



Arizona State Board of Pharmacy
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**THE ARIZONA STATE BOARD OF PHARMACY
HELD A REGULAR MEETING JANUARY 27 AND 28, 2016
MINUTES FOR REGULAR MEETING**

AGENDA ITEM 1 – Call to Order – January 27, 2016

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, and Tom Van Hassel. The following Board Member was not present: Kristen Snair. The following staff members were present: Compliance Officers, Karol Hess, 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 Jeanne Galvin.

AGENDA ITEM 2 – Reappointment of Dennis McAllister – Pharmacist Board Member

Dr. Gandhi stated that Mr. McAllister was reappointed by the Governor.

AGENDA ITEM 3 – Declaration of Conflicts of Interest

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 6, Schedule O, Permit Application for Nationwide Compounding RX, LLC.

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 16, Robert Goodwillie – Case#16-0006-PHR.

Due to having a “substantial interest” in the matter, Mr. McAllister recused himself from participating under Arizona’s conflict of interest laws in the review, discussion, and proposed actions concerning Agenda Item 10, Schedule S, License Application for Stacie Bellis.

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 7, Schedule P, Non-Resident Pharmacy Application for Walgreens Specialty Pharmacy #04563-2.

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 12, Schedule U, Conferences 1 and 2.

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 13, Schedule V, Complaints #4436, #4451, #4465, #4474, and #4477.

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, Mountain Park Health Center and Walgreens request to Deviate from R4-23-614- Automated Dispensing Machines.

AGENDA ITEM 4– Approval of Minutes

Following a review of the minutes and an opportunity for questions and **on motion by Mr. Kennedy and seconded by Mr. Francis**, the Board Members unanimously approved the minutes for the Regular Meeting held on November 18, 2015.

AGENDA ITEM 5- Consent Agenda

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

5. (1) Resident Pharmacy Permits – Schedule A

RESIDENT PHARMACY PERMITS

Pharmacy	Location	Owner
Pharmcare USA of Tucson	3400 E. Speedway, Tucson, AZ 85716	Pharmcare USA of Greater Phoenix, LLC
Roadrunner Pharmacy	711 E. Carefree Hwy, Ste. #140, Phoenix, AZ 85085 (O)	Eaton Veterinary Pharmaceutical, Inc.
CVS Pharmacy #10920	3933 E. Camelback Rd., Phoenix, AZ 85018	German Dobson CVS, LLC
John C. Lincoln Medical Center Specialty Pharmacy	9109 N. Central Ave., Phoenix, AZ 85020	Scottsdale Healthcare Hospitals dba Honor Health

(O) = Ownership Change

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

RESIDENT PHARMACY PERMITS

Pharmacy	Location	Owner
Safeway Pharmacy #3322	10380 E. Broadway Blvd., Tucson, AZ 85748	Safeway, Inc.
Albertson’s Pharmacy #3204	1980 McCulloch Blvd., Lake Havasu City, AZ 86403 (O)	Albertson’s, LLC
Albertson’s Pharmacy #3203	1350 Silverbell Rd., Tucson, AZ 85745 (O)	Albertson’s LLC

(O) = Ownership Change

5. (2) Non-Resident Pharmacy Permits (Out of State) – Schedule B

NON-RESIDENT PHARMACY PERMITS

Pharmacy	Location	Owner
GabeCare Direct Rx, Inc.	1179 Maplelawn Dr., Troy, MI 48084	GabeCare Direct Rx, Inc.
Rosewood Family Pharmacy, PLLC	10028 West Road , Ste. 110, Houston, TX 77064	Rosewood Family Pharmacy, PLLC
American Pharmacy Company	221 Old Hendersonville Rd., Ste. D, Fletcher, NC 28732	Mike Sowinski, Carolyn Suess, Jason De Los Santos
American Specialty Pharmacy	2414 Babcock Rd., Ste. 106, San Antonio, TX 78229	Abdul Hameed
The Medical Center Pharmacy LTD.Co.	540 Oak Centre Dr., San Antonio, TX 78258	The Medical Center Pharmacy LTD.Co.
Humana Pharmacy, Inc.	420 S. Nova Rd., Suite 4/5, Ormond Beach, FL 32174	Humana Pharmacy, Inc.
NaphCare, Inc.	2090 Columbiana Rd., Suite 1100, Birmingham, AL 35216	NaphCare, Inc.
Portland Professional Pharmacy, LLC	11711 SE Glisan, Portland, OR 97212	Portland Professional Pharmacy, LLC
Veterinary Pharmacies of America, LLC	2854 Antoine Dr., Houston, TX 77092 (O)	Veterinary Pharmacies of America, LLC
BeneVi Health, LLC	13000 Weston Parkway, Ste. 105, Cary, NC 27513	BeneVi Health, LLC
Carrollton Prescription Shop	41254 Hwy 195, Haleyville, AL 35565	Michael Schneider
Tampa Family Pharmacy	2919 W. Swann Ave., Ste. 101, Tampa, FL 33609	Crystal Campbell
Hari Om Pharmacy, LLC	G-333 Beecher Rd., Flint, MI 48532	Hari Om Pharmacy, LLC
Digino’s Apothecary	255 Valley Blvd., Wood-Ridge, NJ 07075	DGN Pharmacy, Inc.
ReCept Pharmacy #1	800 8 th Ave, Ste. 130, Fort Worth, TX 76104	ReCept Pharmacy, LP

(O) = Ownership Change

5. (2) Non-Resident Pharmacy Permits (Out of State) – Schedule B- (Continued)

NON-RESIDENT PHARMACY PERMITS

Pharmacy	Location	Owner
University of Colorado Hospital Atrium Pharmacy	12605 E. 16 th Ave., Room 1054, Aurora, CO 80045	University of Colorado Hospital Atrium Pharmacy
OakCreek Pharmacy, LLC	8607 F Street, Omaha, NE 68127	OakCreek Pharmacy, LLC
Staley Pharmacy, LLC	5410 Newport Dr., Ste. 43, Rolling Meadows, FL 60008	Staley Pharmacy, LLC
CureRx, LLC	1812 State Hill Rd., Wyomissing, PA 19610	CureRx, LLC
Roche Diabetes Care, Inc	10300 Kincaid Dr., Fishers, IN 46037	Roche Diabetes Care, Inc
USRC Pharmacy, LLC	1911 Church St., Ste. 204, Nashville, TN 37203	US Renal Care, Inc
Rock City Pharmacy, LLC	471035 Mile Rd., Plymouth, MI 48170	Rock City Pharmacy, LLC
El Dorado Pharmacy, LLC	1300 E. Arapaho Rd., Ste. 120, Richardson, TX 75081	El Dorado Pharmacy, LLC
VLS Pharmacy, Inc.	4402 5 th Ave, Brooklyn, NY 11220	VLS Pharmacy, Inc.
Healthcare Specialty Transaction Services, LLC	1267 Professional Parkway, Ste. 200, Gainesville, GA 30507	Healthcare Specialty Transaction Services,
ProCare Pharmacy Care, LLC	7660 S. Dean Martin Dr., Suite 203, Las Vegas, NV 89139	ProCare Pharmacy Care, LLC
River Medical Pharmacy, Inc	4752 Research Dr., San Antonio, TX 78240	River Medical Pharmacy, Inc
CW Randolph's Pharmacy	1891 Beach Blvd., Jacksonville, FL 32250	Cleveland Randolph Jr
PetersonRx Pharmacy	125 N. Broadway, South Amboy, NJ 08879	PetersonRx Pharmacy, LLC
Norwood Pharmacy, LLC	2582 Metro Blvd., Maryland Heights, MO 63043	Norwood Pharmacy, LLC
Rx To Go, LLC	4371 Veronica S Shoemaker Blvd., Fort Myers, FL 33916	Rx To Go, LLC
Alameda Pharmacy, LLC	1555 Doolittle Dr., Suite 160, San Leandro, CA 94577	Alameda Pharmacy, LLC
Minnis Drug Store, Inc.	1035 S. Cumberland St., Morristown, TN 37813	Minnis Drug Store, Inc.
Riverfront Pharmacy, LLC	19277 Conifer Lane, Council Bluffs, IA 51503	Riverfront Pharmacy, LLC
Baytree Pharmacy, LLC	18005 Sky Park Circle, Ste. E, Irvine, CA 92614	Baytree Pharmacy, LLC
Home Towne Rx (Store #1)	1400 Parkway Ave., Ewing, NJ 08628	Zoobeedu, Inc.
Humana Pharmacy, Inc.	228 W. Alexander St., Plant City, FL 33563	Humana Pharmacy, Inc.
Hawkins Pharmacy, LLC	6888 Goodman Rd., Suite 104, Olive Branch, MS 38654	Hawkins Pharmacy, LLC
Caduceus Pharmacy II, LLC	4361 N. State Rd. 7, Lauderslakes, FL 33319	Caduceus Pharmacy II, LLC

5. (2) Non-Resident Pharmacy Permits (Out of State) – Schedule B- (Continued)

NON-RESIDENT PHARMACY PERMITS

Pharmacy	Location	Owner
Genesee Pharmacy, LLC	4416 Dewey Ave. Unit #10 , Greece, NY 14616	Genesee Pharmacy, LLC
David Pharmacy, LLC	1518 E. Main St., Fairfield, OH 43130	David Pharmacy, LLC
Cordele Pharmacy, LLC	3809 Beam Rd., Suite H, Charlotte, NC 28217	Cordele Pharmacy, LLC
Irsfeld Pharmacy, PC	33 9 th St. W, Dickinson, ND 58601	Irsfeld Pharmacy, PC
RSVP Rx #700	7904 NE Loop 820, Suite A & B, Austin, TX 76180	RSVP Rx #700
Specialty Chemist	65-60 Fresh Meadow Lane, Fresh Meadow, NY 11365	Anum Chaudhary
Humana Pharmacy, Inc.	5643 NW 29 th St., Margate, FL 33063	Humana Pharmacy, Inc.
Jefferson Pharmacy, LLC	2683 St. Johns Bluff Rd., Suite 127, Jacksonville, FL 32246	Jefferson Pharmacy, LLC
miRx Pharmacy	993 S. 24 th St. West, Suite A, Billings, MT 59102	miRx Pharmacy
The Nebraska Medical Center Clinic Pharmacy	989200 Nebraska Medical Center, Omaha, NE 68198	The Nebraska Medical Center Clinic Pharmacy
Long’s Drugs of Lexington, South Carolina, Inc.	1216 W. Main St., Lexington, SC 29072	Long’s Drugs of Lexington, South Carolina, Inc.
Fresenius USA Manufacturing, Inc.	371 S. Royal Lane, Suite A, DFW Airport, TX 75261	Fresenius Medical Care Renal Therapies Group, LLC
Forest Hill Pharmacy	2939 Forest Hill Blvd., West Palm Beach, FL 33406	Ryan Goodwin
Southshore Pharmacy	13127 Kings Lake Dr., Gibsonton, FL 33534	David Flax
US Specialty Care, LLC	310 Eagles Landing Dr., Lakeland, FL 33810	Welldyne, Inc.
PharmD Solutions	1304 South Loop West, Houston, TX 77054	Luis Ricardo De Leon
Pinnacle Compounding, LLLP	1120 Kensington Ave., Suite E, Missoula, MT 59801 (O)	Pinnacle Compounding, LLLP
Option Health, Ltd.	785 Avenue of the Cities, Suite 105, Silvis, IL 61282	Option Health, Ltd.
InfuScience, Inc.	2915 Waters Rd., Suite 110, Eagan, MN 55121	InfuScience, Inc.
K & C Pharmacy Depot, LLC	5686 Silverhill Rd., District Heights, MD 20747	K & C Pharmacy Depot, LLC
QuVa Pharma, Inc.	5920 S. General Bruce Dr., Temple, TX 76502 (O)	QuVa Pharma, Inc.
Absolute Veterinary Compounding Pharmacy	2005 Fort Worth Hwy, Ste. 100, Weatherford, TX 76086	Absolute Veterinary Compounding Pharmacy

