



Arizona State Board of Pharmacy
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**THE ARIZONA STATE BOARD OF PHARMACY
HELD A REGULAR MEETING JUNE 8, 2016
MINUTES FOR REGULAR MEETING**

AGENDA ITEM 1 – Call to Order – June 8, 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, Kevin Dang, Kyra Locnikar, Dennis McAllister, Reuben Minkus, Kristen Snair, and Tom Van Hassel. The following Board Member was not present: Michael Blair. 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.

AGENDA ITEM 2 – Declaration of Conflicts of Interest

There were no declarations of conflict declared at this time.

AGENDA ITEM 3– Approval of Minutes

Following a review of the minutes and an opportunity for questions and **on motion by Dr. Dang and seconded by Ms. Locnikar**, the Board Members unanimously approved the minutes for the Regular Meeting held on June 8, 2016 with the correction on Page 36. The Board also approved the Executive Session minutes for the Regular Meeting. The Board also approved the USP 800 Task Force Meeting held on July 1, 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 Mr. Minkus, 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
Avella of Deer Valley, Inc. #38	24416 N. 19 th Ave., Phoenix, AZ 85085	Avella of Deer Valley, Inc.
Fry's Pharmacy #083	1795 W. Valencia Rd., Tucson, AZ 85746	The Kroger Co.
Genoa, a QoL Healthcare Company, LLC	4891 E. Grant Rd., Suite P, Tucson, AZ 85712	Genoa, a QoL Healthcare Company, LLC
Genoa, a QoL Healthcare Company, LLC	11221 N. 28 th Dr., Bldg. 2, Ste. 2, Phoenix, AZ 85029	Genoa, a QoL Healthcare Company, LLC

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

NON-RESIDENT PHARMACY PERMITS

Pharmacy	Location	Owner
Wedgewood Village Pharmacy, LLC	405 Heron Dr., Suite 200, Swedesboro, NJ 08085 (O)	Wedgewood Village Pharmacy, LLC
Pharmacy Incorporated	82 Spruce St., Murray, KY 42071	Aerocare Holdings
Medcare Family Pharmacy II	5301 S. Harbor Blvd. #167, Santa Ana, CA 92704	Jim Nguyen
Beta Discount Pharmacy & Health Services, LLC	776 Sand Town Rd., Marietta, GA 30008	Southeastern Holdings, LLC
RSVP RX #701	5004 Frankford Ave., Ste. 119, Lubbock, TX 79424	Safe Harbor Compliance and Clinical Services, LLC
Pagosa Specialty Pharmacy	426 Pagosa St., Pagosa Springs, CO 81147	Pagosa P and C, Inc
Premier Pharmacy	3616 N. Fry Rd., Katy, TX 77449	James Beau Adams
Rx One Pharmacy	9740 Barker Cypress Rd., Ste. 107, Cypress, TX 77433	Jessica Kohanbash
Lake Side Pharmacy	10005 AL Hwy 9 N., Cedar Bluff, AL 35959	Lake Side Pharmacy, LLC
Miami Executive Pharmacy	8950 SW 74 th Ct. Suite 102, Miami, FL 33156	Andrey Solovyev
Town Total Compounding Centers, LLC	532 Broadhollow Rd. Suite 104, Melville, NY 11747	Town Total Compounding Centers, LLC
AllCare Specialty	10620 Colonel Glenn Rd., Suite 300, Little Rock, AR 72204	AllCare Specialty Pharmacy, LLC
Cystic Fibrosis Pharmacy, Inc.	3901 E. Colonial Dr., Suite D, Orlando, FL 32803	Cystic Fibrosis Pharmacy, Inc.
Encompass Rx LLC	1190 West Druid Hills Dr., Suite 135, Atlanta, GA 30329	Encompass Rx, LLC
Premier Health Pharmacy, Inc.	20-07 127 th St. #312, College Point, NY 11356	Premier Health Pharmacy, Inc.
Precision Pharmacy Inc.	2640 Merrick Rd., Bellmore, NY 11710	Precision Pharmacy Inc.
Matrix Pharmacy, LLC	3111 W. Dr. Martin Luther King Jr. Blvd., Tampa, FL 33607	myMatrix Holdings, Inc.

