



Arizona State Board of Pharmacy
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**THE ARIZONA STATE BOARD OF PHARMACY
HELD A REGULAR MEETING MAY 11 AND 12, 2016
MINUTES FOR REGULAR MEETING**

AGENDA ITEM 1 – Call to Order – May 11, 2016

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

The following Board Members were present: President Darren Kennedy, Michael Blaire, Kevin Dang, Kyra Locnikar, Dennis McAllister, Reuben Minkus, Kristen Snair, and Tom Van Hassel. The following staff members were present: Compliance Officers Tom Petersen, Steve Haiber, Karol Hess, Sandy Sutcliffe, and Dennis Waggoner, Drug Inspectors Melanie Thayer and Joshlyn Noble, Executive Director Kamlesh Gandhi, Deputy Director Cheryl Frush, and Assistant Attorney General Jeanne Galvin.

Dr. Gandhi announced that Mr. Francis has resigned his position on the Board and the Governor will be appointing a new Board Member to complete Mr. Francis's Term.

AGENDA ITEM 2 – 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 13, Schedule N, License Application Review for Vanessa Acosta.

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 15, Schedule P, Conference #5.

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 6, Lindsey Dalzell-Thai- Case 16-0014-PHR.

Due to having a “substantial interest” in the matter, Mr. Kennedy recused himself from participating under Arizona’s conflict of interest laws in the review, discussion, and proposed actions concerning Agenda Item 10, Walgreens/MedAvail Deviation Update for Mountain Park Health Center.

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 15, Schedule P, Conferences 1,2,3, and 4.

AGENDA ITEM 3– Approval of Minutes

Following a review of the minutes and an opportunity for questions and **on motion by Mr. Van Hassel and seconded by Ms. Locnikar**, the Board Members unanimously approved the minutes for the Regular Meeting held on May 11 and 12, 2016 with the correction on Page 40. The Board also approved the Executive Session minutes for the Regular Meeting. The Board approved the minutes for the Tech Check Tech Committee Meeting held on April 12, 2016.

AGENDA ITEM 4- Consent Agenda

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

4. (1) Resident Pharmacy Permits – Schedule A

RESIDENT PHARMACY PERMITS

Pharmacy	Location	Owner
Genoa, a QoL Healthcare Company, LLC	1501 N. Campbell Ave., Tucson, AZ 85724	Genoa, a QoL Healthcare Company, LLC
CVS/Pharmacy #10859	236 7 th St., Douglas, AZ 85607	German Dobson CVS, LLC
Banner Family Pharmacy- UMI 1441	1441 N. 12 th St., Phoenix, AZ 85006	Banner Pharmacy Services, LLC

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

NON-RESIDENT PHARMACY PERMITS

Pharmacy	Location	Owner
CGS Pharmacy, LLC	1701 Rockville Pike, Suite A12, Rockville, MD 20852	Sawan Salman Al Janabe
Humana Pharmacy, Inc.	9727 Poteet Jourdanton Freeway, Suite 105-111, San Antonio, TX 78211	Humana Pharmacy, Inc.
Beeman’s Redlands Pharmacy	255 Terracina Blvd., Suite 103, Redlands, CA 92373	Brothers Specialty Rx

4. (2) Non-Resident Pharmacy Permits (Out of State) – Schedule B - Continued
NON-RESIDENT PHARMACY PERMITS

Pharmacy	Location	Owner
MedScripts Medical Pharmacy	1325 Miller Rd, Ste. K, Greenville, SC 29607	Dogwood Pharmacy, Inc.
Braun Pharma, Inc.	2060 N. Clark St., Chicago, IL 60614	Braun Pharma, Inc.
ImprimisRx	780 Primos Avenue, Unit E, Folcroft, PA 19032 (O)	ImprimisRx PA, Inc.
SNF Holdings, LLC	25875 Novi Rd., Suite 130, Pompano Beach, FL 33064	SNF Holdings, LLC
Solera Specialty Pharmacy	2100 Park Central Blvd N, Ste. 300, Pompano Beach, FL 33064	Solera Specialty Pharmacy, LLC
Empire Pharmacy Services	375 E. Elm St., Suite 110-D, Conshohocken, PA 19428	Thomas Garlick
Exact Care Pharmacy, LLC	8333 Rockside Rd., Valley View, OH 44125 (O)	Exact Care Pharmacy, LLC
Biologics, Inc	120 Weston Oaks Court, Cary, NC 27513 (O)	Biologics, Inc
Empire Pharmaceuticals, LLC	1042 Gluckstadt Rd, Suite D, Madison, MS 39110	Empire Pharmaceuticals, LLC
Anatomy Pharmacy	1544 Purdue Ave., Los Angeles, CA 90025	Berry Kabov
Paseo Pharmacy, LTD	2237 E. Colorado Blvd., B104, Pasadena, CA 91107	Paseo Pharmacy, LTD
Pharmacena Labs, LLC	516 Mineola Ave., Carle Place, NY 11514	Pharmacena Labs, LLC
Emilior Pharmaceutical Compounding, Inc	2510 Westchester Ave. #207, Bronx, NY 10461	Emilior Pharmaceutical Compounding, Inc
Pet Rush Med	1040 W. Kenneth Rd. #1., Glendale, CA 91202	Melena Karapedian and Rene Karapedian
Synergy Pharmacy, LLC	101-E G.T. Thames Dr., Starkville, MS 39759	Synergy Pharmacy, LLC
Kremco Pharmacy	10815 Beechnut St., Ste. 125, Houston, TX 77072	Millicent Martin
The Diennet Pharmacy	9454 Wilshire Blvd., Beverly Hills, CA 90212	Marcel Diennet
Mylan Health Management	Mezzaine Fl. Ste.100, 2898 Manufacturers Rd., Greensboro, NC 27406	Mylan Health Management, LLC
Loudon Pharmacy Corporation	23590 Overland Dr. #130, Sterling, VA 20166	Loudon Pharmacy Corporation

(O) = Ownership Change

4. (3) Non- Resident Wholesaler Permits (Out of State) – Schedule C

NON-RESIDENT WHOLESALER PERMITS

Wholesaler	Location	Owner
Advanced Inventory Management, Inc . (Full Service)	9645 W. Willow Lane, Mokena, IL 60448	Advanced Inventory Management, Inc .
Medline Industries, Inc. (Full Service)	1960 W. Miro Way, Rialto, CA 92376	Medline Industries, Inc.
Epic Fulfillment, Inc. (Full Service)	8835 W. 116 th Circle, Suite F, Broomfield, CO 80021 (O)	BexR Logistix, LLC
Eli Lilly and Company (Full Service)	1223 S. Harding Street, Indianapolis, IN 46221	Eli Lilly and Company
Womens Choice Pharmaceuticals, LLC (Full Service)	111 Mulberry St., Ripley, MS 38663	Italfamaco
Aero-Med (Full Service)	5110 W. 74 th St., Indianapolis, IN 46268	Aero-Med, LTD.
Integra LifeSciences Sales, LLC (Full Service)	4900 Charlemar Dr., Cincinnati, OH 45227	Integra LifeSciences Sales, LLC
Integra LifeSciences Sales, LLC (Full Service)	3670 Concord Rd., York, PA 17402	Integra LifeSciences Sales, LLC
Integra LifeSciences Sales, LLC (Full Service)	3498 West 2400 South, West Valley City, UT 84119	Integra LifeSciences Sales, LLC
Integrated Commercialization Solutions, Inc. (Full Service)	5653 Creekside Parkway, Unit B, Obetz, OH 43137	Integrated Commercialization Solutions, Inc.
Optimal (Full Service)	2150 Joshua's Path, Suite 205, Hauppauge, NY 11788	Golden Max, LLC
Sage Products, LLC (Full Service)	3909 Three Oaks Rd., Cary, IL 60013	Sage Products, LLC
AngioDynamics, Inc. (Full Service)	One Horizon Way, Manchester, GA 31816	AngioDynamics, Inc

(O) = Ownership Change

4. (4) Non-Resident Manufacturer Permits – Schedule D

NON-RESIDENT MANUFACTURER PERMITS

Manufacturer	Location	Owner
Indivior Inc. (Virtual)	10710 Midlothian Turnpike, Suite 430, Richmond, VA 23235	Indivior Inc.
QuVa Pharma, Inc.	5920 South General Bruce Dr., Temple, TX 76502	QuVa Pharma Holdings, Inc.
ZS Pharma, Inc.	508 Wrangler Dr., Suite 100, Coppell, TX 75019	Zeneca, Inc.
Integra York PA, Inc.	589 Davies Dr., York, PA 17402	Integra LifeSciences Corporation
Ascension Orthopedics, Inc	8700 Cameron Rd., Austin, TX 78754	Integra LifeSciences Corporation
Integra LifeSciences Corporation	105 Morgan Lane, Plainsboro, NJ 08536	Integra LifeSciences Corporation

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

NON-RESIDENT MANUFACTURER PERMITS

Manufacturer	Location	Owner
Integra NeuroSciences	5955 Pacific Center Blvd., San Diego, CA 92121	Integra LifeSciences Corporation
INVO Biosciences, Inc.	407R Mystic Ave., Suite 34C, Medford, MA 02155	INVO Biosciences, Inc.
HLS Therapeutics (USA) Inc. (Virtual)	919 Conestoga Rd., Building 3, Suite 310, Rosemont, PA 19010	HLS Therapeutics (USA) Inc.
Adamis Pharmaceuticals Corporation (Virtual)	11682 El Camino Real, Suite 300, San Diego, CA 92130	Adamis Pharmaceuticals Corporation
Portola Pharmaceuticals Inc. (Virtual)	270 E. Grand Ave., South San Francisco, CA 94080	Portola Pharmaceuticals Inc.
Scilex Pharmaceuticals Inc.	301 Lindenwood Dr., Suite300, Malvern, PA 19355	Scilex Pharmaceuticals Inc.
Neos Therapeutics Brands	2940 N. Hwy 360, Ste. 100, Grand Prairie, TX 75050	Neos Therapeutics, LP
Integra LifeSciences Corporation	4900 Charlemar Dr., Cincinnati, OH 45227	Integra LifeSciences Corporation
Becton, Dickson and Company	28 Loveton Circle, Sparks, MD 21152	Becton, Dickson and Company
XenoPort, Inc.,	3410 Central Expressway, Santa Clara, CA 95051	XenoPort, Inc.,
Taiho Oncology, Inc. (Virtual)	101 Carnegie Center, Princeton, NJ 08540	Taiho Oncology, Inc.
Ajanta Pharma USA Inc. (Virtual)	One Grande Commons, 440 US Highway 22 E, Ste.150, Bridgewater, NJ 08807	Ajanta Pharma Limited
Anacor Pharmaceuticals, Inc. (Virtual)	1020 E. Meadow Circle, Palo Alto, CA 94303	Anacor Pharmaceuticals, Inc.
Amarin Pharma, Inc. (Virtual)	1430 Route 206, Suite 200, Bedminster, NJ 07921	Amarin Pharma, Inc
R-Pharm US, LLC (Virtual)	3120 Princeton Pike, Lawrence, NJ 08648	R-Pharm US, LLC
Halozyme Therapeutics, Inc. (Virtual)	11388 Sorrento Valley Rd., San Diego, CA 92121	Halozyme Therapeutics, Inc.
Dynavax Technologies Corporation (Virtual)	2929 Seventh St., Suite 100, Berkeley, CA 94710	Dynavax Technologies Corporation
Vanda Pharmaceuticals, Inc. (Virtual)	2200 Pennsylvania Ave. NW Suite 300-E, Washington, DC 20037	Vanda Pharmaceuticals, Inc.