(O) = Ownership Change

5. (3) Resident Wholesaler Permits – Schedule C

RESIDENT WHOLESALER PERMITS

Wholesaler	Location	Owner
Medical Specialties Distributors, LLC (Full Service)	8601W. Washington St., Tolleson, AZ 85353	Medical Specialties Distributors, LLC
Roadrunner Pharmacy (Full Service)	3200 N. Delaware, Chandler, AZ 85225 (O)	Roadrunner Pharmacy, Inc.
Midwest Medical Supply Co., LLC (Full Service)	2229 E. Magnolia Ln., Suite 1W, Phoenix, AZ 85034 (O)	Concordance Healthcare Solutions, LLC

(O) = Ownership Change

5. (4) Non- Resident Wholesaler Permits (Out of State) – Schedule D

NON-RESIDENT WHOLESALER PERMITS

Wholesaler	Location	Owner
Specialty Pharmaceutical Services (Full Service)	501 Mason Rd., Suite 200, LaVergne, TN 37086	Cardinal Health
Relypsa, Inc., Inc (Full Service)	767 Peachtree Pkwy., Suite 2, Cumming, GA 30041	Relypsa, Inc.
Medical Specialties Distributors, LLC (Full Service)	1240 Forest Parkway, Ste. 400, West Deptford, NJ 08066	Medical Specialties Distributors Holdings, Inc.
Medical Specialties Distributors, LLC (Full Service)	801 West Artesia Blvd.,Compton, CA 90220	Medical Specialties Distributors Holdings, Inc.
API Resources, LLC (Full Service)	1015 Central Parkway N. Suite 130, San Antonio, TX 78232	ML Maring Trust
ZO Skin Health, Inc. (Full Service)	5 Technology Dr., Irvine, CA 92618	Zein & Samar Obagi Family Trust
Health Coalition, Inc. (Full Service)	8324 NW 30 th Terrace, Miami, FL 33122	Health Coalition, Inc.
Scripts Wholesale (Full Service)	5006 16 th Ave, Suite 3, Brooklyn, NY 11204	Steven Diamantstein
Kalchem International, Inc. (Full Service)	224 S. Main St., Lindsay, OK 73052	Kalchem International, Inc.
Amneal Pharmaceuticals, LLC (Full Service)	40 Aberdeen Dr., Glasgow, KY 42141	Amneal pharmaceuticals, LLC
Sigma Pharmaceuticals, LLC (Full Service)	955 236 th St., Suite 1, North Liberty, IA 52317	Sigma Pharmaceuticals, LLC
Longs Drug Stores California, LLC (Full Service)	2400 Keystone Pacific Parkway, Ste. #B, Patterson, CA 95363	Longs Drug Stores California, LLC
McKesson Medical-Surgical, Inc. (Full Service)	885 Paragon Way, Rock Hill, SC 29730	McKesson Medical-Surgical, Inc.
Owens & Minor Distribution, Inc. (Full Service)	550 Lakeside Parkway, Suite 200, Flower Mound, TX 75028	Owens & Minor Distribution, Inc.

5. (4) Non- Resident Wholesaler Permits (Out of State) – Schedule D - Continued

NON-RESIDENT WHOLESALER PERMITS

Wholesaler	Location	Owner
McKesson Medical-Surgical, Inc.(Full Service)	20710 Hempstead Rd., Houston, TX 77065	McKesson Medical-Surgical, Inc.
McKesson Medical-Surgical, Inc.(Full Service)	539 32 nd St., Lubbock, TX 79404 (O)	McKesson Medical-Surgical, Inc.
Oculus Innovative Sciences, Inc. (Full Service)	1129 N. McDowell Blvd., Petaluma, CA 94954	Oculus Innovative Sciences, Inc.
Golden State Medical Supply, Inc. (Full Service)	5247 Camino Ruiz, Camarillo, CA 93012	Golden State Medical Supply, Inc.
Republic Pharmaceuticals (Full Service)	5840 Interface Dr., Ste. 200, Ann Arbor, MI 48103	Aniket Dhadphale
CVS Orlando FL Distribution, LLC	8201 Chancellor Dr., Orlando, FL 32809	CVS Orlando FL Distribution, LLC
Cintas Corporation No. 2 (Non- Prescription)	8150 Woodland Dr., Indianapolis, IN 46278 (O)	Cintas Corporation No. 2
Cintas Corporation No. 2 (Non- Prescription)	16043 El Prado Rd., Chino, CA 91708 (O)	Cintas Corporation No. 2
Ceva Biomune	8735 Rosehill Rd., Ste. 400, Lenexa, KS 66125	Biomune Company
VRC Medical Services (Full Service)	357 Elf Road, Sewaren, NJ 07077	Stephanie Corba
Actavis Pharma, Inc. (Full Service)	1243 Gregory Dr., Antioch, IL 60002	Actavis Pharma, Inc.
Midwest Medical Supply Co, LLC	13400 Lakefront Dr., Earth City, MO 63945 (O)	Midwest Medical Supply Co, LLC
Central Trading Co., LLC (Full Service)	21539 Harper Ave., Saint Clair Shores, MI 48080	Central Trading Co., LLC
Dynasty Pharmaceuticals, Inc. (Full Service)	2100 196 th St. SW #142, Lynnwood, WA 98036	Dynasty Pharmaceuticals, Inc.

(O) = Ownership Change

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

NON-RESIDENT MANUFACTURER PERMITS

Manufacturer	Location	Owner
Empi, Inc.	205 Highway 22E, Clear Lake, SD 57226	Empi, Inc.
Aprecia Pharmaceuticals Company	10901 Kenwood Rd., Blue Ash, OH 45242	Aprecia Pharmaceuticals Company
DJO, LLC	3151 Scott St., Vista, CA 92081	DJO, LLC
Fargon Sterile Services	8710 E 34 th St N., Wichita, KS 67226	Fargon Compounding Services, LLC

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

NON-RESIDENT MANUFACTURER PERMITS

Manufacturer	Location	Owner
VistaPharm, Inc.	7265 Ulmerton Rd., Largo, FL 33771	VistaPharm, Inc.
Pharm D Solutions	1304 South Loop West, Houston, TX 77054	Luis Ricardo De Leon
Greiner Bio-One North America, Inc	4238 Capital Dr., Monroe, NC 28110	Greiner Bio-One North America, Inc
HealthLink	3611 St. Johns Bluff Rd. South, Ste1, Jacksonville, FL 32224	The Clorox Company
Belmar Select Outsourcing	12869 W. Cedar Dr. Ste. 211, Lakewood, CO 80228	BSO, LLC
Applicare, Inc.	280 Prichard Industrial Park Rd., Prichard, WV 25555	Applicare, Inc
Kremers Urban Pharmaceuticals, Inc.	1101 C Avenue West, Seymour, IN 47274	Kremers Urban Pharmaceuticals, Inc.
Dendreon Pharmaceuticals, Inc.	1700 Saturn Way, Seal Beach, CA 90740(O)	Valeant Pharmaceuticals International, Inc.

(O) = Ownership Change

5. (6) – New Pharmacists – Schedule F

The Board approved the 66 New Pharmacist Licenses listed on the attachments.

5. (7) – New Interns – Schedule G

The Board approved the 47 New Intern Licenses listed on the attachments.

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

The Board approved the 1072 New Pharmacy Technicians listed on the attachments.

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

The Board approved the 140 Pharmacy Technician Trainee Reapply requests listed on the attachments. The Pharmacy Technician Trainees are approved for one additional two year period.

5. (10) – Consent Agreements – Schedule J

The Board accepted the following Consent Agreement:

1. Todd Kokaly - 16-0005-PHR

5. (11) – Complaints with No Violations – Schedule K

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

Complaint #4453	Complaint #4457
Complaint #4461	Complaint #4464
Complaint #4466	Complaint #4470
Complaint #4473	

5. (12) – Approval of Colleges and Schools of Pharmacy – Schedule L

The Board unanimously approved the ACPE accredited programs of Colleges and Schools of Pharmacy.

5. (13) – Approval of Licensing Exams – Schedule M

The Board unanimously approved the following exams for Licensure:

1. NAPLEX
2. MPJE
3. FPGEEC
4. PTCB

5. (14) – Approval of Designee Duties – Schedule N

The Board unanimously approved the Designee Duties as listed in the Board attachments.

AGENDA ITEM 6– Resident Pharmacy Permits – Schedule O

1. Med-Health Solutions

President McAllister stated that representatives from Med-Health Solutions were present to answer questions from Board Members.

The following individuals were present:

1. Chris Shaler - Owner
2. Peter Sweeney – Interim Pharmacist in Charge

President McAllister opened the discussion by asking the respondents to describe their business model.

Mr. Shaler stated that the pharmacy provides services to long term care facilities. Mr. Shaler stated that this is a change of ownership.

Mr. McAllister asked Mr. Shaler if he is a pharmacy technician. Mr. Shaler stated that he was licensed as a pharmacy technician. Mr. Sweeney indicated that he will be the Interim pharmacist in charge. Mr. Shaler was reminded that only a pharmacist can have keys to the pharmacy.

Mr. Dang asked if they would be offering consulting services to the facilities that they service. Mr. Sweeney indicated that most of the facilities partner with a consulting pharmacist to review the patient's charts.