(O) = Ownership Change

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

NON-RESIDENT PHARMACY PERMITS

Pharmacy	Location	Owner
Meta Pharmacy Services	8352 W. Warm Springs, Suite 120, Las Vegas, NV 89113	Barclay, Luke, and Pillai Specialty Pharmacy, PLLC
Hy-Vee Pharmacy Solutions	10004 S. 152 nd St., Ste. C, Omaha, NE 68138	HYVACS, LLC
Ridgeland Apothecary, LLC	500 Hwy 51, Suite Q, Ridgeland, MS 39157 (O)	Ridgeland Apothecary, LLC
Caprock Pharmacy	3007 50 th St., Lubbock, TX 79413	Caprock Compounding Pharmacy, Inc.
1 Stop Pharmacy	11725 W. Bellfort, Stafford, TX 77477	JSW Prosperity, LLC
Aguilar Wellness Plus Pharmacy	156-15 Aguilar Ave., Flushing, NY 11367	All For You Pharmacy, Inc.
TD Pharmacy	12319 Bellaire Blvd., Ste. 400, Houston, TX 77072	TD Pharmacy, LLC

(O) = Ownership Change

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

NON-RESIDENT WHOLESALER PERMITS

Wholesaler	Location	Owner
Omnis Health, LLC (Non-Prescription)	505 Airpark Center Dr., Nashville, TN 37217 (O)	Oyster Acquisitions, Inc. & Apex Biotechnology Corporation
Two Rivers Medical (Full Service)	3088 Elm Point Industrial Dr., St. Charles, MO 63301	North American Rescue Holdings, LLC
Aytu BioScience, , Inc. (Full Service)	373 Inverness Pkwy., Suite 206, Englewood, CO 80112	Aytu BioScience, , Inc.
Cangene biopharma, LLC (Full Service)	1111 South Paca St., Baltimore, MD 21230	Emergent BioSolutions, Inc.
American Pharmaceutical Ingredients, LLC (Full Service)	6650 Highland Rd., Unit 302, Waterford, MI 48327	American Pharmaceutical Ingredients, LLC
Highland Wholesale, LLC (Full Service)	4227 S. Highland Dr., Ste. 7., Salt Lake City, UT 84124	Highland Wholesale, LLC
Owens & Minor Distribution, Inc. (Full Service)	5755 Fedex Lane, Suite 100, Olive Branch, MS 38654	Owens and Minor, Inc.
AmerisourceBergen Drug Corporation (Full Service)	5500 New Horizons Blvd., N. Amityville, NY 11701 (O)	AmerisourceBergen Drug Corporation

(O) = Ownership Change

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

NON-RESIDENT WHOLESALER PERMITS

Wholesaler	Location	Owner
Patterson Veterinary Supply, Inc. (Full Service)	3604 N. Kimball Dr., Kansas City, MO 64161	Patterson Companies, Inc.
Pharmsource, LLC (Full Service)	123 Newman Dr., Brunswick, GA 31520	Pharmsource, LLC
Par Pharmaceutical (Full Service)	30 Dunnigan Dr., Montebello, NY 10901 (O)	Par Pharmaceutical Companies, Inc.
Associated Food Stores, Inc. (Non-Prescription)	1850 W. 2350 N., Farr West, UT 84404	Associated Food Stores, Inc.