4. (5) – New Pharmacists – Schedule E

The Board approved the 85 New Pharmacist Licenses listed on the attachments.

4. (6) – New Interns – Schedule F

The Board approved the 103 New Intern Licenses listed on the attachments.

4. (7) – New Pharmacy Technicians – Schedule H

The Board approved the 959 New Pharmacy Technicians listed on the attachments.

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

The Board approved the 146 Pharmacy Technician Trainee Reapply requests listed on the attachments. The Pharmacy Technician Trainees are approved for one additional two year period.

4. (9) – Consent Agreements – Schedule I

The Board accepted the following Consent Agreements:

1. Vasco Rx - 16-0012-PHR
2. Integrity Rx Specialty Pharmacy - 16-0013-PHR

AGENDA ITEM 5 – Motions to Deem/Hearings

1. Ashley Brooks

President Kennedy opened the discussion by stating that this is the time and place for Consideration of the State’s Motion to Deem Allegations of the Complaint and Notice of Hearing Admitted in the Case of Ashley Brooks, Pharmacy Technician, T012892, Case 16-0010-PHR. President Kennedy asked if the licensee (Ashley Brooks) was present. The licensee (Ashley Brooks) was not present.

President Kennedy asked if the Assistant Attorney General would like to address the Motion To Deem. Ms. Galvin stated that Ms. Brooks did not respond to the complaint or the Notice Of Hearing. Ms. Galvin stated that the State recommends that the Board deem the allegations. Ms. Galvin stated that the State recommends that the Board revoke Ms. Brooks’ Pharmacy Technician license

President Kennedy asked if the Board would like to make a Motion granting or denying the State’s motion to Deem Allegations Admitted.

On motion by Mr. Van Hassel and seconded by Mr. Blaire, the Board unanimously agreed to grant the State’s motion to Deem Allegations admitted.

On motion by Mr. Van Hassel and seconded by Mr. Blaire, the Board unanimously agreed to adopt all factual allegations in the Complaint as the findings of fact.

On motion by Mr. Van Hassel and seconded by Mr. Blaire, the Board unanimously agreed to adopt all of the alleged violations set forth in the Complaint as the Board’s conclusions of law.

President Kennedy asked Ms. Galvin if he has any comments or recommendations as to the appropriate discipline to be imposed. Ms. Galvin stated that the State recommends that the license be revoked.

On motion by Ms. Snair and seconded by Mr. Minkus, the Board unanimously agreed to revoke the Pharmacy Technician License T012892 issued to Ashley Brooks. A roll call vote was taken. (Dr. Dang – aye, Mr. Blaire – aye, Mr. Minkus – aye, Mr. McAllister – aye, Ms. Snair – aye, Ms. Locnikar – aye, Mr. Van Hassel – aye, and Mr. Kennedy – aye)

#2 – Cassandra Teaq

The Hearing has been recorded and can be viewed on our website. To view the Hearing discussion 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 May 11, 2016 Board Meeting and click on Morning Session 2.**

President Kennedy stated that this is the date, time, and place where the matter dealing with Case No. 16-0016 -PHR against Cassandra Teaq is scheduled to be heard by the Arizona State Board of Pharmacy.

The subject of the hearing is set forth in the Complaint and Notice of Hearing. This is a formal Administrative hearing to determine whether to grant or deny Cassandra Teaq's application for Pharmacy Technician.

The following Board Members were present: Darren Kennedy, Kevin Dang, Michael Blaire, Reuben Minkus, Dennis McAllister, Kristen Snair, Kyra Locnikar, and Tom Van Hassel.

President Kennedy stated let the record show that the Board Members have been furnished with copies of:

1. The Notice of Hearing
2. All pleadings of record

Mr. Kennedy asked the parties to identify themselves.

Jeanne Galvin, Assistant Attorney General, was present representing the state.

Cassandra Teaq, the respondent was present.

Ms. Teaq was not represented by counsel.

The witnesses were sworn in by Dr. Gandhi.

Opening statements were made

The evidence was presented.

Closing statements were made.

On motion by Dr. Dang and seconded by Mr. Minkus, the Board unanimously agreed to uphold the denial of the Pharmacy Technician application submitted by Cassandra Teaq. A roll call vote was taken. (Dr. Dang – aye, Mr. Blaire – aye, Mr. Minkus – aye, Mr. McAllister – aye, Ms. Snair – aye, Ms. Locnikar – aye, Mr. Van Hassel – aye, and Mr. Kennedy – aye)

AGENDA ITEM 6 – Lindsay Dalzell-Thai – Case 16-0014-PHR- Order of Summary Suspension

Mr. Kennedy was recused for a conflict of interest.

Vice President Van Hassel stated that following individuals were present to address the case:

1. Lindsey Dalzell-Thai – Respondent – Pharmacist
2. Roger Morris – Legal Counsel for Ms. Dalzell-Thai
3. Mark Boesen- CEO of GenRx – Ms. Dalzell-Thai’s Employer

Dr. Gandhi swore in Ms. Dalzell-Thai.

Vice President Van Hassel stated that the Board is considering the Summary Suspension of Ms. Dalzell-Thai’s Pharmacist license due to the theft of Alprazolam from her employer. Mr. Van Hassel noted that Ms. Dalzell-Thai did not respond to the complaint letter.

Mr. Morris stated that Ms. Dalzell-Thai was terminated due to the theft of alprazolam 1 mg. Mr. Morris stated that Ms. Dalzell-Thai was mailed a letter on March 30, 2016 offering her a Consent Agreement for voluntary surrender of her license. Mr. Morris stated that Ms. Dalzell-Thai did not receive the letter. The letter was sent to the address on file for Ms. Dalzell-Thai. Mr. Morris stated that Ms. Dalzell-Thai has not worked until April 1, 2016 and was off work for 7 months. Mr. Morris stated that Ms. Dalzell-Thai is working at GenRx and there are no controlled substances on site. Mr. Morris stated that she was drug tested prior to employment. Mr. Morris stated that there was no irreparable damage to the public. Mr. Morris stated that Ms. Dalzell-Thai would enter into a consent agreement for PAPA but is asking the Board to consider her time that she did not work as the 6 month suspension.

Ms. Galvin stated that Ms. Dalzell-Thai did not accept the interim consent for voluntary suspension.

Mr. Van Hassel asked Mr. Boesen about Ms. Dalzell-Thai’s work performance. Mr. Boesen stated that Ms. Dalzell-Thai worked for a month through a staffing agency and is an exemplary employee. Mr. Boesen stated that she was hired on as a full time employee. Mr. Boesen stated that Ms. Dalzell-Thai would not have access to controlled substances

Mr. Blaire asked what safeguards are in place to ensure that Ms. Dalzell-Thai does not come into contact with controlled substances. Mr. Boesen stated that they do not receive controlled substances. Mr. Boesen stated that a staff pharmacist does not have access to the ordering system.

Mr. Van Hassel stated that he has concerns because Ms. Dalzell-Thai does not have to continue working for GenRx.

Mr. Van Hassel asked Ms. Dalzell-Thai what she did for the last six months. Ms. Dalzell-Thai stated that she took care of her mother.

Mr. Van Hassel asked Ms. Dalzell-Thai if she did any type of rehab. Ms. Dalzell-Thai stated no.

Mr. Van Hassel asked Ms. Dalzell-Thai how many tablets she took from the pharmacy. Ms. Dalzell-Thai stated that she took about 50 tablets.

Ms. Locnikar stated that Ms. Dalzell-Thai told the loss prevention person that she took the tablets for her mother. Ms. Dalzell-Thai stated that she took them for her own personal use.

Ms. Locnikar asked Ms. Dalzell-Thai if she had an addiction problem. Ms. Dalzell-Thai stated that she does not have a severe addiction.

Mr. McAllister stated that he is uncomfortable making a motion until the number of tablets missing is known. The staff located the DEA 106 form.

Dr. Gandhi stated that the following shortages were reported on the DEA 106 form:

1. Alprazolam 0.25mg – 146 tablets
2. Alprazolam 0.5mg – 225 tablets
3. Alprazolam 1mg – 316 tablets
4. Alprazolam 0.5 mg ER – 14 tablets

Mr. McAllister stated that he was comfortable that it was not a massive loss.

On motion by Mr. McAllister and seconded by Ms. Locnikar, the Board unanimously agreed to offer Ms. Dalzell-Thai a Consent Agreement placing her license on probation for 5 years with the signing of a PAPA contract. There will be no 6 month suspension.

Mr. Van Hassel asked about the rehabilitation part of the normal PAPA consent. Mr. McAllister stated a relapse would show up relatively soon on her monitoring.

Mr. Van Hassel asked about an evaluation with a provider.

Mr. McAllister amended the motion to include an evaluation by a board- approved evaluator. The motion was seconded by Ms. Locnikar.

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

AGENDA ITEM 12– Special Requests – Schedule M

#1 Kwasi Anyinam

Mr. Kennedy recused himself upon learning that the respondent worked for Walgreens

Kwasi Anyinam appeared on his own behalf to request to take the NAPLEX exam for the fourth time.