Mr. Blaire asked if they would be doing any sterile compounding. Mr. Shaler stated that they do not do any sterile compounding at this time. Mr. Shaler stated that they plan to review all the new regulations prior to compounding any sterile products. Mr. Sweeney stated that they do have a 797 compliant sterile room.

2. Phoenix Pharmacy

President McAllister stated that a representative from Phoenix Pharmacy was present to answer questions from Board Members.

The following individual was present: Vittelian Forbes – Owner and Pharmacist in Charge

Mr. McAllister asked Mr. Forbes if he ever owned a pharmacy. Mr. Forbes replied no.

Mr. McAllister asked Mr. Forbes to describe his business model. Mr. Forbes stated that the pharmacy would be a retail pharmacy with no sterile compounding.

Dr. Gandhi asked Mr. Forbes what would happen if he was unable to come to work. Mr. Forbes stated that he would either close the pharmacy or find a replacement.

Mr. Van Hassel asked Mr. Forbes what he planned to compound since he had a large compounding room. Mr. Forbes stated that he plans to compound only non-sterile compounds.

Mr. Van Hassel asked Mr. Forbes how many employees he would hire. Mr. Forbes stated that he would be hiring one technician.

3. Stapley Pharmacy

President McAllister stated that a representative from Stapley Pharmacy was present to answer questions from Board Members.

The following individual was present: Hitesh Thakar – Owner and Pharmacist in Charge

Mr. McAllister opened the discussion by asking Mr. Thakar to describe his business model. Mr. Thakar stated that the pharmacy would be a retail pharmacy with no compounding.

Mr. McAllister asked Mr. Thakar if he has ever owned a pharmacy. Mr. Thakar replied no.

Mr. McAllister asked Mr. Thakar how long he has practiced as a pharmacist. Mr. Thakar stated that he has practiced for 13 years.

Mr. Blaire asked Mr. Thakar if he will have a refrigerator. Mr. Thakar replied that he will have a refrigerator to store medications and immunizations.

Mr. Thakar was asked how he planned to cover the pharmacy if he was absent from work. Mr. Thakar stated that his partner is also a pharmacist.

4. First CareRx

President McAllister stated that representatives from First CareRx were present to answer questions from Board Members.

The following individuals were present:

1. Gisele Nzeukou – Owner
2. Belleh Taku – Pharmacist

Mr. McAllister opened the discussion by asking Ms. Nzeukou if she ever owned a pharmacy. Ms. Nzeukou replied no. Mr. McAllister asked Mr. Taku if he had ever been a pharmacist in charge. Mr. Taku replied no.

Mr. McAllister asked the applicants to describe their business model. Ms. Nzeukou replied that they would be providing medication services to residential homes. Ms. Nzeukou stated that there would be a benefit to having the pharmacy deliver the medications to the patients at the residential homes. Ms. Nzeukou stated that the homes would be group homes and assisted living homes.

Mr. McAllister asked if the residential homes are located in Arizona. Ms. Nzeukou replied yes.

Mr. McAllister asked Mr. Taku how long he has been a pharmacist. Mr. Taku stated that he has been a pharmacist for about one year and had been a technician for 8 years.

Mr. McAllister asked about the hours the pharmacy would be open. Ms. Nzeukou stated that there would be no set times since Mr. Taku works another job. Ms. Nzeukou stated that they would be open so that they could meet the needs of the clients.

Mr. Van Hassel asked about counseling the patients. Mr. Taku stated that the prescriptions would be delivered to the facilities so counseling would not be done at the pharmacy because the patient would not be picking up the prescription. Ms. Nzeukou stated that the nurse could provide information on the medication to the patient.

Mr. Kennedy asked about the hours of operation of the pharmacy. Ms. Nzeukou stated that the pharmacy would not be open on a daily basis. Ms. Nzeukou stated that the prescriptions would be refilled every 30 days. Ms. Nzeukou stated that they would have a contract with the facility.

Mr. Kennedy asked Ms. Nzeukou to estimate the number of hours that the pharmacy would be open weekly. Ms. Nzeukou stated that they would be open 10 to 20 hours a week.

Mr. Kennedy asked if there would be an 800 number for patients to call to talk to the pharmacist. Ms. Nzeukou stated that they would have a number for the facility to reach the pharmacist.

Mr. Van Hassel asked about the Pharmacist in Charge not being present. Mr. Taku stated that he would be the only person with keys to the pharmacy and no one would enter while he is not present.

Mr. Van Hassel asked who would deliver the prescriptions to the facilities. Ms. Nzeukou stated that a technician in training would deliver the prescriptions.

Dr. Gandhi asked if Mr. Taku's employer is willing to be flexible with his schedule. Dr. Gandhi stated that he had a concern that they would not be able to meet the needs of the patients.

Dr. Dang asked what would happen if there was a new admission and the medication was needed. Ms. Nzeukou stated that they would need to turn the patient away and the patient would need to go another pharmacy.

Mr. McAllister suggested that they may want to consider what would happen if the patient tries to contact the pharmacist and he is working his other job and cannot speak to them at that time.

Dr. Gandhi suggested that they have hours of operation listed so that the patient knows when to call the pharmacy.

Dr. Dang stated that this is really a community pharmacy with limited hours and not a limited service mail order pharmacy. Dr. Dang stated that the pharmacy does not meet pharmacy practice standards. Dr. Dang noted that a nurse cannot provide consultation.

Ms. Nzeukou stated that they could define the hours of operation and outside of those hours they would not be filling prescriptions.

Dr. Dang noted that there could be issues if the patient wanted their prescription transferred.

Mr. McAllister asked what pharmacy system they would be using to process the prescriptions. Mr. Taku stated that they would be looking at software systems to meet their needs.

On motion by Mr. Van Hassel and seconded by Mr. McAllister, the Board unanimously agreed to table this application until the March meeting to allow the applicants to revise their business model and present the model to the Board.

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5. Nationwide Compounding RX, LLC

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

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

The following individuals were present:

1. Kynsi Hamilton – Pharmacist in Charge
2. Roger Morris – Legal Counsel for Nationwide Compounding RX, LLC

Mr. McAllister asked the applicants to describe their business model. Ms. Hamilton stated that the pharmacy would be open to the public. Ms. Hamilton stated that they would do non-sterile compounding and all prescriptions would be patient specific.

Mr. McAllister asked Ms. Hamilton if she had compounding experience. Ms. Hamilton indicated that she has worked at several compounding pharmacies.

Mr. McAllister asked if the pharmacy would be doing any mail order compounding. Ms. Hamilton stated that they would just be local.

Mr. McAllister asked what type of products they would be compounding. Ms. Hamilton stated that they would be compounding dermatological products.

Dr. Dang asked about the staffing of the pharmacy. Ms. Hamilton stated that they would be hiring two technicians. Ms. Hamilton stated that if necessary they would use a temporary pharmacist to help with the workload.

Dr. Dang asked about the competency of the technicians that they would be hiring. Ms. Hamilton stated that the technicians would complete the PCCA training program.

Dr. Gandhi reminded Ms. Hamilton that if they decide to compound any products for office use the limit is 5% or less of their total sales.

6. Best Care Pharmacy, LLC

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

The following individuals were present:

1. Maudlyn Mary Aladi – Pharmacist in Charge
2. Anthony Osuorji – Owner

President McAllister opened the discussion by asking the applicants to describe their business model. Mr. Osuorji stated that the pharmacy is located in Chandler. Mr. Osuorji stated that the pharmacy would be open to the general public. Mr. Osuorji stated that the pharmacy would be open from 9 to 6 daily.

Mr. McAllister asked Ms. Aladi if she had ever been a pharmacist in charge. Ms. Aladi stated that she had been a pharmacist in charge for 8 months at an independent retail pharmacy. Mr. Osuorji stated that he is a pharmacist but he is not licensed in Arizona.

Mr. McAllister asked the applicants if they would be doing any compounding. Ms. Aladi stated that they would be doing basic compounding.

7. Metier Pharmacy

President McAllister stated that a representative from Metier Pharmacy was present to answer questions from Board Members.

The following individual was present:

1. Randle House –Owner and Pharmacist in Charge

President McAllister opened the discussion by asking the applicant to describe his business model. Mr. House stated that he will be opening a community retail pharmacy with specialties in Hepatitis C, Oncology and Multiple Sclerosis.

Mr. McAllister asked Mr. House if he had ever owned a pharmacy. Mr. House replied no. Mr. House stated that he has been a pharmacist for 16½ years. Mr. House stated that his dad had owned an independent pharmacy. Mr. House stated that he had been a pharmacist in charge and has worked with specialty pharmacies in the past.

Mr. McAllister asked if the pharmacy would compound sterile products. Mr. House stated that he did not have plans to compound sterile products.

Mr. Blaire asked Mr. House if he would be compounding oncology products. Mr. House stated that he does have a separate designated area to compound USP 800 products if necessary.

8. Scottsdale Liberty Hospital

President McAllister stated that representatives from Scottsdale Liberty Hospital were present to answer questions from Board Members.

The following individuals were present:

1. Michael Leibold – Pharmacist in Charge
2. David Selman – Hospital Administrator

President McAllister opened the discussion by asking the applicants to describe their business model. Mr. Leibold stated that this is a change of ownership. Mr. Leibold stated that the hospital was formerly known as Freedom Pain Hospital.

Mr. Leibold stated that he is the Pharmacist in Charge and he was Pharmacist in Charge prior to the ownership change. Mr. Leibold stated that he had previously worked at Lake Havasu Hospital and Boswell Hospital.

Mr. Van Hassel asked if they do any sterile compounding. Mr. Leibold stated that they do a minimal amount of compounding. Mr. Leibold stated that they have an isolator hood and not a room. Mr. Van Hassel suggested that Mr. Leibold may want to look into making a clean room that will meet USP 800 standards. Mr. Leibold indicated that it would be a considerable expense because they only do a limited amount of sterile compounding. Mr. Leibold indicated that most compounds are simple IV piggybacks.

9. Copper Springs, LLC

President McAllister stated that representatives from Copper Springs were present to answer questions from Board Members.

The following individuals were present:

1. Renee Marchand – Regional Pharmacy Manager for Institutional Pharmacy Solutions (Contract Pharmacy Service for Hospital)
2. Phil Sheridan – Hospital Administrator
3. Maureen Reilly – Pharmacist in Charge

Mr. McAllister asked if this is a new facility. Mr. Sheridan stated that the hospital expected to be completed in March and open in May.

