of the correct medication and two bottles of Flecaidine. The pharmacist stated that the medications are made by the same manufacturer and look very similar resulting in the Flecaidine being stocked where the Buprenorphine/naloxone was stocked. This resulted in the wrong medication being pulled. The pharmacist stated that the technician failed to scan all three bottles and scanned one bottle three times. The bottle scanned was the correct medication. The pharmacist stated that the technician placed the prescription label over the manufacturer's label where the name of the drug is displayed. The pharmacist stated that during verification she only inspected one bottle assuming all three bottles were the same. The pharmacist stated that the complainant came to the pharmacy and it was recommended that he go to the ER. The technician stated that he did not notice the difference in the two bottles and failed to scan all three bottles. The technician stated that he has taken two CE courses on error prevention. The technician is now enrolled in pharmacy school as an Intern and has attended a lecture on medication errors. The technician stated that the pharmacy has implemented new procedures to ensure the error does not occur again.

The Board Members discussed the complaint with the respondents. The video of the conference discussion can be viewed on our website.

**On motion by Mr. Van Hassel and seconded by Mr. Francis**, the Board unanimously agreed to issue a non-disciplinary advisory letter to the pharmacist requesting that she complete 6 hours of CE on error prevention or patient safety. The CE units must be completed within 90 days of the letter date. If not completed a complaint will be opened. The case against the pharmacy technician was dismissed.

#### **Conference 4– Complaint #4409**

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

The following individuals were present to discuss the complaint:

1. Joyce Kossic – Pharmacy Director at the time of the incident- Respondent
2. Yi Ming Lee Stadler – Pharmacist - Respondent
3. Richard Tenney – Pharmacy Technician – Respondent
4. Linda Carboni – Regulatory Pharmacist for Maricopa Medical Center
5. Neil Aldon – Legal Counsel for Mr. Tenney
6. Frederick Cummings – Legal Counsel for Yi Ming Lee Stadler and Maricopa Medical Center

President McAllister asked Mr. Haiber to give a brief overview of the complaint. Mr. Haiber stated that the complaint was filed by a law firm on behalf of their client. On May 22, 2013, an IV Preparation for KCL 0.81 mEq in NaCL 0.9% X 20ml was prepared pursuant to an order for the patient. The pharmacy technician prepared the order and brought the materials utilized in the preparation of the patient’s order to the pharmacist. The pharmacist approved the preparation and it was sent to the floor for administration to the patient. The pharmacist stated that the materials presented for review included a 50 ml IV bag of 0.9% saline and the syringe containing the compounded solution. The pharmacist stated that she remembers the technician responding “yes” to her question concerning the solution used to prepare the syringe. The technician’s response stated that he must have used the high potency 23.4% NaCl solution in preparing the patient’s potassium rather than the 0.9% solution. The syringe was labeled with the correctly ordered products and was administered to the patient. The patient experienced seizures and died 2 days after administration of the KCl in the NaCl order.

The Board Members discussed the complaint with the respondents. The video of the conference discussion can be viewed on our website.

**On motion by Mr. Van Hassel and seconded by Mr. Dang**, the Board unanimously agreed to offer a Consent Agreement to the hospital for a \$500 fine for not assuring policies were being followed. A Consent Agreement would be offered to the pharmacist and pharmacy technician for a fine of \$500 each and the completion of a USP 797 Compounding course to be specified in the Consent Agreement. The compounding course should be completed in 6 months.

**AGENDA ITEM 19– Complaint Review – Consideration of Complaints on Schedule T**

President McAllister opened the discussion by stating the Board Members would review all the complaints on schedule T.