President Kennedy opened the discussion by asking Mr. Anyinam why he was appearing in front of the Board. Mr. Anyinam stated that he is asking the Board to allow him to take the NAPLEX exam for the fourth time.

Mr. Anyinam stated that he is now on medications and is requesting extra accommodations.

Mr. Blaire asked Mr. Anyinam if he is currently working. Mr. Anyinam stated that he works at Walgreens.

Mr. Van Hassel reminded Mr. Anyinam that NABP only allows applicants to take the exam five times.

Mr. McAllister asked Mr. Anyinam when he graduated. Mr. Anyinam stated that he graduated in 2015. Mr. McAllister asked Mr. Anyinam if he went straight through school. Mr. Anyinam replied that he sat out sometime during the time he attended school.

Mr. Anyinam stated that his pharmacy manager reviews the information with him.

On motion by Mr. Blaire and seconded by Ms. Locnikar, the Board unanimously agreed to approve Mr. Anyinam's request to take the NAPLEX exam for the fourth time.

AGENDA ITEM 13– License Applications Requiring Board Review – Schedule N

#1 Kristian Guerrero

Kristian Guerrero appeared on his own behalf to request to proceed with Pharmacy Technician licensure.

Dr. Gandhi swore in the applicant.

President Kennedy opened the discussion by asking Mr. Guerrero why he was appearing in front of the Board. Mr. Guerrero stated that he was charged for driving without a license and for harboring an alien.

Ms. Snair asked Mr. Guerrero why he was pulled over. Mr. Guerrero stated that he was pulled over for having a tail light out. Mr. Guerrero stated that he had a ticket and failed to pay the ticket so that is why his license was suspended. Mr. Guerrero stated that he was fined.

Mr. Guerrero stated that he was charged with harboring an alien because he lives in Nogales and was eating breakfast at Denny's. Mr. Guerrero stated that a guy asked him for a ride into town and he said yes. Mr. Guerrero stated that he was stopped by Border patrol and found out the person was illegal. The charges were dismissed.

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

#2 Rosa Rodriguez- Ramirez

Rosa Rodriguez- Ramirez appeared on her own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Dr. Gandhi swore in the applicant.

President Kennedy opened the discussion by asking Ms. Ramirez why she was appearing in front of the Board. Ms. Ramirez stated that about 13 years ago she was charged with a felony. Ms. Ramirez stated that her boyfriend at the time had drugs in the car that she did not know were in the car. Ms. Ramirez stated that they were taking the car to a body shop to be fixed and they were stopped because the car was swerving.

Mr. Van Hassel asked Ms. Ramirez why she wanted to be a technician. Ms. Ramirez stated that this is something that she always wanted to do and she wants to provide for her daughter.

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

AGENDA ITEM 14– Reports

Executive Director

Dr. Gandhi reviewed the financials with the Board Members.

Dr. Gandhi gave a brief overview of the following bills:

1. Licensing (HB2109) – Removes one year wait to reciprocate and changes the fingerprinting to the clearance card
2. CSPMP – (SB1283)
3. Immunizations- (SB1112)
4. Epi-Auto Injector (HB2265)
5. Certificate of Free Sale (HB1460)
6. Opioid Antagonists (HB2355)
7. Health Boards (SB1443)

Dr. Gandhi stated that the NABP annual meeting will be held in San Diego, California from May 13-18, 2016.

Dr. Gandhi stated that the AzPA meeting will be held from June 10-12, 2016.

Dr. Gandhi stated that it was determined that a substantive policy is not needed for the direct versus indirect marketing. There should be no name on the pdf printed by the prescriber and a perforated form cannot be used.

Dr. Gandhi stated that pharmacy technicians and pharmacy technician trainees cannot work as technicians until their license is opened.

Deputy Director Report

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

During the months of February and March, 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 -3
3. Extra employee in pharmacy - 1
4. Pharmacy Technician Trainee Compounding – 1
5. Shared Service Documentation not provided to patients – 1
6. Pharmacy Technician accepting refusal of counseling - 6

Controlled Substance Violations

1. Controlled Substance Overage -3
2. Controlled Substance Shortage - 5
3. Controlled Substance Inventory not taken upon PIC change - 1
4. CII prescription without manual signature – 1

Documentation Violations

1. Pharmacist administered immunizations information sent to physician or missing physician information – 2
2. Counseling Documentation – 5
3. Compounding Documentation 1
4. No Technician Compounding Training Program – 4
5. Automation documentation - 2

Areas outside the pharmacy inspection:

1. Commercially available medications cannot be compounded.
2. Prescription products must be stored in the properly licensed pharmacy.

PAPA Report – Schedule O

Deborah Marcum, PAPA administrator, was present to represent the PAPA program. Ms. Marcum stated that there are a total of thirty (30) participants in the PAPA program. Ms. Marcum stated that there have been one participant that has completed the program and four participants will be signing new contracts.

AGENDA ITEM 15– Conferences – Schedule P

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 May11, 2016 Board Meeting and click on Afternoon Session.**
- 4. The conferences begin the Afternoon Session**

Conference 1– Complaint #4448 – Mr. Kennedy was recused due to a conflict of interest.

The following individuals were present to discuss the complaint:

1. Chris Wollitz – Pharmacist in Charge - Florida Mail Service - Respondent
2. Mike Simco – In house Legal Counsel
3. Christine Cassetta – Outside Counsel

Vice President Van Hassel asked Mr. Waggoner to give a brief overview of the complaint. Mr. Waggoner stated that a complaint was filed by an insurance company. The patient's prescription was incorrectly filled with Ropinirole 5 mg instead of Ropinirole 1mg. The Pharmacy Manager stated that the prescription was scanned at the local store on 1/18/2015. The prescription was processed and verified at the Central Processing Operation in Florida. The prescription was placed on hold at the local store and reprocessed by the local store on 2/14/2015. The patient took one dose and experienced nausea and vomiting. The patient was instructed to go to the ER by the doctor.

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. McAllister and seconded by Mr. Minkus, the Board unanimously agreed to issue an advisory letter to the non-resident pharmacy permit holder and refer the complaint to the Florida Board. On May 12, 2016, Mr. McAllister withdrew this motion.

Conference 2– Complaint #4469 – Mr. Kennedy was recused due to a conflict of interest.

The following individuals were present to discuss the complaint:

1. Chris Wollitz – Pharmacist in Charge - Florida Mail Service – Respondent
2. Darren Kennedy – Regional Manager Mail Order Service – Respondent
3. Marilyn Myers - Pharmacist
2. Mike Simco – In house Legal Counsel
3. Christine Cassetta – Outside Counsel- for Walgreens Mail Services

Vice President Van Hassel asked Ms. Sutcliffe to give a brief overview of the complaint.

Ms. Sutcliffe stated that the complaint was filed by an Investigation Specialist II for the Florida Board of Pharmacy concerning a Florida resident. On October 22, 2014, a prescription was dispensed to the patient for Morphine Sulfate with a label that read "Take 5 to 10 ml by mouth every 4 hours as needed." The prescription was written for Roxanol (Morphine) 20mg/ml, take 5 to 10 mg by mouth every 4 hours as needed. The patient died on October 24, 2014 due to a morphine overdose. The prescription was verified by an Arizona licensed pharmacist as part of a shared service agreement. Records of order verification were not available for review since the prescription had been closed.

Records of order verification were provided by the Corporate Office:

1. The prescription was scanned at Walgreens Drug #6263 in Lake City, FL
2. The prescription was data entered by a technician at Walgreens Drug #6263
3. Prescription data review was completed by an Arizona pharmacist, who was a work at home pharmacist for Walgreens Mail Service in Tempe
4. Prescription drug utilization review was completed by a pharmacist located at the Walgreens central fill in Orlando, FL
5. Consultation block override was completed by a pharmacist located at Walgreens Drug in Lake City, FL

Ms. Sutcliffe stated that she could not verify the accuracy of the prescription events details provided by corporate. There are 2 timelines provided. The Pharmacist in Charge (PIC) at the Walgreens Mail Service stated that immediately following the DUR review, the error was discovered by the pharmacist. The PIC stated that a call was placed to the local pharmacy but there was no answer. The PIC stated that the prescription was deleted to prevent it from being sold and an e-mail update was sent. Per the 2nd timeline, the PIC stated that the deletion of the prescription and the sale of the medication occurred simultaneously and the patient received the prescription with the incorrect directions. The pharmacist that completed the data review in Arizona stated that she would have reviewed the drug, strength, route of administration, dose, and frequency.

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

On motion by Mr. Van Hassel and seconded by Mr. McAllister, the Board unanimously agreed to offer both pharmacies a Consent Agreement with a \$1,000 fine for failure to manage the pharmacies. A roll call vote was taken. (Dr. Dang – aye, Mr. Blaire – aye, Mr. Minkus – aye, Mr. McAllister – aye, Ms. Snair – aye, Ms. Locnikar – aye, and Mr. Van Hassel-aye)

On motion by Dr. Dang and seconded by Mr. McAllister, the Board unanimously agreed to offer the Pharmacist a Consent Agreement with the following terms to be completed in 6 months:

1. \$1,000 fine
2. 8 hours of CE on prevention of Medication Errors

If the consent agreement is not signed in 30 days, the case would proceed to hearing.

Conference 3- #4469 – Mr. Kennedy was recused due to a conflict of interest.

The following individuals were present to discuss the complaint:

1. Margaret Martuszewski – Pharmacist in Charge - Respondent
2. John Staulbaumer – Pharmacy Technician - Respondent
3. Matthew Pruitt – Pharmacy Supervisor - Witness
2. Mike Simco – In house Legal Counsel
3. Christine Cassetta – Outside Counsel

Vice President Van Hassel asked Ms. Hess to give a brief overview of the complaint. Ms. Hess stated that the complainant stated that her prescription for Abilify 2 mg was filled with Abilify 20mg. The patient took one dose and experienced tiredness, sluggishness, and a severe headache. The following day the complainant stated that she had difficulty walking and getting around. After the complainant called her doctor's office the error was discovered. The prescription was taken in at the Tucson facility and data reviewed. A new data review was assigned to a pharmacist at the Tempe Mail order site. Someone at the store pulled the data review at 6:16:19 pm and the pharmacist completed the data/product review at 6:19:22 pm. The prescription was sold at 6:23:00pm but no designation of who sold the prescription. After the prescription was sold there was a DAW change by the technician at 6:23:02pm. The pharmacist in charge at the store says she has no memory of the verifying the prescription. The pharmacist in charge stated that the prescription was changed from generic to brand for insurance purposes and feels perhaps that is when the error occurred. The staff pharmacist stated that he discovered the error after speaking with the complainant's doctor. The technician who supposedly did the DAW change stated that he had punched out for lunch and forgot to log off the computer. The prescription was corrected. The prescription was entered correctly by the pharmacist. It is unclear when the change from 2 mg to 20 mg occurred and which employee initiated the change.