Mr. McAllister asked if they were requesting a space deviation. Ms. Marchand stated that they have 160 square feet allotted for the pharmacy. Ms. Marchand stated that they operate similar pharmacies in size in other hospitals. Ms. Marchand stated that they use Pyxis technology and have a limited formulary.

Mr. McAllister asked if this is behavioral health hospital. Ms. Marchand replied yes. Ms. Marchand stated that they do not do any sterile compounding. Ms. Marchand stated that most medications are oral medications and some IM medications.

Mr. Sheridan stated that they operate a similar pharmacy in Ohio.

Mr. McAllister asked about staffing. Ms. Marchand stated that they would be hiring one technician in addition to the pharmacist. Ms. Marchand stated that pharmacies owned by the company in Virginia and California will handle after hour orders.

On motion by Mr. Van Hassel and seconded by Mr. Kennedy, the Board unanimously agreed to approve the space requirement deviation (160 sq. feet) and any change in bed or patient type the Board will request that the applicants refile an application.

10. Vertisis Custom Pharmay

President McAllister stated that representatives from Vertisis Custom Pharmacy were present to answer questions from Board Members.

The following individuals were present:

1. Ann Abare – Pharmacist in Charge
2. Brian Harrison – Vice President of Operations
3. Allyson Snow – Legal Counsel

President McAllister asked the applicants to describe their pharmacy practice. Mr. Harrison stated that they would be a closed door pharmacy formulating sterile and non-sterile patient specific medications for ambulatory centers in the phoenix area.

Mr. McAllister asked what type of ambulatory centers. Mr. Harrison stated that they would be compounding sterile and non-sterile medications for ambulatory centers per the doctor's prescriptions.

Mr. McAllister asked what kind of center. Mr. Harrison stated that they have only looked at one center which is an oncology center. Mr. Harrison stated that they would be compounding natural vitamins and therapeutics.

Mr. McAllister asked if the prescription was being delivered to the patient or the center. Mr. Harrison stated that the prescription would be delivered to the center for administration by the doctor.

Mr. McAllister asked Ms. Abare about her experience. Ms. Abare stated that she has 22 years of hospital experience and she has experiencing making admixtures.

Mr. Harrison stated that the prescription is delivered to the doctor for the patient.

Mr. Van Hassel asked who is being charged for the medication. Mr. Harrison stated that the doctor would be charged or the center would be charged for the medication.

Mr. Van Hassel stated that would violate the rules because the doctor would be dispensing the medication. Mr. Harrison indicated that they could charge the patient. Mr. Van Hassel stated that the patient has the choice of where to have their prescription filled.

Mr. Blaire asked if they would be dispensing any controlled substances. Mr. Harrison replied no.

Dr. Gandhi asked about the expense of the products. Mr. Harrison stated that it would depend on the cost of the material and they would keep with the standard pricing.

Mr. Van Hassel asked about their start date. Mr. Harrison stated that the build out should be complete in April

On motion by Mr. Van Hassel and seconded by Ms. Locnikar, the Board unanimously agreed to table this permit application until the March meeting and the applicant can present a new business plan at that time.

RESIDENT PHARMACY PERMITS

On motion by Mr. Van Hassel and seconded by Mr. Francis, the Board unanimously approved the resident pharmacy permits below pending final inspection. The deviation request for Copper Springs, LLC was also approved for 160 square feet.

RESIDENT PHARMACY PERMITS – Schedule O

Pharmacy	Location	Owner
Med-Health Solutions	2501 W. Behrend Dr., Ste. 69, Phoenix, AZ 85027 (O)	Chris Shaler
Phoenix Pharmacy	1701 E. Thomas Rd., Ste. 105, Phoenix, AZ 85016	Vittelian Forbes
Stapley Pharmacy	1254E. Southern Ave., Suite 21, Mesa, AZ 85204	Hitesh Thakar
Best Care Pharmacy, LLC	1020 E. Pecos Rd., Suite #5, Chandler, AZ 85225	Best Care Pharmacy, LLC
Metier Pharmacy	4214 E. Indian School Rd., Suite 103, Phoenix, AZ 85018	John Randle House
Scottsdale Liberty Hospital	17500 N. Perimeter Rd., Scottsdale, AZ 85018 (O)	Perimeter Road Surgical Hospital, LLC
Copper Springs, LLC	10440 W. McDowell Rd., Avondale, AZ 85392	Springstone, Inc.

(O) = Ownership Change

On motion by Mr. Van Hassel and seconded by Mr. Francis, the Board unanimously approved the resident pharmacy permit below pending final inspection.

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

RESIDENT PHARMACY PERMITS – Schedule O

Pharmacy	Location	Owner
Nationwide Compounding RX, LLC	14000 N. Hayden Rd., Suite 185, Scottsdale, AZ 85260	Nationwide Compounding RX, LLC

AGENDA ITEM 7– Non- Resident Pharmacy Permits – Schedule P

1. Walgreens Specialty Pharmacy, #04563-2

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

On motion by Mr. Van Hassel and seconded by Mr. Dang, the Board unanimously agreed to approve the permit application for Walgreens Specialty Pharmacy, #04563-2.

2. Victory Medical Center Pharmacy

President McAllister stated that a representative from Victory Medical Center Pharmacy was present telephonically to answer questions from Board Members.

The following individual was present telephonically:

1. David Faulkner – Pharmacist in Charge

President McAllister asked the applicant why they were asked to appear in front of the Board. Mr. Faulkner stated that he was disciplined by the Board in 2014. Mr. Faulkner stated that the Pharmacy was also disciplined.

Mr. Faulkner stated that an undercover investigator for the Board determined that counseling was not being provided. Mr. Faulkner stated that the clerk was asking the customer if they had any questions for the pharmacist. The Board determined that verbal counseling was not being provided and the pharmacist in charge and pharmacy were fined.

Mr. McAllister asked if counseling was being performed. Mr. Faulkner replied that the questions the clerk asked were misleading. Mr. Faulkner stated that at this time they have hired a new technician and a clerk and they are trained to tell the patient that the pharmacist will be with them to discuss their medication. Mr. Faulkner stated that they have also improved their counseling documentation

Mr. McAllister asked Mr. Faulkner why California denied their license. Mr. Faulkner stated that the previous Pharmacist in Charge had a criminal record and California denied their license. Mr. Faulkner stated that the pharmacist no longer works at the pharmacy.

Mr. McAllister asked if they are licensed in any other states. Mr. Faulkner stated that they are licensed in Florida and New York. Mr. Faulkner stated that they have not shipped any medications to New York and have not shipped to Florida in a long time.

Mr. McAllister asked why they want an Arizona license. Mr. Faulkner stated that the administrative staff applied for the license because they felt that there was business to be had in Arizona.

Mr. Blaire asked if they do sterile compounding. Mr. Faulkner replied yes.

Mr. Blaire asked if they had been inspected by the Texas Board. Mr. Faulkner stated that they were inspected prior to the new regulations in Texas. Mr. Faulkner stated that they made the recommended changes that the Board made in May of 2015. The new regulations went into effect in September of 2015. Mr. Faulkner stated that the new classification of license was applied for with the Board.

On motion by Mr. Van Hassel and seconded by Mr. Kennedy, the Board unanimously agreed to approve the permit application for Victory Medical Center pharmacy based on completion of a Texas inspection report.

3. RoxSan Pharmacy

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

The following individuals were present:

1. Joseph Redmond – CEO
2. David Engert – Chairman of the Company
3. Tanaz Cohen – Pharmacist - Compliance Officer
4. Michael Rashti – Pharmacist in Charge

Mr. McAllister asked the applicants to describe their business model and why they were asked to appear.

Mr. Engert stated that they own a non-resident pharmacy that specializes in fertility drugs. Mr. Engert stated that his company Parallax Health Sciences required RoxSan pharmacy in California.

Mr. Engert stated that Parallax is involved with hand held diagnostic devices. Mr. Engert stated that they felt that by purchasing RoxSan pharmacy they would be able to develop relationships with pharmacies and physicians.

Mr. Engert stated that after the transaction was near completion they discovered that RoxSan Pharmacy had issues with the California Board. Mr. Engert stated that they worked with the California Board to complete the transaction. Mr. Engert stated that the former owner and her son are no longer involved in the operation

Ms. Cohen stated that she is the compliance officer and they have developed new policies and procedures to ensure they are in compliance. Ms. Cohen stated that she has reviewed the USP 795 and 797 policies. Ms. Cohen stated that they have developed Master formulas for their compounds. Ms. Cohen stated that they have stopped compounding for office use and all compounds are patient specific. Ms. Cohen stated that they plan to apply for a VPP inspection through NABP with the next year. Ms. Cohen stated that they are now focused on patient safety and not profits.

Mr. Rashti stated that he has been the Pharmacist in Charge since June. Mr. Rashti stated that he is going to ensure that they are compliant with California laws and regulations in other states where they are licensed.

Mr. Redmond stated that since the takeover they have made personnel changes and changed their marketing activities. Mr. Redmond stated that they are focused on compliance and regulatory adherence.

On motion by Mr. Van Hassel and seconded by Mr. Dang, the Board unanimously agreed to approve the permit application for RoxSan Pharmacy.

NON-RESIDENT PHARMACY PERMITS – Schedule P

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

Pharmacy	Location	Owner
Walgreens Specialty Pharmacy,#04563-2	9505 SW Gemini Dr., Beaverton, OR 97008	Walgreens Specialty Pharmacy, LLC
Victory Medical Center Pharmacy	4303 Victory Dr., Austin, TX 78704	William Franklin
RoxSan Pharmacy, Inc.	465 N. Roxbury Dr., Beverly Hills, CA 90210 (O)	Parallax Health Sciences, Inc.

(O) = Ownership Change

AGENDA ITEM 8 – Non- Resident Manufacturer Permits (Virtual) – Schedule Q

President McAllister asked Dr. Gandhi to address this agenda item.

Dr. Gandhi stated that the committee met to discuss the licensing of virtual manufacturers. Dr. Gandhi stated that the committee consisted of the following members: Darren Kennedy, Michael Blaire, Dr. Gandhi, Dr. Frush, and Assistant Attorney General Marc Harris.

Dr. Gandhi stated that the committee recommends that the Board should license the virtual manufacturers as a manufacturer with the stipulation on their permit that they are a virtual

manufacturer. Dr. Gandhi stated that if they were licensed as a manufacturer the Board could take action against them if necessary.