**Complaint #4416**

**On motion by Mr. Van Hassel and seconded by Mr. Blaire**, the Board unanimously agreed to offer a consent agreement to the permit holder with the following terms:

1. A fine of \$1,000 per violation
2. A follow-up inspection within 6 months

**On motion by Mr. Van Hassel and seconded by Mr. Blaire**, the Board unanimously agreed to offer a consent agreement to the pharmacist with the following terms:

1. A fine of \$1,000 for unprofessional conduct
2. A fine of \$1,000 for failure to control the pharmacy (violations of state and federal law)
3. 8 hours of CE on Pharmacy Management
4. 8 hours of CE on Compounding
5. 100 hours of Community Service

A roll call vote was taken. (Ms. Locnikar – aye, Mr. Blaire – aye, Mr. Minkus – aye, Mr. Van Hassel- aye, Ms. Snair – aye, Dr. Dang – aye, Mr. Kennedy- aye, and Mr. McAllister –aye)

**Complaint #4421**

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

**On motion by Mr. Van Hassel and seconded by Mr. Blaire**, the Board unanimously agreed to issue a non-disciplinary advisory letter to the pharmacist and pharmacy technician requesting that they complete 6 hours of CE on error prevention or patient safety. The CE units must be completed within 90 days of the letter date.

**Complaint #4423**

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

**On motion by Mr. McAllister and seconded by Mr. Van Hassel**, the Board unanimously agreed to issue a non-disciplinary advisory letter to the pharmacist and pharmacy technician requesting that they complete 3 hours of CE on error prevention or patient safety. The CE units must be completed within 90 days of the letter date.

**Complaint #4427**

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

**On motion by Mr. McAllister and seconded by Mr. Van Hassel**, the Board unanimously agreed to ask the local store personnel to appear for a conference.

**Complaint #4428**

**On motion by Mr. McAllister and seconded by Mr. Van Hassel**, the Board unanimously agreed to issue an advisory letter to the pharmacist regarding accuracy.

**Complaint #4432**

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

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

**Complaint #4447**

**On motion by Mr. Van Hassel and seconded by Mr. Kennedy**, the Board unanimously agreed to offer the pharmacist a consent agreement for a Standard PAPA contract.

**Complaint #4452**

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

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

**Complaint #4454**

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

**On motion by Mr. Van Hassel and seconded by Mr. Blaire**, the Board unanimously agreed to issue an advisory letter to the pharmacist and pharmacy technicians concerning the need to follow policies.

**Complaint #4459**

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

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

**Complaint #4460**

**Mr. Van Hassel was recused due to a conflict of interest.**

**On motion by Mr. McAllister and seconded by Mr. Minkus**, the Board unanimously agreed to offer the pharmacist a consent agreement with the following terms:

1. 5 Year Suspension and unable to ask to appear before 5 years to ask for the suspension to be removed
2. Take and pass the NAPLEX and MPJE prior to asking for the suspension to be removed within 6 months of asking for the suspension to be removed

A roll call vote was taken. (Ms. Locnikar – aye, Mr. Francis – aye, Mr. Blaire – aye, Mr. Minkus – aye, Ms. Snair – aye, Dr. Dang – aye, Mr. Kennedy- aye, and Mr. McAllister –aye)

**AGENDA ITEM 20– Delinquent Continuing Education Credits**

President McAllister asked Dr. Gandhi to discuss this topic.

Dr. Gandhi stated that Mr. Blaire, Mr. Francis, and Ms. Snair discussed the topic and decided that a consent agreement should be offered to pharmacists and pharmacy technicians that do not meet the minimum CE requirements. The terms of the consent agreement are listed below:

1. Pharmacists would be fined \$100 for each CE delinquent
2. Pharmacy technicians would be fined \$25 for each CE delinquent
3. An administrative fee of \$25
4. Complete an additional 1½ CE credits for each credit delinquent

**On motion by Mr. Van Hassel and seconded by Mr. Dang**, the Board unanimously approved the recommendations of the Board Members that reviewed the delinquent CE requirements.

**AGENDA ITEM 21– Pharmacist Administered Medications**

Joe Leyba, Roger Morris, Kelly Fine, and Mark Boesen were present to discuss the topic.

President McAllister asked Dr. Gandhi to discuss this topic.

Dr. Gandhi asked stated that he had a conference call with Mr. Kennedy and Mr. Francis to discuss the issue of administering other medications pursuant to a prescription. Dr. Gandhi stated that there were concerns that there was no rescue medications prescribed. Dr. Gandhi stated that without a prescription for epinephrine or diphenhydramine the patient and the pharmacist could be put at risk.