Time discrepancies of note:

1. The prescription appears to have been entered by the pharmacist 2 seconds prior to the initial call to the technician.
2. The prescription was initially taken via phone and entered correctly by the pharmacist. It was then filled one and only one time at 5:20:31pm.
3. A new data review was initiated at 6:16:19pm by an unknown staff member, however no additional fill has been documented.
4. The only change in the prescription documented by the computer system shows a DAW Change at 6:23:02pm (6 minutes and 43 seconds after the new data review initiation and 2 seconds after the prescription was sold.
5. The second data review is documented via computer as being performed by the pharmacist at 6:19:22 (59 minutes and 2 seconds after the prescription was filled

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. McAllister and seconded by Mr. Blaire, the Board unanimously agreed to offer the pharmacist in charge a non-disciplinary advisory letter for 3 hours of CE on error prevention to be completed within 90 days of the receipt of letter and open a complaint against the

the technician that changed the prescription and ask her to appear for a conference. A roll call vote was taken. (Dr. Dang – aye, Mr. Blaire – aye, Mr. Minkus – aye, Mr. McAllister – aye, Ms. Snair – aye, Ms. Locnikar – aye, and Mr. Van Hassel – aye,)

Conference 4- #4440– Mr. Kennedy was recused due to a conflict of interest.

The following individuals were present to discuss the complaint:

1. Jeffrey Darling – Pharmacist - Respondent
2. Sherle Smothers – Pharmacy Technician - Respondent
3. Matthew Pruitt – Pharmacy Supervisor - Witness
2. Mike Simco – In house Legal Counsel
3. Christine Cassetta – Outside Counsel

Vice President Van Hassel asked Mr. Haiber to give a brief overview of the complaint. Mr. Haiber stated that the complainant, a Physician Assistant, (PA) stated that her 5-year-old patient received a prescription for another patient with the same first and last name. Her patient should have received Singulair 4mg but received Simivastatin 20mg meant for a different patient with the same name. The mother gave the child 30 doses of the Simivastatin because she thought it was a generic for Singulair. The error was discovered when a refill was ordered and the mother discovered the error. The PA ran lab tests and the child showed no visible signs of any negative health issues. According to pharmacy records, the patients do not reside at the same address. Pharmacy records indicate that one patient was born on 2/18/1966 and the other the complainant's patient was born on 7/27/2009. Singulair is used to treat allergy symptoms and Simivastatin is used to treat high cholesterol levels

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

On motion by Ms. Snair and seconded by Ms. Locnikar, the Board unanimously agreed to issue a non-disciplinary advisory letter to the pharmacy technician for 8 hours of CE on prevention of medication errors. The technician may use the 4 hours previously completed.

AGENDA ITEM 16– Complaint Review – Consideration of Complaints on Schedule Q

President Kennedy opened the discussion by stating the Board Members would review all the complaints on schedule Q.

Complaint #4494

On motion by Mr. Van Hassel and seconded by Mr. Minkus, the Board unanimously agreed to meet in Executive Session.

On motion by Mr. Blaire and seconded by Dr. Dang, the Board unanimously agreed to ask the pharmacist to appear for a conference. The Board requested that an audit be conducted at the store.

AGENDA ITEM 18 – USP 800 Committee

President Kennedy stated that the following individuals have agreed to serve on the committee:

1. Tom Van Hassel
2. Michael Blaire
3. John Musil
4. Kelly Fine
5. Lorri Walmsley

Board Staff

1. Kam Gandhi
2. Cheryl Frush

Mr. Blaire was selected as Chairman.

AGENDA ITEM 19 – Proposed Disciplinary Guidelines for Complaint Resolution Substantive Policy

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

Dr. Gandhi stated that the substantive policy was written to help the Board Members resolve the various complaints that come before the Board.

Mr. McAllister stated that he feels that the statement “potential for patient harm” should be added.

On motion by Mr. Van Hassel and seconded by Dr. Dang, the Board unanimously adopted the substantive policy with the addition of the statement “potential for patient harm”.

AGENDA ITEM 22 – June Meeting

President Kennedy asked if the Board would like to cancel the June Meeting.

The Board Members decided to not cancel the June meeting.

AGENDA ITEM 28 – Call to the Public

President Kennedy 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 the direct versus indirect marketing should be included in the newsletter.

Mr. Morris asked that the complaint resolution guidelines be shared with the public.

The meeting was recessed at 4:01 P.M.

AGENDA ITEM 1 – Call to Order – May 12, 2016

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

The following Board Members were present: President Darren Kennedy, Michael Blaire, Kevin Dang, Kyra Locnikar, Dennis McAllister, Reuben Minkus, Kristen Snair, and Tom Van Hassel. The following staff members were present: Compliance Officers Tom Petersen, Karol Hess, Sandy Sutcliffe, and Dennis Waggoner, Drug Inspectors Melanie Thayer and Joshlyn Noble, Executive Director Kamlesh Gandhi, Deputy Director Cheryl Frush, and Assistant Attorney General Marc Harris.

AGENDA ITEM 7 – Resident Pharmacy Permits

1. Westgate Pharmacy

President Kennedy stated that a representative from Westgate Pharmacy was present to answer questions from Board Members.

The following individual was present:

1. Paula Voight-McGee – Pharmacist in Charge

President Kennedy asked the applicant to describe their business model. Ms. Voight-McGee stated that this is an ownership change. Ms. Voight-McGee stated that they fill about 50 prescriptions a day. Ms. Voight-McGee stated that they would be doing non-sterile compounding. Ms. Voight-McGee explained the layout of the pharmacy.

On motion by Mr. Van Hassel and seconded by Mr. Minkus, the Board unanimously agreed to approve the application for Westgate Pharmacy.

2. University of Arizona College of Pharmacy- Phoenix BioMedical Campus

President Kennedy stated that a representative from University of Arizona College of Pharmacy-Phoenix BioMedical Campus was present to answer questions from Board Members.

The following individual was present:

1. Caitlin Cameron – Pharmacist in Charge

President Kennedy asked the applicant to describe their business model. Ms. Cameron stated that they are licensing the lab for educational purposes. Ms. Cameron stated that nothing would be dispensed from the lab because it is used for teaching purposes. Ms. Cameron stated that other classes may use the classroom portion.

Ms. Cameron stated that there is one room with a hood for teaching sterile technique. Ms. Cameron stated that there is also a refrigerator in the room.

Ms. Cameron stated that there is key card access to the lab.

Mr. McAllister asked if there are legend drugs in the lab. Ms. Cameron stated that she believes that they will have some prescription drugs and OTC drugs.

On motion by Mr. Van Hassel and seconded by Dr. Dang, the Board unanimously agreed to approve the application for University of Arizona College of Pharmacy- Phoenix Biomedical Campus.

3. ValleyMed Pharmacy

President Kennedy stated that a representative from ValleyMed Pharmacy was present to answer questions from Board Members.

The following individual was present:

1. Ravi Morrisetty

President Kennedy asked the applicant to describe their business model. Mr. Morrisetty stated that they would be an independent pharmacy located in Tempe.

Mr. Morrisetty stated that he owns a pharmacy in Texas and will be the pharmacist in charge until he finds a pharmacist to take over the position. Mr. Morrisetty stated that he used to work for CVS and lives in Irving, Texas.

Mr. Van Hassel asked if they would be doing any compounding. Mr. Morrisetty stated that they would be doing non-sterile compounding.

On motion by Mr. Blaire and seconded by Mr. McAllister, the Board unanimously agreed to approve the application for ValleyMed Pharmacy.

4. Pinnacle Pharmacy #2, Inc.

President Kennedy stated that a representative from Pinnacle Pharmacy #2 was present to answer questions from Board Members.

The following individual was present:

1. Mark Boesen – CEO
2. Roger Morris – Legal Counsel

President Kennedy asked the applicant to describe their business model. Mr. Morris stated that the pharmacy would perform MTM functions and do remote order entry for GenRx and Pinnacle

Pharmacy. Mr. Morris stated that the site would not stock drugs.

Mr. Van Hassel asked if there would be a pharmacist on site. Mr. Boesen indicated that there would be a pharmacist on site to supervise the technicians. Mr. Boesen stated that it is a call center environment.

On motion by Mr. Van Hassel and seconded by Mr. McAllister, the Board unanimously agreed to approve the application for Pinnacle Pharmacy #2, Inc.

5. Arizona Bleeding Disorders Pharmacy

President Kennedy stated that a representative from Arizona Bleeding Disorders Pharmacy was present to answer questions from Board Members.

The following individuals were present:

1. Mark Boesen – Board of Directors
2. Cindy Komar – CEO of Arizona Hemophilia Association

President Kennedy asked the applicant to describe their business model. Ms. Komar stated that they are a non-profit assisting patients with bleeding disorders. Ms. Komar stated that they have added a pharmacy on to the clinic. Ms. Komar stated that there would be no compounding. Ms. Komar stated that the pharmacist would talk to the patients about their medications.

Mr. Van Hassel asked how the patient would receive the medication. Ms. Komar stated that it would be sent to the patient's house and if needed the patient could bring the medication to the clinic.

On motion by Mr. McAllister and seconded by Mr. Van Hassel, the Board unanimously agreed to approve the application for Arizona Bleeding Disorders Pharmacy.

RESIDENT PHARMACY PERMITS

The Board unanimously approved the resident pharmacy permits below pending final inspection.

RESIDENT PHARMACY PERMITS – Schedule K

Pharmacy	Location	Owner
Westgate Pharmacy	8914 N. 91 st Ave. #100C, Peoria, AZ 85345 (O)	Christopher Shaler
University of Arizona –College of Pharmacy – Phoenix Biomedical Campus	435 N. 5 th St., Room B402, Phoenix, AZ 85004	University of Arizona (Arizona Board of Regents)
ValleyMed Pharmacy	1845 E. Broadway Rd., Tempe, AZ 85282	ValleyMed, LLC
Pinnacle Pharmacy #2, Inc.	8010 E. McDowell Rd., Ste. 205, Scottsdale, AZ 85257	FSHS Enterprises, Inc.
Arizona Bleeding Disorders Pharmacy	826 B, 5 th Ave, Phoenix, AZ 85003	Arizona Hemophilia Association, Inc.