On motion by Mr. Van Hassel and seconded by Mr. Minkus, the Board unanimously agreed to license the following applicants as manufacturers (Virtual):

8. Non-Resident Manufacturer Permits (Virtual) – Schedule Q

NON-RESIDENT MANUFACTURER PERMITS

Manufacturer - Virtual	Location	Owner
Turing Pharmaceuticals, LLC	1177 Avenue of the Americas, 39 th Floor, New York, NY 10036	Turing Pharmaceuticals, LLC
NPS Pharmaceuticals, Inc.	550 Hulls Dr., Bedminster, NJ 07921	NPS Pharmaceuticals, Inc.
Mallinckrodt ARD, Inc.	675 McDonnell Blvd., Hazelwood, MO 63042	Mallinckrodt ARD, Inc.
Heron Therapeutics, Inc.	123 Saginaw Dr., Redwood City, CA 94063	Heron Therapeutics, Inc.

AGENDA ITEM 9 – Special Requests – Schedule R

#1 Jami Pitts

Jami Pitts appeared on her own behalf to request to terminate her probation per Board Order 11-0029-PHR. Deborah Marcum with the PAPA program was also present.

President McAllister opened the discussion by asking Ms. Pitts why she was appearing in front of the Board. Ms. Pitts stated that she is asking the Board to terminate her probation. Ms. Pitts stated that she has completed the program. Ms. Pitts stated that she is still active in Narcotics Anonymous. Ms. Pitts stated that she has worked for Bashas' for 5 years in May.

Mr. McAllister asked Ms. Pitts if she has completed all requirements of her order. Ms. Pitts stated that she has and she continues to work as a volunteer with the Red Cross.

Ms. Pitts stated that recovery is something you must do forever.

On motion by Mr. Van Hassel and seconded by Mr. Kennedy, the Board unanimously approved the request by Ms. Pitts to terminate her probation per Board Order 11-0029-PHR.

#2 Steve Breese

Steve Breese appeared on his own behalf to request to terminate his probation per Board Order 11-0007-PHR. Deborah Marcum with the PAPA program was also present.

President McAllister asked Mr. Breese why he was appearing in front of the Board. Mr. Breese stated that he is asking the Board to terminate his probation.

Mr. McAllister asked Mr. Breese about his experience with the program. Mr. Breese stated that he has a sponsor and the program has provided him with a support group. Mr. Breese stated that he has worked at Safety Drug for the last 4½ years.

On motion by Mr. Van Hassel and seconded by Mr. Kennedy, the Board unanimously approved the request by Mr. Breese to terminate his probation per Board Order 11-0007-PHR.

#3 Greg Cluff

Greg Cluff appeared on his own behalf to request to terminate his probation per Board Order 10-0063-PHR. Deborah Marcum with the PAPA program was also present.

President McAllister asked Mr. Cluff why he was appearing in front of the Board. Mr. Cluff stated that he is asking the Board to terminate his probation.

Mr. McAllister asked Mr. Cluff about his experience with the program. Mr. Cluff stated that he completed his PAPA program in May but had to wait for the State of Arizona to terminate his state probation in December. Mr. Cluff stated that his probation was due to a cognitive behavioral issue. Mr. Cluff stated that he is currently working as an independent contractor and is a real estate investor. Mr. Cluff stated that he last worked in a pharmacy in May of 2015. Mr. Cluff stated that he would like to work in a pharmacy part-time.

On motion by Mr. Van Hassel and seconded by Mr. Kennedy, the Board unanimously approved the request by Mr. Cluff to terminate his probation per Board Order 10-0063-PHR.

#4 Robert Wilcox

Mr. Wilcox asked that his appearance be postponed.

#5 Eberenna Battle (Egwu)

Eberenna Battle (Egwu) appeared telephonically on her own behalf to request to terminate her probation per Board Order 11-0030-PHR.

President McAllister asked Ms. Battle why she was appearing in front of the Board. Ms. Battle stated that she is asking the Board to terminate her probation.

Mr. McAllister asked Ms. Battle to describe why she was placed on probation. Ms. Battle stated that she had a misfill. Ms. Battle stated that she never completed her original consent agreement.

Ms. Battle stated that she did not handle it responsibly. Ms. Battle stated that she has completed the CE requirements and paid the fine.

Mr. McAllister asked Ms. Battle if she lives in Illinois. Ms. Battle stated that she is a renal pharmacist in Illinois.

On motion by Mr. Van Hassel and seconded by Mr. Kennedy, the Board unanimously approved the request by Ms. Battle to terminate her probation per Board Order 11-0030-PHR.

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

#1 Trina Trevino

Ms. Trevino requested that her appearance be postponed due to illness.

#2 Shaharra McGraw

Shaharra McGraw 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. McGraw why she was appearing in front of the Board. Ms. McGraw stated that she had a felony conviction for aggravated assault. Ms. McGraw stated that she had a fight with a family member. Ms. McGraw also stated that she was charged with a misdemeanor for driving on a suspended license. Ms. McGraw stated that she has just moved here and is a mother of 2 children. Ms. McGraw stated that she is working at CVS/Caremark and is going to school.

Mr. Van Hassel asked Ms. McGraw what she does at CVS Caremark. Ms. Shaharra stated that she works in customer service answering patient questions about their plans.

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

#3 Jeffrey Johnson

Jeffrey Johnson 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. Johnson why he was appearing in front of the Board. Mr. Johnson stated that he is applying for a pharmacy technician trainee license. Mr. Johnson stated that in 2003 he was involved in a tragic accident involving alcohol. Mr. Johnson stated that he was sentenced to 1 year in the county jail and 5 years of probation which he completed in 2010. Mr. Johnson stated that he attends AA meetings. Mr. Johnson stated that he had earned a degree in Healthcare Management and is completing his MBA Degree. Mr. Johnson stated that he currently works at CVS as a triage representative.

Mr. McAllister asked Mr. Johnson if his role at CVS would change if his license is approved. Mr. Johnson stated that if he gets approved he would be able to become a processing technician.

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

#4 Marcus Drew Smith

Marcus Drew Smith 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. Smith to address his charges. Mr. Smith stated that in 2006 he was charged with a DUI which was a misdemeanor charge. Mr. Smith stated that he had been drinking and fell asleep in his car. Mr. Smith stated that he was charged because the keys were in the ignition. Mr. Smith stated that he was not familiar with the law because he had just moved to Arizona. Mr. Smith stated that he attended classes. Mr. Smith stated that he was charged with an extreme DUI. The Board Members questioned Ms. Smith concerning his explanation of the extreme DUI. There were inconsistencies in Mr. Smith's explanation. Mr. Smith stated that in 2013 he was charged with disorderly conduct because he had an argument with his children's mother. The Board also questioned the circumstances and charges regarding the disorderly conduct charge.

Mr. Smith stated that he has been working at CVS/Caremark in Chandler since November of 2015. Mr. Smith stated that he is a trainer.

On motion by Mr. Van Hassel and seconded by Mr. Minkus, the Board agreed to deny Mr. Smith's pharmacy technician trainee application based on inconsistencies in the information he provided to the Board. A roll call vote was taken. (Mr. Blaire – aye, Mr. Francis – nay, Mr. Minkus – aye, Mr. Van Hassel – aye, Dr. Dang – aye, Ms. Locnikar – aye, Mr. Kennedy – nay, Mr. McAllister – nay)

Mr. Smith was told that he would be receiving a denial letter with instructions to follow if he wants to appeal the denial.

#5 Stacie Bellis

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

Stacie Bellis appeared on her own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Mr. Gandhi swore in the applicant.

Vice President Kennedy opened the discussion by asking Ms. Bellis why she was appearing in front of the Board. Ms. Bellis stated that she has applied for a pharmacy technician trainee license but has charges. Ms. Bellis stated that in 2010 there was an illegal search of her apartment that she shared. Ms. Bellis stated that medication was left in her apartment but the individual was not a resident of the apartment. Ms. Bellis stated that she was also charged with operating a vehicle while intoxicated.

Mr. Kennedy asked Ms. Bellis if she jumped bail. Ms. Bellis stated that she made a plea deal and that was the charge from the illegal search of the apartment. Ms. Bellis stated that she was sentenced to 18 months of probation and was released early at 9 months. Ms. Bellis stated that she did not miss a court date. Ms. Bellis stated that the charges were then expunged.

Ms. Bellis stated that her charge for operating a vehicle while intoxicated was for alcohol. Ms. Bellis stated that she was required to install an ignition interlock device on her car. Ms. Bellis stated that one day she took her husband's car and it did not have an interlock device. Ms. Bellis stated that she was stopped because the tail light was out and she was charge.

On motion by Mr. Van Hassel and seconded by Mr. Dang, the Board unanimously agreed to approve the pharmacy technician application for Ms. Bellis.

#6 Terry Green

Terry Green did not come forth when his name was called to speak with the Board Members concerning his pharmacy technician trainee application.

The Board Members tabled his application at this time to see if Mr. Green appeared to discuss his application.

#7 Ruben Crespo

Ruben Crespo 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. Crespo why he was appearing in front of the Board. Mr. Crespo stated that he has applied for a pharmacy technician trainee license. Mr. Crespo stated that in March of 2015 he was charged with a class 6 undesignated felony for theft. Mr. Crespo stated that he was working at UPS. Mr. Crespo stated that he took packages that did not belong to him. Mr. Crespo stated that he asked his supervisor what happens to the unclaimed packages. Mr. Crespo stated that he believed his co-workers and thought it was okay to take the packages. Mr. Crespo stated that he took the packages and gave them to his cousin, Mr. Crespo stated that he was caught taking the packages by security and was told that it was stealing. Mr. Crespo stated that he was arrested and charged for theft. Mr. Crespo stated that he is on probation. Mr. Crespo stated that he is attending Arizona College and starts his pharmacy technician externship in 30 days. Mr. Crespo stated that he has completed his probation requirements and is waiting for the judge to sign his early termination.

Mr. McAllister asked Mr. Crespo if he has a job. Mr. Crespo stated that he works at Chili's.

Ms. Locnikar asked Mr. Crespo how many times he took packages. Mr. Crespo replied twice.

Mr. Minkus asked Mr. Crespo to describe the packages. Mr. Crespo stated that the packages were undeliverable and just sat there. Mr. Crespo stated that he asked what happens to the packages and no one gave him an answer.

Mr. Francis asked when he took the packages. Mr. Crespo stated that he took a total of 10 packages. Mr. Crespo stated that he took 4 to 5 packages on two Saturdays.

Mr. Minkus asked if security stopped him on his way out with the packages. Mr. Crespo indicated that he took the packages out a customer service door with no security.

Dr. Dang asked Mr. Crespo if he was scheduled to work on the days that he took the packages. Mr. Crespo replied yes.

On motion by Dr. Dang and seconded by Mr. Blaire the Board unanimously agreed to table Mr. Crespo's pharmacy technician trainee application until he provides documentation that his probation is completed. The Board authorized staff to issue the license once the documentation is received.