Dr. Gandhi stated that a substantive policy can be prepared and reviewed with the AG office. The Board Members supported that recommendation. Mr. Blaire stated that he has concerns that it would increase the pharmacist's liability and insurance coverage without a written policy.

**AGENDA ITEM 22– Good Compounding Practices Documentation – Banner's request to not document components on compounded products used in 48 hours**

President McAllister stated that Banner presented their request at the last Board Meeting and the Board decided to table the matter until this Board Meeting.

Mr. Van Hassel stated that it is common practice in the country to not document components on compounded products used in 48 hours. Mr. Van Hassel stated that if required to document the components they would make up lot numbers and expiration dates. Mr. Van Hassel stated that it is time consuming if they are making 700 to 1,000 IVs a day. Mr. Van Hassel stated that if there was a recall that lot number and product would be gone. Mr. Van Hassel stated that the requirements adds to the work load. Mr. Van Hassel stated that it would be necessary to define immediate use. Mr. Van Hassel stated that California has given instate hospitals an immediate use designation

**On motion by Mr. Van Hassel and seconded by Mr. Kennedy**, the Board unanimously agreed to table the matter until the January meeting to see if ASHP has any guidelines.

**AGENDA ITEM 23– Prescriptive Authority of Pharmacist's in other states**

President McAllister asked Dr. Gandhi to address this topic. Dr. Gandhi stated that he has been asked about the prescriptive authority of pharmacist's in other states. Dr. Gandhi stated that Pharmacists in Arizona do not have prescriptive authority.

Mr. McAllister stated that the pharmacists in other states act as independent prescribers.

The Board decided not to take any action on this agenda item at this time.

**AGENDA ITEM 24– University of Arizona International Student Certificate Program- Request to issue Intern license without the FPGECC**

Michael Katz, from the University of Arizona College of Pharmacy, was present to answer questions from Board Members concerning his request.

President McAllister opened the discussion by asking Mr. Katz to discuss his request. Mr. Katz stated that the University of Arizona offers an international clinical program to graduate pharmacists from other countries. Mr. Katz stated that the program is 18 months long and the student needs to be licensed as an intern. Mr. Katz stated previously he had an agreement whereby the students were able to obtain an Intern license without obtaining the FPGEEC certificate. Mr. Katz stated that the students are enrolled in the University of Arizona College of Pharmacy and thus should be able to obtain an Intern license like any other student.

The Board Members decided to table the agenda item until the January meeting.

#### **AGENDA ITEM 25– Proposed Board Meeting Dates for 2016**

**On motion by Mr. Van Hassel and seconded by Mr. Kennedy**, the Board unanimously approved the Proposed Board Meeting Dates for 2016. The dates are as follows:

1. January 27<sup>th</sup> and 28<sup>th</sup>
2. March 16<sup>th</sup> and 17<sup>th</sup>
3. May 11<sup>th</sup> and 12<sup>th</sup>
4. June 8<sup>th</sup> and 9<sup>th</sup> - Convention
5. August 24<sup>th</sup> and 25<sup>th</sup>
6. November 16<sup>th</sup> and 17<sup>th</sup>

#### **AGENDA ITEM 26– Consent Agreement – Sina Health – 16-002-PHR**

President McAllister stated that Ms. Cassetta has brought the signed consent agreement to the Board Meeting on behalf of her client, Sina Health.

**On motion by Mr. Francis and seconded by Mr. Blaire**, the Board unanimously agreed to accept the signed consent for Sina Health Case #16-002-PHR.

A roll call vote was taken. (Ms. Locnikar – aye, Mr. Francis – aye, Mr. Blaire – aye, Mr. Minkus – aye, Mr. Van Hassel – aye, Ms. Snair – aye, Dr. Dang – aye, Mr. Kennedy- aye, and Mr. McAllister –aye)

#### **AGENDA ITEM 27 – License Application Review – Paul Spoonmore**

**Paul Spoonmore** appeared on his own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Mr. Gandhi swore in the applicant.