AGENDA ITEM 8 – Non-Resident Pharmacy Permits

1. Community Medical Center Pharmacy

President Kennedy stated that a representative from Community Medical Center Pharmacy was present to answer questions from Board Members.

The following individual was present:

1. George Awad – Pharmacist in Charge

President Kennedy asked the applicant to describe their business model. Mr. Awad stated that he was asked to appear because he works with manufacturers and shipped prescriptions to patients in Arizona prior to being licensed. Mr. Awad stated that he stopped shipping to Arizona when he was informed that he needed a license.

Mr. Awad stated that he shipped Santyl Ointment and Pre-natal vitamin prescriptions to patients in Arizona. Mr. Awad stated that he shipped 101 prescriptions to Arizona.

Mr. Van Hassel asked if the patients were aware that they were receiving their prescriptions from a pharmacy in California. Mr. Awad stated that the manufacturer's representative would go to the doctor's office and would tell the doctor that his pharmacy would calculate the dose for the patient. Mr. Awad stated that they would give him the dimensions of the wound and he would calculate the dose.

On motion by Mr. Van Hassel and seconded by Mr. Blaire, the Board unanimously approved the application for Community Medical Center Pharmacy. The Board also issued the Pharmacy a Consent Agreement with the following term: a fine of \$10.00 for each prescription shipped to Arizona prior to licensure (101 prescriptions). A roll call vote was taken. . (Dr. Dang – aye, Mr. Blaire – aye, Mr. Minkus – aye, Mr. McAllister – aye, Ms. Snair – aye, Ms. Locnikar – aye, Mr. Van Hassel – aye, and Mr. Kennedy - aye)

AGENDA ITEM 9 – Arizona Department of Juvenile Corrections Pharmacy – Space Deviation Request- R4-23-672 and R4-23-609

President Kennedy stated that a representative was present to answer questions from Board Members.

Paulette Boothby, Pharmacist in Charge stated that the Arizona Department of Juvenile Corrections Pharmacy is relocating and is requesting a space deviation. The pharmacy space is 160 square feet. Ms. Boothby stated that the compliance officer reviewed the space.

Mr. Blaire asked about the security of the narcotic cabinet. Ms. Boothby stated that the safe is checked daily. Ms. Boothby stated that there is restricted key ring access.

Mr. Waggoner stated that the space would meet the needs of the pharmacy.

On motion by Mr. Van Hassel and seconded by Mr. McAllister, the Board unanimously agreed to approve the space deviation request for 160 square feet.(R4-23-672 and R4-23-609).

AGENDA ITEM 10 – Walgreens/MedAvail Deviation Update for Mountain Park Health Center

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

Vice President Van Hassel stated that representatives were present to address the deviation update.

The following individuals were present:

1. Mike Simco – In House Legal Counsel
2. Roger Morris – Outside Legal Counsel
3. Christine Cassetta – Outside Legal Counsel

Mr. Morris stated that the Board approved the variance in January of 2016. Mr. Morris stated that since that time they have changed the home pharmacy from the mail order site to another pharmacy.

Mr. Van Hassel asked if the patients served are the same. Mr. Simco stated that the location and the operation would remain the same.

Mr. Van Hassel asked if the mail order would be providing product. Mr. Simco stated that the product would be sent from the new pharmacy location.

Ms. Snair asked about the repackaging. Mr. Simco stated that the Board had already reviewed the SOP indicating that they would prepackage the medications at the store. Mr. McAllister stated that there should not be a separate standard for the store prepackaging the product.

Ms. Snair asked about the degradation of the product. Mr. Simco stated that the product would be pulled 120 days prior to expiration date.

Mr. McAllister asked what happens if the patient is not a 340B patient. Mr. Simco stated that process verifies who is a 340B patient.

On motion by Mr. McAllister and seconded by Ms. Snair, the Board unanimously agreed to uphold the original deviation (R4-23-614) with the change of location with an inspection in the first 90 days.

Mr. Simco indicated that they would be starting next Wednesday.

AGENDA ITEM 11 – Cobre Valley Deviation Request to put an Automated Storage and Distribution System in the Superior Clinic – R4-23-614

President Kennedy stated that an individual from Cobre Valley Regional Medical Center was present to answer questions from Board Members.

Jacob Albin, Pharmacy Director at Cobre Valley Regional Medical Center was present.

Mr. Albin stated that Superior does not have a pharmacy and the nearest pharmacy is 25 miles away. Mr. Albin stated that they are asking to place a Script Center Technology Kiosk in the rural health clinic.

Mr. Albin stated that the prescriptions would be filled at their Globe pharmacy 20 miles away. Mr. Albin stated that the prescriptions would be filled and delivered to the clinic and placed in the machine. Mr. Albin stated that new and refill prescriptions that are filled would be placed in the machine. Mr. Albin stated that personnel would be available to counsel via telephone. Mr. Albin stated that the kiosk would be recessed into the clinic wall. The patient would be able to pick up their prescriptions Monday through Friday from 7:00 A.M. to 5:00 P.M. and on Saturdays when the clinic is open.

Ms. Snair asked if the prescriptions are already filled. Mr. Albin stated that the prescriptions are already filled and verified by a pharmacist.

Ms. Snair asked about the counseling on new prescriptions. Mr. Albin stated that the prescription would be held and the patient would be prompted to call on the phone for counseling. Mr. Albin stated that after the patient is counseled the prescription would be released.

Mr. Kennedy asked about the prescriptions. Mr. Albin stated that the prescriptions would be e-prescribed or faxed to the pharmacy.

Mr. Kennedy asked if controlled prescriptions would be filled. Mr. Albin stated yes.

Mr. Kennedy asked who would transport and stock the machine. Mr. Albin stated that a pharmacy technician would deliver the prescriptions and stock the machine.

Mr. Kennedy asked what would happen if the prescriptions are not picked up. Mr. Albin stated that a report would be printed showing prescriptions that were not picked up in 10 days. Mr. Albin stated that the person loading the machine would pull these prescriptions and bring them back to the pharmacy.

On motion by Mr. Van Hassel and seconded by Mr. McAllister, the Board unanimously agreed to approve Cobre Valley Medical Center's deviation request to place an automated storage and distribution system in the Superior Clinic. (R4-23-614)

AGENDA ITEM 12– Special Requests – Schedule M

#1 Michelle Dorame

Michelle Dorame appeared on her own behalf to request to take the NAPLEX exam for the fourth time.

President Kennedy opened the discussion by asking Ms. Dorame why she was appearing in front of the Board. Ms. Dorame stated that she is asking the Board to allow her to take the NAPLEX exam for the fourth time.

Mr. Kennedy asked Ms. Dorame what she has done since the last test to prepare for taking the exam again. Ms. Dorame stated that she has signed up to take the Kaplan course. Ms. Dorame stated that the course includes lectures and videos.

Mr. Blaire asked Ms. Dorame if she has requested any accommodations. Ms. Dorame replied no that she felt confident that she could pass the test.

Mr. McAllister asked Ms. Dorame when she graduated. Ms. Dorame stated that she graduated in 2015. Mr. McAllister reminded Ms. Dorame that she may only take the exam five times.

On motion by Mr. McAllister and seconded by Dr. Dang, the Board unanimously agreed to approve Ms. Dorame’s request to take the NAPLEX exam for the fourth time.

#2 Elijah Okegbil

Elijah Okegbil appeared on his own behalf to request to take the NAPLEX exam for the fourth time.

President Kennedy opened the discussion by asking Mr. Okegbil why he was appearing in front of the Board. Mr. Okegbil stated that he is asking the Board to allow him to take the NAPLEX exam for the fourth time.

Mr. Kennedy asked Mr. Okegbil what he was doing to prepare for the exam. Mr. Okegbil stated that he has bought the RxPrep Book and may request additional time to take the exam.

Mr. Van Hassel asked Mr. Okegbil if he is currently working. Mr. Okegbil stated that he is not working.

On motion by Mr. Van Hassel and seconded by Dr. Dang, the Board unanimously agreed to approve Mr. Okegbil’s request to take the NAPLEX exam for the fourth time.

#4 Peter Steinken

Peter Steinken appeared on his own behalf to request to terminate the suspension of his license per Board Order 15-0018-PHR. Deb Marcum, PAPA administrator, was also present.

President Kennedy opened the discussion by asking Mr. Steinken why he was appearing in front of the Board. Mr. Steinken stated that he is asking the Board to remove his suspension. Mr. Steinken stated that he has been compliant and is working a great program and has a routine.

Mr. Van Hassel asked if he is complaint with his PAPA contract. Ms. Marcum stated that he has made his payments, his screens have been negative, and he has been attending his meetings. Ms. Marcum stated that his probation officer has reported that his screens have also been negative.

Mr. Steinken stated that he cannot work anywhere that takes federal insurances. Mr. Steinken stated that he would need to work at a veterinary pharmacy or compounding pharmacy.

Dr. Gandhi asked Mr. Steinken what is the difference between this year and last year. Mr. Steinken stated that he has a sponsor. Mr. Steinken stated that he attends his meetings. Mr. Steinken stated that his family and girlfriend are supportive.

Dr. Gandhi asked Mr. Steinken when he last practiced. Mr. Steinken stated that he last practiced in 2014 and is current on his CEs.

Mr. Van Hassel asked Mr. Steinken if he was employed during his suspension. Mr. Steinken stated that he worked for Uber for a short period of time. Mr. Steinken stated that he is currently doing his community service hours at Goodwill.

On motion by Mr. Van Hassel and seconded by Ms. Locnikar, the Board unanimously agreed to remove the suspension and offer Mr. Steinken a consent agreement for a standard 5-year PAPA contract without suspension and inpatient treatment since he has completed an inpatient treatment program. A roll call vote was taken. (Dr. Dang – aye, Mr. Blaire – aye, Mr. Minkus – aye, Mr. McAllister – aye, Ms. Snair – aye, Ms. Locnikar – aye, Mr. Van Hassel – aye, and Mr. Kennedy - aye)

AGENDA ITEM 13– License Applications Requiring Board Review – Schedule N

#1 Patricia Baidoo

Patricia Baidoo appeared on her own behalf to request to proceed with reciprocity.