#8 Stephanie Crosser

Stephanie Crosser 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. Crosser why she was appearing in front of the Board. Ms. Crosser stated that she was applying for a pharmacy technician trainee license. Ms. Crosser stated that in August of 2014 she was arrested for a felony charge in Florida for retail theft. Ms. Crosser stated that she was involved in an extreme couponing incident. Ms. Crosser stated three individuals were involved and their combined transactions were \$530. Ms. Crosser stated that she had deferred prosecution and she is on probation until 12/22/2015.

Mr. McAllister asked Ms. Crosser if she is working at this time. Ms. Crosser stated that she works at Olive Garden and Walgreens.

Ms. Locnikar asked Ms. Crosser to explain extreme couponing. Ms. Crosser stated that you use the coupons to get cash back to purchase other items.

On motion by Mr. Van Hassel and seconded by Mr. Francis the Board unanimously agreed to approve Ms. Crosser's pharmacy technician trainee license dependent on her submission of the paperwork showing the probation has been removed. The Board staff may issue the license after the paperwork is received.

#9 Robin Hyman

Robin Hyman appeared on her own behalf to request to proceed with Pharmacist Licensure by reciprocity.

Mr. Gandhi swore in the applicant.

President McAllister asked Ms. Hyman if she lives in Arizona. Ms. Hyman stated that she lives in Colorado.

Mr. McAllister asked Ms. Hyman why she was appearing. Ms. Hyman stated that the DEA investigated the pharmacy that she owned for dispensing Internet prescriptions. Ms. Hyman stated that in 2005 she had bought a pharmacy and filled internet prescriptions. Ms. Hyman stated that Colorado was changing the law regarding internet prescriptions and she stopped filling the prescriptions. Ms. Hyman stated that 3 years later the case settled. Ms. Hyman stated that the pharmacy's DEA registration was suspended for 75 days which was equivalent to the number of days she filled internet prescriptions. Ms. Hyman stated that her pharmacist license was not penalized. Ms. Hyman stated that action was taken against the pharmacy license.

On motion by Mr. Van Hassel and seconded by Mr. Kennedy, the Board unanimously agreed to approve Ms. Hyman's pharmacist application

AGENDA ITEM 11– Reports

Executive Director

1. Donation Program

Dr. Gandhi stated that he was approached by an individual concerning the donation of medications from patients. Dr. Gandhi stated that the Board regulations indicate that the product must not be touched by the patient. Board Members recommended that the individual should pursue a statutory change to the regulations

2. Adjusting Language on Applications for technicians and pharmacists

Dr. Gandhi stated that the language is being adjusted on the applications to clarify application directions.

3. Proration of Fee

Dr. Gandhi stated that the staff is pursuing language to clear up the confusion involved in proration of fees.

4. Financials

Dr. Gandhi reviewed the Budget with the Board Members.

5. Office Staff

Dr. Gandhi introduced the Board Office Staff. Dr. Gandhi stated that it is taking approximately 10 weeks to issue a license due to fingerprinting process. Dr. Gandhi stated that the Board is pursuing the change to fingerprint clearance cards to improve the turn-around time. Dr. Gandhi stated that the Board Office in the process of setting up an IVR system to assist in the answering of calls.

6. Legislation

Dr. Gandhi gave a brief overview of the legislation being pursued this session.

Dr. Gandhi stated that the immunization legislation would change the age limits.

Dr. Gandhi stated that the Drug Therapy Management legislation would change the wording from implement to initiate.

Dr. Gandhi stated that reciprocity legislation would eliminate the one year waiting period.

Dr. Gandhi stated that the wholesale legislation would allow the splitting of packages if a shortage exists.

Dr. Gandhi stated that the biosimilar legislation is involved with the substitution of biosimilar products.

7. Domperidone Compounding

Dr. Gandhi stated that the FDA does not allow compounding of Domperidone and individuals in the Tucson market have been asked to quit compounding with Domperidone.

8. Certificate of Free Sale

Dr. Gandhi stated that legislation is being proposed that would allow the Board of Pharmacy to issue certificates of free sale for vitamin and dietary supplements for individuals licensed with the Board as resident manufacturers.

9. Permit/License Refunds

Dr. Gandhi stated that refunds are issued due to the proration of fees and applicants submitting the wrong fee.

Mr. Van Hassel suggested that the Board should pursue a rule change to charge licensees for re-inspections of their sites.

10. Board Member Approval for Legislation

The Board Members decided that Dr. Gandhi could contact the President and Vice President to provide direction on the Board's stance on proposed legislation.

Deputy Director Report

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

During the months of October, November, and December, 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 6
3. Pharmacy Technicians offering counseling - 1
4. Facility Cleanliness – 1
5. Pharmacy Technician Trainee Compounding – 1
6. Sterile Compounding Room Not ISO7 -1
7. Expired Pharmacy Technician License - 1

Controlled Substance Violations

1. Controlled Substance Overage -13
2. Controlled Substance Shortage - 22
3. Controlled Substance Inventory not available – 1
4. Controlled Substance Invoices not filed separately or red "C" stamped – 1
5. Missing Controlled Substance invoices – 1
6. DEA 222 not complete – 1
7. Annual Controlled Substance Inventory not conducted - 1

Documentation Violations

1. Mechanical Storage Documentation - 3
2. Pharmacist administered immunizations information sent to physician or missing physician information – 7
3. Daily log not signed – 1
4. Missing information on new telephone prescription or transfer – 2
5. Counseling Documentation – 9
6. Drug Usage Reports not received in 72 hours – 1
7. Documentation of Medical Conditions – 1
8. Compounding Documentation – 1
9. No Technician Training Program or Documentation – 1
10. No Technician Compounding Training Program - 1

Areas outside the pharmacy inspection:

1. All Interns need an Arizona Intern License prior to starting rotations
2. Invoices should be retained in the pharmacy for at least 2 years

Dr. Frush also reviewed the complaint timeframes with the Board Members.

PAPA Report – Schedule T

Deborah Marcum, PAPA administrator, was present to represent the PAPA program. Ms. Marcum stated that there are a total of thirty– four (34) participants in the PAPA program. Ms. Marcum stated that there have been three participants that have completed the program and one contract that was terminated. Ms. Marcum stated that one participant has signed a new PAPA contract.

AGENDA ITEM 12– Conferences – Schedule U

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**
- 2. Under Quick Links, click on Watch the latest Board Meeting video**
- 3. Click on January 27 Board Meeting and click on Afternoon Session.**
- 4. The conferences begin the Afternoon Session**

Conference 1– Complaint #4418 – Mr. Kennedy was recused due to a conflict of interest.

The following individuals were present to discuss the complaint:

1. Bradley Bidese – Pharmacist- Respondent
2. Erik Ellis – Pharmacy Technician– Respondent
3. Jalpa Patel-Kar – Pharmacist in Charge - Witness
3. Lorri Walmsley – Pharmacy Supervisor - Witness
4. Mike Simco – In house Legal Counsel
5. Susan Trujillo – Outside Pharmacist Counsel

President McAllister asked Mr. Haiber to give a brief overview of the complaint. Mr. Haiber stated that the pharmacy filled the complainant's prescription with the wrong drug. The complainant stated that this prescription was for Triumeq (abacavir-Dolutegravir-lamivudine (600-50-300) was filled with abacav-lamibudiz-zidovud (300-150-300). The prescription was scanned and entered incorrectly by the pharmacy technician at the local store. The prescriber, patient, and data product review was conducted by a pharmacist remotely at the Florida facility. The DUR review was also conducted by a pharmacist remotely at the Florida facility. The prescription was filled at the local pharmacy and the pharmacist at the local pharmacy did not catch the error. Counseling documentation could not be located.

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 Dr. Dang, the Board unanimously agreed to dismiss the complaint and take no further action on the complaint.

Mr. Van Hassel asked that a Compliance Officer go to the pharmacy and review counseling documentation.

Conference 2– Complaint #4432 – Mr. Kennedy was recused due to a conflict of interest.

The following individuals were present to discuss the complaint:

1. Bradley Bidese – Pharmacist- Respondent
2. Shahrar Ziraksi – Pharmacy Technician– Respondent
3. Jalpa Patel-Kar – Pharmacist in Charge - Witness
3. Lorri Walmsley – Pharmacy Supervisor - Witness
4. Mike Simco – In house Legal Counsel
5. Susan Trujillo – Outside Pharmacist Counsel

President McAllister asked Mr. Haiber to give a brief overview of the complaint. Mr. Haiber stated that the complainant dropped off three prescriptions and received four prescriptions when she picked up her prescriptions. The complainant stated that the additional prescription for Pantoprazole 40 mg was not prescribed by her doctor but had her name and doctor's name on the prescription bottle. The complainant stated that the pharmacy could not explain how the error occurred. Pharmacy records indicate that a prescription for a different patient was scanned and entered into the computer system under the complainant's profile by the pharmacy technician. The error was not caught when the pharmacist verified the prescription. Counseling was documented as denied.

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

Dr. Dang placed a motion of the floor to dismiss the complaint. No one seconded the motion.

On motion by Mr. Van Hassel and seconded by Mr. Francis the Board unanimously dismiss issue an advisory letter to the pharmacist concerning the duty to perform a final accuracy check.

AGENDA ITEM 13– Complaint Review – Consideration of Complaints on Schedule V

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

Complaint #4411

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

Complaint #4436

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 ask the pharmacist and pharmacist in charge to appear for a conference.

Complaint #4451

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 ask the pharmacist to appear for a conference.

Complaint #4456

On motion by Mr. Blaire and seconded by Mr. Francis, the Board unanimously agreed to ask the pharmacist, the pharmacy technician, and the pharmacist in charge to appear for a conference.

Complaint #4465

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

On motion by Mr. Van Hassel and seconded by Dr. Dang, the Board unanimously agreed to dismiss the complaint.

Complaint #4472

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

Complaint #4474

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 dismiss the complaint.

Complaint #4477

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

On motion by Mr. Francis and seconded by Mr. Van Hassel, the Board unanimously agreed to dismiss the complaint against the local store and ask Corporate Quality Assurance for the mail order facilities to appear for a conference.

Complaint #4479

On motion by Dr. Dang and seconded by Mr. Kennedy, the Board unanimously agreed to issue a non-disciplinary advisory letter to the pharmacist requesting that he complete 4 hours of CE on compounding. The CE units must be completed within 90 days of the letter date.

Complaint #4483

On motion by Mr. McAllister and seconded by Mr. Van Hassel 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 at the permit holder's expense

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

1. A fine of \$1,000
- 2 Retake and pass the MPJE within 90 days

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 this topic was tabled for discussion at the last meeting.