President McAllister opened the discussion by asking Mr. Spoonmore why he was appearing in front of the Board.

Mr. Spoonmore stated that he is applying for a pharmacy technician trainee license. Mr. Spoonmore stated that he was charged with a Felony DUI in 2009. Mr. Spoonmore stated that he spent 5 months in tent city and had to have an ignition lock on his vehicle for 2 years. Mr. Spoonmore stated that he is currently working at CVS and would like to work in the pharmacy. Mr. Spoonmore stated that he has completely changed he had lost weight and is into health and fitness.

Mr. McAllister asked about his work at CVS. Mr. Spoonmore stated that he is a shift supervisor and is working towards becoming an assistant manager. Mr. Spoonmore stated that he has worked at CVS since 2009.

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

#### **AGENDA ITEM 28 – License Application Review – Samantha McKinnon**

**Samantha McKinnon** appeared on her own behalf to request to proceed with Pharmacy Intern licensure.

Mr. Gandhi swore in the applicant.

President McAllister opened the discussion by asking Ms. McKinnon why she was appearing in front of the Board.

Ms. McKinnon stated that she is a first year pharmacy student at the University of Arizona and is applying for a Pharmacy Intern license. Ms. McKinnon stated that all the charges listed are not her charges. Ms. McKinnon stated that there is a person with the same name and birthdate and their records have been crisscrossed.

Mr. McAllister asked Ms. McKinnon to describe her charges. Ms. McKinnon stated that her charges were for shoplifting, DUI in 2006, and Battery in 2009. Ms. McKinnon stated that she no longer drinks.

Mr. McAllister asked Ms. McKinnon if she is actively enrolled in school. Ms. McKinnon stated that she started school in August of this year.

Mr. McAllister asked Ms. McKinnon if she was aware of her history. Ms. McKinnon stated that she was aware of the DUI.

A motion was placed on the floor by Mr. Minkus and seconded by Mr. Blaire to table the request until the required documents are submitted. The motion was withdrawn.

**On motion by Mr. Van Hassel and seconded by Mr. McAllister**, the Board agreed to approve Ms. McKinnon's Intern license pending clarification of missing documentation of corrected charges. The documents should be provided by the end of December and can be approved by Board Staff. There was one nay vote by Mr. Minkus.

#### **AGENDA ITEM 29 – License Application Review – Matthew Peary**

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

**Matthew Peary** appeared on his own behalf to request to proceed with Pharmacy Technician licensure. Roger Morris, Legal Counsel, was also present. Dave Perkins, Pharmacist in Charge for Diamondback Drug was also present.

Mr. Gandhi swore in the applicant.

President McAllister opened the discussion by asking Mr. Peary why he was appearing in front of the Board.

Mr. Peary stated that he was applying for a pharmacy technician license. Mr. Peary stated that he has had several charges. Mr. Peary stated in 2007 he was charged with speeding and no registration. Mr. Peary stated that case was closed. Mr. Peary stated in 2007 he was also charged with a minor in possession of alcohol. Mr. Peary stated that he attended the MADD class. Mr. Peary stated in 2013 he was charged with Super Extreme DUI. Mr. Peary stated that he spent 30 days in jail and was on work release. Mr. Peary stated that he spent 24 days on house arrest. Mr. Peary stated that he attended 20 hours of behavioral classes, attended AA meetings and took a defensive driving course. Mr. Peary stated that if he drinks that he does not drive.

Mr. Peary stated that he is currently working at Diamondback Drugs.

**On motion by Mr. Van Hassel and seconded by Dr. Dang**, the Board unanimously agreed to approve Mr. Peary's pharmacy technician application.

#### **AGENDA ITEM 30– Call to the Public**

President McAllister 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.

Mr. Morris came forth to address the issue of pharmacists prescribing in other states. Mr. Morris stated that the prescription is valid because the pharmacist is authorized to prescribe by state law.

**AGENDA ITEM 31– Future Agenda Items**

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

1. Complaint timeframes

There being no further business to come before the Board, President McAllister recessed the meeting at 4:00 P.M.