Dr. Gandhi swore in the applicant.

President Kennedy opened the discussion by asking Ms. Baidoo why she was appearing in front of the Board. Ms. Baidoo stated that she applied for reciprocity and was asked to appear because her West Virginia pharmacist license is currently on probation. Ms. Baidoo stated that the probation would expire in 2018. Ms. Baidoo stated that she has not worked since 2014.

Mr. Kennedy asked why her license was on probation. Ms. Baidoo stated that in 2007 she met her ex-husband while she was in pharmacy school. Ms. Baidoo stated that she always wanted to open her own pharmacy and she opened her pharmacy in 2012. Ms. Baidoo stated that the business was successful. Ms. Baidoo stated that in 2014 her ex-husband was arrested for oxycodone activity and since her name was on the pharmacy license as pharmacist in charge she was disciplined by the West Virginia Board of Pharmacy.

Mr. Kennedy asked if her ex-husband was licensed. Ms. Baidoo replied that he failed that exam and did not have a license.

Mr. Minkus asked Ms. Baidoo if she has moved to Arizona. Ms. Baidoo replied not yet.

Mr. Blaire asked Ms. Baidoo if she has any employment lined up in Arizona. Ms. Baidoo stated that she has some leads but wanted to appear in front of the Board first.

Ms. Locnikar asked Ms. Baidoo if she applied to any other states. Ms. Baidoo replied that she applied to Illinois, Arizona, Texas, and Pennsylvania.

Mr. Minkus asked Ms. Baidoo if she wanted to move to Arizona or if she is looking for a state where she can get a license. Ms. Baidoo stated that she wants a fresh start and does not want to return to West Virginia.

Mr. Van Hassel asked Ms. Baidoo if any criminal charges were filed against her. Ms. Baidoo stated that she was charged with conspiracy to distribute oxycodone. Ms. Baidoo stated that she did complete her probation and the charges were dropped.

On motion by Mr. Van Hassel and seconded by Ms. Locnikar, the Board agreed to deny Ms. Baidoo's pharmacist application based on unprofessional conduct. . A roll call vote was taken. . (Dr. Dang – aye, Mr. Blaire – aye, Mr. Minkus – aye, Mr. McAllister – nay, Ms. Snair – aye, Ms. Locnikar – aye, Mr. Van Hassel – aye, and Mr. Kennedy - aye)

#2 Katherine Keaveny

Katherine Keaveny appeared on her own behalf to request to renew her expired Pharmacist License.

Dr. Gandhi swore in the applicant.

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

Ms. Keaveny stated that she wants to renew her expired pharmacist license. Ms. Keaveny stated that her license was suspended in Minnesota and she is working to get that license back.

Ms. Keaveny stated that she is currently working at Home Depot and would like to practice pharmacy again. Ms. Keaveny stated that she has been a pharmacist for 30 years and her last pharmacy job was at Wal-Mart in 2011. Ms. Keaveny stated that she was a caretaker for her husband who has passed away.

Ms. Keaveny stated that she made a bad decision by diverting narcotics in Indiana. Ms. Keaveny stated that she was the pharmacist in charge.

Mr. Kennedy asked in what year the diversion occurred. Ms. Keaveny stated that the diversion occurred in 2010.

Dr. Dang asked Ms. Keaveny why she did not disclose the diversion on her application. Ms. Keaveny stated that is why she purposely let her license expire because she did not disclose the diversion.

Dr. Gandhi asked Ms. Keaveny how many tablets she diverted. Ms. Keaveny stated that she diverted about 2,000 tablets of hydrocodone and gave them to her boyfriend at the time.

Dr. Gandhi asked Ms. Keaveny if she was aware that he was distributing the drugs. Ms. Keaveny stated that she was never with him when he did his activities.

Mr. Blaire asked Ms. Keaveny about the diversion of ultram and testosterone. Ms. Keaveny stated that she admitted to diverting a few things.

Ms. Snair asked Ms. Keaveny if she went to counseling. Ms. Keaveny stated that she went to AA and a 12 step program.

Ms. Locnikar asked Ms. Keaveny if she thought she had a problem. Ms. Keaveny stated that back then she might have.

Ms. Locnikar asked Ms. Keaveny if she sought professional help. Ms. Keaveny stated that she attended AA meetings.

Mr. Kennedy asked Ms. Keaveny if she was also using the Hydrocodone. Ms. Keaveny replied no.

Mr. Kennedy asked Ms. Keaveny if she has any addiction issues. Ms. Keaveny indicated that she would drink.

Dr. Gandhi asked Ms. Keaveny if she drinks today. Ms. Keaveny replied that she drinks beer.

Mr. McAllister asked Ms. Keaveny about her Indiana license. Ms. Keaveny stated that the license is revoked and she did not go back for the Hearing.

Mr. Minkus asked about the completion of the 12 step program and she still drinks. Ms. Keaveny stated that she did not drink during that time.

Ms. Locnikar asked Ms. Keaveny if any other Boards required a drug rehab program. Ms. Keaveny stated that she was not in Indiana at the time and did not want to return.

Ms. Locnikar asked Ms. Keaveny if she would enroll in the PAPA program. Ms. Keaveny replied yes.

Dr. Dang asked Ms. Keaveny why she would steal erythromycin from the pharmacy. Ms. Keaveny stated that she does not know but she would give it to sick people to help them. Dr. Dang stated that it is unlawful to give medication to other people.

Mr. Blaire asked Ms. Keaveny about the reinstatement of her Minnesota license. Ms. Keaveny stated that she is working on the reinstatement.

On motion by Dr. Dang and seconded by Mr. Minkus, the Board agreed to deny Ms. Keaveny's request to renew her expired pharmacist license based on answers submitted on the renewal application . A roll call vote was taken. . (Dr. Dang – aye, Mr. Blaire – aye, Mr. Minkus – aye, Mr. McAllister – aye, Ms. Snair – aye, Ms. Locnikar – aye, Mr. Van Hassel – aye, and Mr. Kennedy - aye)

#3 Brooke Kaats

Brooke Kaats appeared on her own behalf to request to reinstate her expired pharmacist license.

Dr. Gandhi swore in the applicant.

President Kennedy opened the discussion by asking Ms. Kaats why she was appearing in front of the Board. Ms. Kaats stated that she let her license lapse and is asking Board approval to reinstate her license.

Mr. Kennedy asked when her license expired. Ms. Kaats stated that her license expired in 2010. Ms. Kaats stated that she has completed about 100 CE credits in the last 6 months.

Mr. Van Hassel asked Ms. Kaats if she would be willing to do 400 Intern hours. Ms. Kaats replied yes.

Mr. McAllister asked Ms. Kaats about her work experience. Ms. Kaats stated that she graduated in 2006 and worked in a hospital pharmacy.

On motion by Mr. Van Hassel and seconded by Mr. Blaire, the Board unanimously agreed to allow Ms. Kaats to reinstate her license after completing 400 Intern hours, passing the MPJE exam, and paying the appropriate fees.

#4 Albert Canez

Albert Canez appeared on his own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Dr. Gandhi swore in the applicant.

President Kennedy opened the discussion by asking Mr. Canez why he was appearing in front of the Board. Mr. Canez stated that he is applying for a pharmacy technician trainee license. Mr. Canez stated that he has a DUI and a shoplifting charge on his record. Mr. Canez stated that since that time he has attended PIMA institute and currently works at Lotaburger as an assistant manager.

Dr. Dang asked about the shoplifting charge. Mr. Canez stated that he was involved in a beer run and got caught.

Mr. Kennedy asked Mr. Canez about his two DUI charges. Mr. Canez stated that he attended the COPE program which is a program of weekly meetings for a total of 40 hours. Mr. Canez stated that he spent 10 days in jail on the second charge.

Dr. Gandhi asked how old he was when the beer run arrest occurred. Mr. Canez replied 21.

Ms. Locnikar asked Mr. Canez how old he was when he was arrested for his first DUI. Mr. Canez replied 18.

Dr. Gandhi asked Mr. Canez if he is enrolled in a technician school. Mr. Canez replied that he finished his school work in March but needs his license to do his extern rotation.

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

#5 Lisa Murphy

Lisa Murphy appeared on her own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Dr. Gandhi swore in the applicant.

President Kennedy opened the discussion by asking Ms. Murphy why she was appearing in front of the Board. Ms. Murphy stated that he is applying for a pharmacy technician trainee license. Ms. Murphy stated that it shows that she was charged with Deposit Account Fraud. Ms. Murphy stated that she was just fingerprinted and never went to court.

Mr. Kennedy asked Ms. Murphy how long she has lived in Arizona. Ms. Murphy stated that she has lived in Arizona off and on for 20 year.

Mr. Kennedy asked Ms. Murphy why she wanted to be a technician and Ms. Murphy stated that she has to get licensed as part of her job at CVS Haelth.

Ms. Snair asked Ms. Murphy if she passed a fraudulent check. Ms. Murphy stated that she had omitted it from her original application because it was so minor and a long time ago.

Mr. Minkus asked her if she remembered being fingerprinted. Ms. Murphy replied she did not remember. Ms. Murphy stated that she was released to her ex-husband as the bail person.

Ms. Snair asked Ms. Murphy if she had to visit a probation officer since she was on probation. Ms. Murphy replied no.

Mr. McAllister reminded Ms. Murphy that she is applying for a license to be a technician which is a position of trust and if she was to lose her license she would also lose her job.

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

#6 Leticia Cervantes De Braovs

Mr. Kennedy recused himself due to a conflict of interest when Ms. Cervantes De Bravos indicated that she worked at Walgreens.

Leticia Cervantes De Braovs appeared on her own behalf to request to proceed with Pharmacy Technician licensure.

Dr. Gandhi swore in the applicant.

President Kennedy opened the discussion by asking Ms. Cervantes De Bravos why she was appearing in front of the Board. Ms. Cervantes De Bravos stated that she is applying for a pharmacy technician license. Ms. Cervantes De Bravos stated that she currently has a trainee license and works at Walgreens

Vice President Van Hassel asked Ms. Cervantes De Bravos about her charges. Ms. Cervantes De Bravos stated that she had 2 DUI charges and completed the required programs. Ms. Cervantes De Bravos stated that the suspended license charge was due to her DUI.

On motion by Mr. Blaire and seconded by Ms. Snair, the Board unanimously agreed to approve Ms. Cervantes De Bravos' pharmacy technician application.