Dr. Gandhi stated that he did contact California and their regulations exempt sterile products compounded on a one-time basis for administration within twenty-four hours to an inpatient in a health care facility.

Dr. Dang stated that the hospitals that he has worked at have been able to document the manufacturer, the lot number and expiration date for compounded products. Dr. Dang stated that it is a safety factor that allows the pharmacist to often catch an error. Dr. Dang stated that the rule should be enforced as written.

Mr. Blaire indicated that by documenting the component information for sterile products there is an opportunity to prevent an error.

Mr. McAllister stated that advances in technology would allow hospitals to document this information.

Mr. Van Hassel stated that if the product is used immediately there is no benefit in tracking the information. Mr. Van Hassel stated that if the product is recalled the product has already been used. Mr. Van Hassel stated that the process is time consuming.

Dr. Dang stated that the process may be time consuming but he has caught a mistake a technician made on a chemotherapy medication.

On motion by Mr. Blaire and seconded by Dr. Dang, the Board agreed to enforce the regulation as currently written requiring the documentation of manufacturer, lot number, and expiration date for compounded products. A roll call vote was taken. (Mr. Blaire – aye, Mr. Francis – aye, Mr. Minkus – aye, Mr. Van Hassel – nay, Dr. Dang – aye, Ms. Locnikar – aye, Mr. Kennedy – aye Mr. McAllister – aye)

AGENDA ITEM 23 –Referral Forms from Pharmacies to Doctor’s Offices

President McAllister asked Dr. Gandhi to address this issue. Dr. Gandhi stated that he has had calls concerning referral forms that are on pharmacy websites. Dr. Gandhi stated that the regulations state that a pharmacy shall not directly or indirectly furnish to a medical practitioner a prescription order-blank that refers to a specific pharmacist or pharmacy in any manner.

Mr. McAllister stated that if it is on the pharmacy’s website it is a closed network.

Dr. Gandhi stated that there are concerns that non-resident pharmacies are sending the forms to Doctor’s offices and the standard should be the same for everybody.

The Board Members decided to place this item on the March agenda for further discussion.

AGENDA ITEM 24 – NABP Annual Meeting- Election of Delegate and Alternate Delegate

President McAllister stated that the Board needs to elect a delegate and alternate delegate for the NABP annual meeting to be held in San Diego from May 14-17, 2016.

Mr. Van Hassel will serve as the Delegate and Dr. Dang will serve as the Alternate Delegate.

AGENDA ITEM 25 – Medical Marijuana handling by Board Staff

On motion by Mr. Van Hassel and seconded by Ms. Locnikar, the Board unanimously agreed to go into Executive Session to obtain legal advice.

The Board returned to regular session and the Board will review each case individually

AGENDA ITEM 26- University of Arizona International Student Certificate Program- Request to issue Intern License without the FPGEEC

President McAllister stated that Dr. Katz was asking for a deviation from the rules for an international student seeking a certificate.

Mr. McAllister noted that they are not obtaining a degree or a diploma from the school.

The Board Members felt that the students could follow the same guidelines for licensure as other foreign graduates trying to obtain a license.

On motion by Mr. Van Hassel and seconded by Mr. Dang, the Board unanimously agreed to deny the request by the University of Arizona to issue intern licenses to individuals that do not have a FPGEEC.

AGENDA ITEM 27 –Forsta Pharmacy – Request to appear to discuss application

Mr. Tanner asked to postpone the appearance until the next meeting.

AGENDA ITEM 29– 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.

Roger Morris came forth to address the Board.

Mr. Morris stated that better technology will allow hospitals to track and trace all components used in compounds.

Mr. Morris stated that electronic prescription will eliminate some prescription issues with Physicians.

Mr. Morris stated that the use of referral forms should be the same for both resident and non-resident pharmacies.

Mr. Morris stated that assisted living facilities would like to fax prescriptions to the pharmacies.

Mr. Morris stated that the Board does have authority to waive statutes.

The Board recessed at 3:40 P.M.

Meeting Day 2 - January 28, 2016

AGENDA ITEM 1 – Call to Order – January 28, 2016

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, William Francis, Darren Kennedy, Kyra Locnikar, Reuben Minkus, and Tom Van Hassel. The following Board Members were not present: Kristen Snair and Kevin Dang. The following staff members were present: Compliance Officers, Karol Hess, 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 Jeanne Galvin.

AGENDA ITEM 10– License Applications requiring Board Review

#1 Travis Donnelly

Travis Donnelly 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. Donnelly why he was appearing in front of the Board. Mr. Donnelly stated that he applied for a pharmacy technician trainee license and he has had charges for DUI offenses and driving on a suspended license. Mr. Donnelly stated that charges are about 12 to 15 years old. Mr. Donnelly stated that he is a supervisor at an outsource facility and is responsible for 500 agents. Mr. Donnelly stated that he is responsible for enforcing the policies of the center and Walgreens.

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

#2 Raymond Anzar

Raymond Anzar 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. Anzar why he was appearing in front of the Board. Mr. Anzar stated that he applied for a pharmacy technician trainee license to continue his education. Mr. Anzar stated that he had a felony offense for child abuse that was reduced to a misdemeanor charge after he was discharged from probation.

Mr. McAllister asked Mr. Anzar if he is attending pharmacy technician school. Mr. Anzar replied yes and he needs the license to go to his extern site.

Mr. McAllister asked if the school asked him about his criminal past. Mr. Anzar stated that the school told him that there were no issues because his charges were reduced to a misdemeanor.

Mr. Blaire asked Mr. Anzar if he is currently working. Mr. Anzar replied no that he is going to school full-time.

On motion by Mr. Kennedy and seconded by Mr. Francis, the Board agreed to approve Mr. Anzar's pharmacy technician trainee application. A roll call vote was taken. . (Mr. Blaire – aye, Mr. Francis – aye, Mr. Minkus – nay, Mr. Van Hassel – aye, Ms. Locnikar – aye, Mr. Kennedy – aye Mr. McAllister – aye)

#3 Terry Green

Terry Green's application was tabled on January 27, 2016

On motion by Mr. Locnikar and seconded by Mr. Minkus the Board unanimously agreed to deny Mr. Greens's pharmacy technician trainee application. A roll call vote was taken. . (Mr. Blaire – aye, Mr. Francis – aye, Mr. Minkus – aye, Mr. Van Hassel – aye, Ms. Locnikar – aye, Mr. Kennedy – aye Mr. McAllister – aye)

AGENDA ITEM 14 – Colin Gerber – Case #15-0020-PHR

Colin Gerber was present on his own behalf to address the Board concerning the violation of his Consent Agreement. Deborah Marcum, PAPA administrator, was also present.

President McAllister opened the discussion by asking Mr. Gerber if he has had 2 recent relapses. Mr. Gerber stated that he had tested positive for MMA and marijuana. He stated that neither incident was on purpose.

Deborah Marcum, with the PAPA program, stated that PAPA terminated Mr. Gerber's contract on 10/2/2015. Ms. Marcum stated that Mr. Gerber was reluctant to go to an addictionologist. Ms. Marcum stated that Mr. Gerber went to Dr. Sucher for an evaluation and he recommended that Mr. Gerber participate in an inpatient program. Ms. Marcum stated that Dr. Pickens also conducted an evaluation and recommended that Mr. Gerber participate in a 30 day inpatient program.

The Board Members discussed Mr. Gerber's relapses with him.

Ms. Locnikar asked Mr. Gerber about attending the inpatient program. Mr. Gerber stated that he is already one year behind in school and to go to an inpatient program at this time he would miss more school. Mr. Gerber stated that he works at the MTM center and financially he cannot afford the program at this time.

On motion by Mr. Van Hassel and seconded by Mr. Francis, the Board unanimously agreed to offer Mr. Gerber a Consent Agreement that suspends his Intern license for one year. During this time, Mr. Gerber must complete an inpatient treatment program and maintain a PAPA contract. If Mr. Gerber does not agree to the terms of the Consent Agreement then the case will go to Formal Hearing. The Board stated that Mr. Gerber is in violation of A.R.S. § 2-1901.01 (B) (20). A roll call vote was taken. . (Mr. Blaire – aye, Mr. Francis – aye, Mr. Minkus – aye, Mr. Van Hassel – aye, Ms. Locnikar – aye, Mr. Kennedy – aye Mr. McAllister – aye)

AGENDA ITEM 15 – Peter Steinken – Case #15-0018-PHR

Peter Steinken appeared on his own behalf to request that the Board remove the suspension on his pharmacist license.

Deborah Marcum, PAPA administrator, was also present.

President McAllister asked Mr. Steinken why he was appearing in front of the Board. Mr. Steinken stated that he is requesting the Board remove the suspension of his license. Mr. Steinken stated that he has signed a new PAPA contract and completed a 30 day inpatient treatment program and an intensive outpatient program.

Ms. Marcum stated that Mr. Steinken has signed a new PAPA contract and his counselor is impressed with his progress.

Dr. Gandhi asked Mr. Steinken when was the last time he used any drugs. Mr. Steinken stated that he last used alcohol about 105 days ago.

Mr. Kennedy asked if this was prior to his inpatient program. Mr. Steinken replied it was prior to the inpatient program.

Dr. Gandhi asked Mr. Steinken about his slip and relapse. Mr. Steinken indicated that he had not completed the 12 steps. Mr. Steinken stated that he has now completed the 12 steps.

Mr. Blaire asked Mr. Steinken if he was under the influence when he had his car accidents. Mr. Steinken stated that there were 2 fender benders and they were due to the lack of sleep.

On motion by Mr. McAllister and seconded by Mr. Van Hassel, the Board agreed to table Mr. Steinken's request until the May meeting. A roll call vote was taken. (Mr. Blaire – aye, Mr. Francis – aye, Mr. Minkus – nay, Mr. Van Hassel – aye, Ms. Locnikar – aye, Mr. Kennedy – aye, Mr. McAllister – aye)

Mr. Van Hassel added that Mr. Steinken should provide a psychological opinion for the Board to review.

AGENDA ITEM 16 – Robert Goodwillie – Case #16-0006-PHR

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

Robert Goodwillie appeared to discuss the Consent Agreement the Board offered to Mr. Goodwillie. Ken Baker, Legal Counsel, for Mr. Goodwillie was also present.

President McAllister asked Mr. Goodwillie why he was appearing in front of the Board. Mr. Baker stated that they are requesting that the Board consider the Proposed Consent Agreement that he prepared for his client.