#7 Amy Kootman

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

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

Dr. Gandhi swore in the applicant.

Vice President Van Hassel opened the discussion by asking Ms. Kootman why she was appearing in front of the Board. Ms. Kootman stated that she is applying for a pharmacy technician trainee license. Ms. Kootman stated that she has a DUI charge and a Domestic Violence charge. Ms. Kootman stated that both cases are closed.

Ms. Kootman stated that with the DUI she had 45 days of confinement and 72 hours of alcohol treatment classes.

Ms. Kootman stated that domestic violence charges were dropped because her boyfriend had falsified information. Ms. Kootman stated that she attended domestic violence classes and has went to behavioral and group therapy.

Ms. Kootman stated that she has been working at Walgreens since January and would like to work in the pharmacy.

On motion by Mr. McAllister and seconded by Ms. Snair, the Board unanimously agreed to approve Ms. Kootman's pharmacy technician trainee application.

#8 Clint Waters

Clint Waters appeared on his own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Dr. Gandhi swore in the applicant.

President Kennedy opened the discussion by asking Mr. Waters why he was appearing in front of the Board. Mr. Waters stated that he is applying for a pharmacy technician trainee license. Mr. Waters stated that he has had several DUI charges for which he served jail and prison time. Mr. Waters stated that he does not drink. Mr. Waters stated that he currently works at CVS in the front of the store. Mr. Waters stated that he is attending school and would like to be a pharmacist in the future.

Mr. Waters stated that he did have a drug paraphernalia charge and contributing to the delinquency of a minor. Mr. Waters stated that he was 18 and his friends were 17.

Mr. Waters stated in 2015 he worked in a warehouse and fell asleep at the wheel and hit a pedestrian and the pedestrian died. Mr. Waters stated that he was charged with failure to control his vehicle and is making restitution. Mr. Waters stated that he called 911 to report the accident. Mr. Waters stated that he was not drinking at the time.

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

#9 Christine Putnam

Christine Putnam appeared on her own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Dr. Gandhi swore in the applicant.

President Kennedy opened the discussion by asking Ms. Putnam why she was appearing in front of the Board. Ms. Putnam stated that she is applying for a pharmacy technician trainee license. Ms. Putnam stated that she was charged with shoplifting and theft because at the time she was homeless and hungry. Ms. Putnam stated that her life has changed and she works as a medication technician at Legacy Retirement. Ms. Putnam stated that she attends Pima Medical Institute to become a pharmacy technician.

Mr. Van Hassel asked Ms. Putnam why she wanted to be a technician. Ms. Putnam stated that as a medication technician she became interested in medications and decided that she would like to be a pharmacy technician.

Ms. Locnikar asked Ms. Putnam why she did not show her ID. Ms. Putnam stated that she did not have any ID at the time.

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

#10 Patti Burton

President Kennedy opened the discussion by stating that Ms. Burton sent the Board a letter declining an appearance in front of the Board for approval of her pharmacy technician trainee application.

On motion by Mr. Van Hassel and seconded by Dr. Dang, the Board denied Ms. Burton's Pharmacy technician trainee application based on actions taken against her respiratory license in California. A roll call vote was taken. . (Dr. Dang – aye, Mr. Blaire – aye, Mr. Minkus – aye, Mr. McAllister – aye, Ms. Snair – aye, Ms. Locnikar – aye, Mr. Van Hassel – aye, and Mr. Kennedy - aye)

#10 Kristoffer Wright

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

Kristoffer Wright appeared on his own behalf to request to proceed with Pharmacy Technician Trainee licensure.

Dr. Gandhi swore in the applicant.

Vice President Van Hassel opened the discussion by asking Mr. Wright why he was appearing in front of the Board. Mr. Wright stated that he applied for a pharmacy technician trainee license. Mr. Wright stated that he has a charge for marijuana possession. Mr. Wright stated that he was pulled over and he had marijuana in his car. Mr. Wright stated that he attended a diversion class and paid the fees.

Mr. Wright stated that he was arrested by the same officer when he was moving into his new apartment. Mr. Wright stated that the officer seized a marijuana pipe. Mr. Wright stated that he attended a diversion course.

Mr. Van Hassel asked Mr. Wright where he works. Mr. Wright stated that he works at Convergys. Mr. Wright stated that he likes metrics and has been promoted to a team leader.

On motion by Mr. Blaire and seconded by Ms. Snair, the Board unanimously agreed to approve Mr. Wright's pharmacy technician trainee application.

#11 Vanessa Acosta

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

Vanessa Acosta appeared on her own behalf to request to reapply for her Pharmacy Technician Trainee licensure.

Dr. Gandhi swore in the applicant.

President Kennedy opened the discussion by asking Ms. Acosta why she was appearing in front of the Board. Ms. Acosta stated that she needed to reapply for her pharmacy technician trainee license. Ms. Acosta stated that she was arrested for a DUI in May of 2015. Ms. Acosta stated that she has not had a drink since that time. Ms. Acosta stated that she took alcohol screening classes.

Mr. Kennedy asked Ms. Acosta if she is currently employed. Ms. Acosta stated that she has not been employed for the last two weeks because her license expired.

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

#12 George Drewry.

George Drewry appeared on his own behalf to request to reapply for his Pharmacy Technician Trainee licensure.

Dr. Gandhi swore in the applicant.

President Kennedy opened the discussion by asking Mr. Drewry why he was appearing in front of the Board. Mr. Drewry stated that he is reapplying for his pharmacy technician trainee license. Mr. Drewry stated that he has a charge for disorderly conduct and domestic violence.

Mr. Drewry stated that the domestic violence charge stems from a fight with his girlfriend. Mr. Drewry stated that he was defending himself and she got injured. Mr. Drewry stated that he served 18 days in jail and was placed on probation for 18 months. Mr. Drewry stated that he has a probation revocation hearing with the judge next week because he missed a meeting.

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

#13 Curtis Ivy

Curtis Ivy appeared on his own behalf to request to reapply for his Pharmacy Technician Trainee licensure.

Dr. Gandhi swore in the applicant.

President Kennedy opened the discussion by asking Mr. Ivy why he was appearing in front of the Board. Mr. Ivy stated that he is reapplying for his pharmacy technician trainee license. Mr. Ivy stated that he was charged with criminal damage and those charges were dismissed. Mr. Ivy stated that he currently works at Humana because Wal-Mart suspended him after the charge.

Mr. Ivy stated that he went out with his sister's friends. Mr. Ivy stated that they had been drinking and one of the friends pushed him into a female. The female accused him of trying to grope her. Mr. Ivy stated that he was jailed for one week and his attorney is filing a motion for dismissal.

Mr. Kennedy asked Mr. Ivy when his court case would take place. Mr. Ivy stated that the pre-trial should start on June 5th but he is in the process of changing lawyers.

On motion by Mr. Kennedy and seconded by Mr. Minkus, the Board unanimously agreed to table Mr. Ivy's application until the court case is settled. Mr. Ivy asked about working since his license would expire. Mr. Ivy was told that the license would be extended through his court date.

AGENDA ITEM 15– Conferences – Schedule P

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 May12, 2016 Board Meeting and click on Afternoon Session.**
- 4. The conferences begin the Afternoon Session**

Conference 1– Complaint #4476

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

The following individuals were present to discuss the complaint:

1. John Makowsky – Pharmacist - Respondent
2. Kristoffer Carzoli – Pharmacy Technician - Respondent
3. David Platt – Pharmacist and Pharmacy Owner - Witness

President Kennedy asked Mr. Waggoner to give a brief overview of the complaint. Mr. Waggoner stated that the complaint was received from an attending physician concerning a 6 month old female patient treated for alpha 2 agonist toxicity. The physician stated that the patient exhibited symptoms after taking one dose of her clonidine syrup. The physician sent a sample for analysis and the concentration was in excess of the concentration listed on the compounded prescription label. A prescription was issued to the patient for clonidine 10mcg/ml with directions to take 0.5 ml by mouth twice daily. The prescription was presented to the pharmacy and the prescription was compounded by the pharmacy technician and the pharmacist supervised the process and conducted the DUR and final check. The prescription was sold three days later and records indicated that counseling was declined. The patient took one dose of the prescription and experienced side effects diagnosed as alpha 2 agonist toxicity. Subsequent analysis of the prescription product by the Arizona Department of Health Services lab confirmed a clonidine concentration of 2000mcg/ml (dose taken by 6 month patient was 200 times the prescribed strength).

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

On motion by Dr. Dang and seconded by Mr. Blaire, the Board unanimously agreed to offer a Consent Agreement to the Pharmacy Technician with the following terms: \$500 fine and 4 hours of CE on compounding to be completed in 6 months. If the consent agreement is not signed in 30 days, the case will proceed to hearing. (R4-23-1104 (c). A roll call vote was taken (Dr. Dang – aye, Mr. Blaire – aye, Mr. Minkus – nay, Mr. McAllister – aye, Ms. Snair – aye, Ms. Locnikar – aye, and Mr. Kennedy - aye)

On motion by Dr. Dang and seconded by Ms. Blaire, the Board unanimously agreed to offer a Consent Agreement to the Pharmacist with the following terms: \$500 fine and 4 hours of CE on medication errors to be completed in 6 months. If the consent agreement is not signed in 30 days, the case will proceed to hearing. {(R4-23-402 (A) (11)}. A roll call vote was taken (Dr. Dang – aye, Mr. Blaire – aye, Mr. Minkus – aye, Mr. McAllister – aye, Ms. Snair – aye, Ms. Locnikar – aye, and Mr. Kennedy – aye)

Conference 2– Complaint #4482

The following individuals were present to discuss the complaint:

1. Daniel Mason – Pharmacist - Respondent
2. Luther Peterson – Pharmacy Technician - Respondent

President Kennedy asked Ms. Sutcliffe to give a brief overview of the complaint. Ms. Sutcliffe stated that the complaint was filed by a State Licensing Supervisor, Bureau of Residential Facilities Licensing. The complaint indicates a resident of an assisted living facility was hospitalized twice after receiving the wrong medication in a prepackaged medication strip provided by the pharmacy. The resident received Risperidone instead of Ropinirole. The pharmacy technician filled the automation packaging cassette labeled Ropinirole 1 mg with Risperidone 1 mg. Per policy, a pharmacist must verify the refilling of automation cassettes and sign the cassette refill log. During the investigation, it was determined the technician had written on the log the initials of the checking pharmacist instead of the checking pharmacist signing the log themselves. The pharmacist on the log may or may not have been the checking pharmacist. Per the Pharmacist in Charge, a second pharmacist is responsible for the final check on the medication strip. Ropinirole is used to treat Parkinson’s Disease or restless leg syndrome. Risperidone is an antipsychotic.