Mr. Baker stated that the Board offered Mr. Goodwillie a consent agreement for a 5 year suspension and taking the pharmacy licensing exams. Mr. Baker stated that the consent agreement was offered to Mr. Goodwillie because he used expired medications in preparing Chemo-medications for a patient.

Mr. Baker stated that they are proposing that Mr. Goodwillie's license not be suspended but his license be placed on probation. Mr. Baker stated that Mr. Goodwillie did not cause patient risk because expired drugs can be used with FDA approval. Mr. Baker explained "Just Cause".

Mr. Kennedy stated that this was gross misconduct. Mr. Kennedy stated that Mr. Goodwillie knowingly dispensed expired medications and falsified the expiration dates.

Mr. Baker indicated that Mr. Goodwillie could not borrow the medication from the cancer center because the medication at the center is used for 340b patients.

Mr. McAllister stated that Mr. Goodwillie could have borrowed the medication from Lake Havasu hospital.

On motion by Mr. McAllister and seconded by Mr. Kennedy, the Board agreed to modify the Consent Agreement offered to Mr. Goodwillie. The Board changed the suspension from 5 years to 6 months followed by probation for 3 years. Mr. Goodwillie must take the courses and exams that were listed in the offered and proposed consent. The Board imposed a fine of \$1,000 for each outdated medication used (10 vials). Mr. Goodwillie must sign the consent agreement within 10 days. (A roll call vote was taken. (Mr. Blaire – nay, Mr. Francis – aye, Mr. Minkus – aye, Ms. Locnikar – nay, Mr. Kennedy – aye Mr. McAllister – aye)

Ms. Locnikar stated that the patient was at risk and Mr. Goodwillie cannot make the determination that the patient was not at risk.

Mr. Minkus stated that Mr. Goodwillie had other choices that he could have made instead of using the outdated medications.

Mr. Francis stated that he never knowingly dispensed something outdated. Mr. Francis stated that a one day delay while the medication was ordered would not have affected the outcome for the patient.

Ms. Locnikar stated that in this case the patient did not have the choice.

AGENDA ITEM 17 – WellCare Pharmacy – Case#16-0008-PHR – Interim Consent

Ahmad Rkein, Owner and Pharmacist, was present to address the Board concerning the Interim Consent Agreement that closed his pharmacy due to environmental issues.

President McAllister asked Mr. Haiber to summarize his investigation. Mr. Haiber stated that he conducted an inspection at the pharmacy on January 5, 2016 and numerous violations were discovered. Mr. Haiber stated that over the last year the pharmacy had numerous leaks that were either clean water leaks or sewage leaks. Mr. Haiber stated that Mr. Rkein had environmental studies completed and there was contamination of the pharmacy space.

Mr. Rkein stated that a clean water event caused mold to grow and contaminated his compounding room which he isolated. Mr. Rkein stated that the sewage leaks were above the pharmacy counter and caused an additional area to be isolated.

Mr. Derrick Denis, an environmental quality specialist, presented a review of the contamination and air quality. Mr. Denis indicated that he would recommend that the inventory be destroyed because of contamination issues.

Mr. Denis stated that it would be up to the landlord to have the cleanup of the space completed because the tenant cannot alter the space.

Mr. Denis indicated that there is the possibility the hard copy prescriptions and the computer could be contaminated because of the sewage leaks.

The Board Members asked questions about the contamination and pharmacy space.

On motion by Mr. Blaire and seconded by Mr. Van Hassel, the Board unanimously agreed to continue the Interim Consent Agreement that would require the respondent not to conduct business under his permit until he submits a written request for the reinstatement of his permit. The Board may require environmental reports to ensure that all environmental contaminations have been mitigated and eradicated from the Pharmacy. (A roll call vote was taken. (Mr. Blaire – aye, Mr. Francis – aye, Mr. Minkus – aye, Ms. Locnikar – aye, Mr. Kennedy – aye Mr. McAllister – aye)

**AGENDA ITEM 18 – Omnicare Deviation Request to Deviate from R4-23-701.02 (D) (4)-
Emergency Box Weekly Filling**

Lauren Berton, Director of Pharmacy Regulatory Affairs for CVS Health, was present to discuss this agenda item.

President McAllister opened the discussion by asking Ms. Berton to address the request. Ms. Berton stated that Omnicare is requesting that the Board allow them to fill Emergency boxes on an as needed basis. Ms. Berton stated that Omnicare uses bar code technology which decrements the inventory when an item is removed from the emergency box. The technology allows the pharmacist to view real time stock levels. Ms. Berton stated that approval of the request would allow the pharmacists to restock on an as needed basis which would free the pharmacists to provide other clinical services to the residents of the facilities.

Mr. McAllister stated that the Board may want to develop a substantive policy concerning the weekly emergency box filling since the Board may receive additional requests to waive the weekly emergency box filling.

On motion by Mr. Van Hassel and seconded by Mr. Francis, the Board unanimously agreed to approve the deviation request by Omnicare to fill the emergency boxes on an as needed basis based on the technology used to track the inventory.

**AGENDA ITEM 19 – Mountain Park Health Center and Walgreens Request to Deviate
from R-23-614 – Automated Dispensing Machines**

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

President McAllister stated that representatives were present to discuss the deviation request.

The following individuals were present:

1. Matt Cook – Senior Director, Central Pharmacy Operations at Walgreens
2. Sunny Lalli – Director of Pharmacy Technologies – MedAvail
3. Alana Garvey – Pharmacy Director – Mountain Park Health Center
4. Roger Morris – Legal Counsel

President McAllister asked the individuals to discuss the deviation request. Mr. Morris stated that Walgreens would like to install an automated dispensing machine in Mountain Park Health Center. Mr. Morris stated that the machine is a MedAvail dispensing machine.

Mr. Morris stated that the machine would be operated by the Tempe Walgreens site and counseling would be provided by the Central Fill Pharmacy in Florida.

Mr. Morris stated that they are also asking for a deviation to place new prescriptions in the machine.

Ms. Garvey stated that Mountain Park is a federally funded health center. Ms. Garvey stated that Mountain Park is a non-profit health center that services the underserved population. Ms. Garvey stated that they have 2 in house pharmacies. Ms. Garvey stated that there are transportation issues for many of the patients and by having the machine at the health center the patients would be able to get their medications before leaving the center.

Mr. McAllister asked why the pharmacists in Florida would provide counseling. Mr. Cook stated that the Florida facility is a licensed non-resident pharmacy. Ms. Garvey stated that there is a clinical pharmacist at the location that could be available if needed.

Mr. Van Hassel asked how many prescriptions would be dispensed daily. Ms. Garvey stated that the patients are 340B patients. Ms. Garvey estimated that they would fill between 50 to 80 prescriptions a day.

Mr. Van Hassel asked who would fill the machine. Mr. Cook stated that the machine would be filled from the Tempe mail order site.

Mr. Van Hassel asked how the patient would be registered. Mr. Cook stated that the patient would be registered as a Walgreens patient.

Mr. McAllister asked if there was a problem with the medication or the machine who would resolve the issue. Mr. Cook stated that the Tempe site would resolve the issues.

Mr. Van Hassel asked how new prescriptions would be handled. Mr. Lalli stated that the prescriptions would be handled the same way as prescriptions the patient had before.

Mr. Van Hassel asked how many medications would be carried in the machine. Mr. Lalli stated that there are different queues depending on the products the doctors prescribe.

Mr. Morris stated that no controlled substances would be stocked.

On motion by Mr. Van Hassel and seconded by Mr. Francis, the Board unanimously agreed to approve the deviation requests with Walgreens and Mountain Park Health Center with the parties providing follow-ups at 6 months and 1 year after the start of the operation. The report should include performance and quality errors.

AGENDA ITEM 20- Ascribe Update on Automated Dispensing Machines in Assisted Living Facilities

Dr. Reif Gillum stated that he was present to update the Board on the use of Automated Dispensing Machines in assisted living facilities by Ascribe.

Dr. Gillum stated that the main benefits were the chain of custody can be tracked. Dr. Gillum also stated that the use of the machine is more accurate than dispensing from blister cards.

The Board decided that there was no need for future updates.

AGENDA ITEM 21 – CVS Health Photo Rx Pilot Program

Lauren Berton and Mark Johnston with CVS Healthcare were present to discuss CVS Health's request to conduct a pilot program allowing patient's to submit a photo of their prescription.

Ms. Berton stated that the pilot program would use the hardcopy image provided by the patient as the original prescription without a confirmation call to the doctor. Ms. Berton stated that the benefit must be covered by the PBM and would not include any cash paying prescriptions. Ms. Berton stated that the program would exclude controlled substances and lifestyle drugs. Ms. Berton stated that the pilot would last for 18 months and patient adherence would be tracked.

Mr. McAllister asked why the patient would want to use this process. Ms. Berton stated that it would decrease the time in which a patient receives their prescription. Ms. Berton stated that it would decrease the processing time and mailing time.

Mr. Johnston stated that the program would improve patient adherence.

Mr. Kennedy asked what pharmacies would be accepting the prescriptions. Ms. Berton stated that it would only be the mail service pharmacy.

Mr. Van Hassel asked how they would know if it was the patient. Ms. Berton stated that each patient has a unique sign on and password.

Dr. Gandhi asked if the technology has been approved by any other states. Mr. Johnson replied No.

Dr. Gandhi asked if this would be specific to Arizona since the Board cannot make rules that impact other states.

Mr. Kennedy stated that federal or state payors may not accept the photo image as a valid prescription. Mr. Kennedy asked if they had contacted any prescriber groups. Ms. Berton replied no.

Mr. Johnston stated that they had tried a pilot program. Mr. Johnson stated that 51% of the time they were unsuccessful in calling the doctor for prescriptions for the photo submitted prescription.

Mr. Van Hassel indicated that a doctor could e-prescribe and there would be no reason for the patient to send in a photo.

Mr. McAllister and Mr. Kennedy indicated that further discussion is needed to make a decision on the request.

AGENDA ITEM 28 – Election of Officers

Mr. Kennedy was elected as President for the next year. Mr. Van Hassel was elected as Vice President for the next year.

AGENDA ITEM 29 – 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.

No one came forth.

AGENDA ITEM 30– Future Agenda Items

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

1. Mr. McAllister asked that a complaint be opened against the hospital where the expired drugs were used since the pharmacist stated that they were in the carousel
2. Mr. Van Hassel asked that USP 800 be placed on a future agenda
3. Mr. Van Hassel asked that tech check tech be placed on a future agenda
4. Dr. Gandhi asked that donations to University of Arizona Poison Control Center be placed on a future agenda.

AGENDA ITEM 31- Adjournment

There being no further business to come before the Board, President McAllister adjourned the meeting at 11:30 A.M.