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. McAllister and seconded by Mr. Van Hassel, the Board unanimously agreed to offer a Consent Agreement to the Pharmacy Technician with the following terms: \$500 fine and 8 hours of CE on medication errors to be completed in 90 days. If the consent agreement is not signed in 30 days, the case will proceed to hearing. (R4-23-1104 (c)). A roll call vote was taken (Dr. Dang – aye, Mr. Blaire – aye, Mr. Minkus – aye, Mr. McAllister – aye, Ms. Snair – aye, Ms. Locnikar – aye, Mr. Van Hassel - aye and Mr. Kennedy - aye)

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: \$1,000 fine and 8 hours of CE on medication errors to be completed 90 days. If the consent agreement is not signed in 30 days, the case will proceed to hearing. {(R4-23-402 (A) (11)}. A roll call vote was taken. (Dr. Dang – aye, Mr. Blaire – aye, Mr. Minkus – aye, Mr. McAllister – aye, Ms. Snair – aye, Ms. Locnikar – aye, Mr. Van Hassel - aye and Mr. Kennedy - aye)

On motion by Mr. McAllister and seconded by Ms. Locnikar, the Board asked that a complaint be opened against the permit holder for not following policies.

Conference 3– Complaint #4490

The following individuals were present to discuss the complaint:

1. Daniel Mason – Pharmacist in Charge (Past Owner- Arizona Senior Care) - Respondent
2. Scott Huft – Pharmacist in Charge (Current – PharmCare)- Respondent
3. Doris Gomersall – Vice President of Corporate Compliance - PharmCare

President Kennedy asked Ms. Sutcliffe to give a brief overview of the complaint. Ms. Sutcliffe stated that as anonymous complaint listed several areas of concern. Those reviewed on investigation included: pills on pharmacy floor, filling technicians not washing hands prior to filling med cards, pharmacist observed taking narcotics and no action taken, narcotics improperly stored, and technician trainees compounding.

Ms. Sutcliffe stated that she noted the following on Inspection:

1. Pills were observed on the pharmacy floor in different areas of the pharmacy. 10 tablets were picked up and handed to the pharmacist.
2. Filling technicians were observed filling medication cards after donning gloves
3. Previous and Current PIC indicated that they were notified that a pharmacist was taking Tramadol. The previous PIC stated that camera angles were changed but nothing was noted on subsequent video review. An audit was conducted of Tramadol 50mg, Alprazolam 1mg, and Hydrocodone/APAP 10/325mg. The audit period was from 5/1/2015 through 2/17/2016. The Alprazolam 1mg was short 949 tablets
4. Controlled substances are stored alphabetically within the pharmacy area, not all areas are within camera range.
5. Compounding records were reviewed from 11/1/2015 through 2/17/2016. Seven compounding records were located with pharmacy technician trainee initials.

The current PIC stated that there were instances where a technician trainee did sign the compounding log under the supervision of a licensed pharmacy technician. He stated that Trainees are now aware they cannot compound and they have a new training manual.

The current PIC stated that a card of 28 tablets of Alprazolam 1mg was located in the pharmacy. There are also 840 tablets that show as voided but not credited first.

The new ownership is building a locked narcotic room with space for filling prescriptions and storage of records with limited employee access. There will also be additional cameras.

The voided prescription information was reviewed with the current PIC stated that there may have been instances where the prescription was voided and so would not appear on the dispensing report, however the medication was delivered to the facility. He could not provide any documentation to support this claim. Final Shortage of Alprazolam 1mg is 921 tablets.

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. McAllister and seconded by Mr. Van Hassel, the Board unanimously agreed to offer a Consent Agreement to PharmCare with the following terms: \$1,000 fine for failure to supervise the technicians {R4-23-1104 (A)}. The fine is to be paid in 90 days. If the consent is not signed in 30 days, the case will proceed to hearing.

AGENDA ITEM 17 – Tech Check Tech

President Kennedy asked Dr. Gandhi to address this agenda item. Dr. Gandhi stated that he will be meeting with Senator Barto to discuss if this would require a sunrise bill due to being a change in the scope of practice. The Governor's office felt that this could be a sunrise issue.

Mr. McAllister stated that the technology is what is being discussed and not really tech check tech. Mr. McAllister stated that no duties or responsibilities are being relinquished. Mr. McAllister suggested that we use the term technology assisted product validation. Mr. McAllister stated that if there are strong SOP's in place then the pharmacist is responsible for the final check.

AGENDA ITEM 20 – Faxed Prescriptions from Assisted Living Facilities

President Kennedy asked Dr. Gandhi to address this agenda item. Dr. Gandhi stated that there are many different types of assisted living facilities. Dr. Gandhi stated that the language does not allow for the faxing of prescriptions from certain types of facilities. Dr. Gandhi stated that not all facilities have nursing staff.

Dr. Gandhi stated that we are willing to work with the stakeholders.

AGENDA ITEM 21 –Request for Board Members to review the allowance of Pharmacists to prescribe controlled substances.

President Kennedy stated that the Board is being asked to allow pharmacists to prescribe controlled substances under a collaborative practice agreement.

Kelly Fine and Roger Morris stated that under collaborative practice a pharmacist is a practitioner that could initiate therapy and that would give the pharmacist the authority to prescribe. They are asking that the Board promulgate a letter to the DEA clarifying that a pharmacist can prescribe controlled substances.

On motion by Mr. Van Hassel and seconded by Ms. Snair, the Board asked staff to promulgate a letter to the DEA clarifying that initiating therapy meant that they could prescribe.

Mr. Harris asked that the Board staff work with Ms. Galvin to review the agenda item and write the letter.

AGENDA ITEM 23 – Enclara Pharmacia Request to use an Automated Dispensing System in the Hospice Setting.

President Kennedy stated that the following individuals were present to address their request:

1. John Loxterman – Chief Compliance Officer with Enclara Pharmacia
2. Stacie Addy – Nurse at Kingman Hospice Home

President Kennedy stated that the Board reviewed this topic at the March meeting.

Mr. Kennedy asked if the machine dispenses each patient's medication. Mr. Loxterman replied no.

Mr. Van Hassel asked who enters the order into the machine. Ms. Addy stated that the nurse calls the orders into Enclara and the prescriptions are entered there allowing the nurse to remove the medication.

Mr. McAllister noted that this is being operated as an inpatient setting.

Mr. Van Hassel asked who fills the machine. Ms. Addy replied that the nurse fills the machine according to policy.

Mr. Van Hassel asked what happens if the machine fails. Ms. Addy replied that they would fill the prescription locally and Enclara would send someone to look at the machine.

Ms. Locnikar asked if they have expanded the number of patients in the last 5 years. Ms. Addy replied no.

On motion by Mr. Van Hassel and seconded by Dr. Dang, the Board unanimously agreed to table the agenda item until the rules and the operation of the machine could be reviewed.

AGENDA ITEM 24 – Forsta Pharmacy and Forsta Wholesale- Request to withdraw their Application

President Kennedy stated that Forsta Pharmacy and Forsta Wholesale have asked to withdraw their applications that the Board had previously approved. Neither facility has opened. They are requesting to withdraw the application due to the questions about Philador and Valeant.

On motion by Mr. Blaire and seconded by Dr. Dang, the Board unanimously agreed to allow Forsta Pharmacy and Forsta Wholesale to withdraw their permits.

AGENDA ITEM 25 – Jim Corrington – Presentation on Drug Addiction

Jim Corrington, PAPA counselor, gave a brief overview of Drug Addiction and the signs to look for in an impaired individual.

AGENDA ITEM 26 – Chino Valley Druggist

President Kennedy stated that a representative from Chino Valley Druggist was present to answer questions from Board Members.

The following individual was present:

1. Sean Duffy – Pharmacist in Charge

President Kennedy asked Mr. Duffy to describe his business model. Mr. Duffy stated that the pharmacy would be a retail pharmacy in Chino Valley. Mr. Duffy stated that this is an underserved area. Mr. Duffy stated that they would concentrate on diabetes and immunizations in addition to filling prescriptions. Mr. Duffy stated that they would serve Medicare Part B patients providing them with durable medical goods. Mr. Duffy stated that they would do non-sterile compounding. Mr. Duffy stated that the pharmacy is located in an old bank building and in the other suite there is a pain doctor and clinic.

On motion by Mr. McAllister and seconded by Mr. Van Hassel, the Board unanimously agreed to approve the permit application for Chino Valley Druggist pending final inspection.

RESIDENT PHARMACY PERMITS

Pharmacy	Location	Owner
Chino Valley Druggist	1832 N. State Route 89, Chino Valley, AZ 86323	Patrick Sean Duffy

AGENDA ITEM 27 – Shannon Butterfield – Pharmacy Technician Licensure

Shannon Butterfield appeared on her own behalf to request to proceed with Pharmacy Technician licensure.

Dr. Gandhi swore in the applicant.

President Kennedy opened the discussion by asking Ms. Butterfield why she was appearing in front of the Board. Ms. Butterfield stated that he is applying for a pharmacy technician trainee license. Ms. Butterfield stated that she had a DUI in 2008 and it was brought to court in 2012.

On motion by Mr. McAllister and seconded by Ms. Locnikar, the Board unanimously approved Ms. Butterfield’s pharmacy technician license.

AGENDA ITEM 28 – Call to the Public

President Kennedy 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 suggested that a subcommittee could be created to discuss the assisted living issues.

Bereket Gebre- Egziabher came forth. Mr. Gebre- Egziabher stated that in the Enclara discussion the individuals discussed a MAR. Mr. Gebre- Egziabher stated that a MAR does not give an inventory count.

Mr. Gebre- Egziabher noted that a pharmacist could create a spread sheet and mark on the sheet when he tests the hot water and there would be no surprise if the hot water is not working.

Mr. Gebre- Egziabher stated that he would also like to see the proposed disciplinary guidelines posted.

AGENDA ITEM 29– Future Agenda Items

No future agenda items were discussed for inclusion on a future agenda.

AGENDA ITEM 30- Adjournment

There being no further business to come before the Board, President Kennedy adjourned the meeting at 4:20 P.M.