(O) = Ownership Change

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

NON-RESIDENT MANUFACTURER PERMITS

Manufacturer	Location	Owner
NxStage Medical, Inc.	350 Merrimack St., Lawrence, MA 01843	NxStage Medical, Inc.
Noramco, Inc.	1440 Olympic Dr., Bldg. 6, Athens, GA 30601 (O)	Noramco US Holdings, Inc.
TPU Pharma, Inc.	1718 Ringwood Ave., San Jose, CA 95131	Teikoku Pharma, USA, Inc.
Puma Biotechnology, Inc. (Virtual)	10880 Wilshire Blvd. #2150, Los Angeles, CA 90024	Puma Biotechnology, Inc.
US Compounding	1270 Dons Lane, Conway, AR 72032 (O)	Adamis Pharmaceuticals Corporation
Eisai Inc.	4130 Park Lake Ave., Suite 500, Raleigh, NC 27612	Eisai Corporation of North America
Pine Pharmaceuticals	100 Colvin Woods Pkwy, Suite 300, Tonawanda, NY 14150	Alfonse Muto

(O) = Ownership Change

4 . (5) – New Pharmacists – Schedule E

The Board approved the 28 New Pharmacist Licenses listed on the attachments.

4. (6) – New Interns – Schedule F

The Board approved the 36 New Intern Licenses listed on the attachments.

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

The Board approved the 358 New Pharmacy Technicians listed on the attachments.

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

The Board approved the 60 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. Infinite Care Pharmacy | - | 16-0007 (A)-PHR |
| 2. Guy Baker | - | 16-0007 (B)-PHR |

AGENDA ITEM 5– Resident Pharmacy Permits – Schedule J

1. Gold Canyon Pharmacy

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

The following individual was present:

1. David Debysingh – Owner and Pharmacist in Charge

President Kennedy asked the applicant to describe their business model. Mr. Debysingh stated that the pharmacy would be located in the Gold Canyon area. Mr. Debysingh stated that he has been a pharmacist for 25 years and previously practiced in Oregon. Mr. Debysingh stated that he owned a pharmacy for 8 years in Oregon.

Mr. Kennedy asked Mr. Debysingh if he would be the pharmacist in charge. Mr. Debysingh replied yes.

Mr. Kennedy asked Mr. Debysingh if he would be compounding any medications. Mr. Debysingh stated that he would be compounding non-sterile medications.

Mr. Van Hassel asked Mr. Debysingh what type of products he would be compounding. Mr. Debysingh stated that he would be compounding estrogen creams and lotions. Mr. Van Hassel stated that Mr. Debysingh should check the NIOSH list.

On motion by Mr. Van Hassel and seconded by Ms. Locnikar, the Board unanimously agreed to approve the application for Gold Canyon Pharmacy.

2. Chino Valley Pharmacy

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

The following individual was present:

1. Jennifer McMeekin – Owner Representative

President Kennedy opened the discussion by asking Ms. McMeekin if this was a change in ownership.

Ms. McMeekin stated that the Board approved the permit at the last meeting but due to issues the owner decided that he could not open the pharmacy. Ms. McMeekin stated that they have taken over the pharmacy space and will be opening a retail pharmacy in that location. Ms. McMeekin stated that they would not be compounding any medications. Ms. McMeekin stated that there is no change in the floorplan but they may add a drive thru window later.

Dr. Dang asked if they plan to have a refrigerator in the pharmacy. Ms. McMeekin stated that they are having the architect revise the plans to include the refrigerator.

On motion by Ms. Snair and seconded by Mr. McAllister, the Board unanimously agreed to approve the application for Chino Valley Pharmacy.

RESIDENT PHARMACY PERMITS

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

RESIDENT PHARMACY PERMITS – Schedule J

Pharmacy	Location	Owner
Gold Canyon Pharmacy	5934 S. Kings Ranch Rd., Gold Canyon, AZ 85118	Gold Canyon HealthMart Pharmacy
Chino Valley Pharmacy	1832 N. State Route 89, Chino Valley, AZ 86323	Northern Arizona Pharmacy, LLC

AGENDA ITEM 6– Special Requests – Schedule K

#1 Rx Formulations

Troy Albright, Owner of Rx Formulations, appeared to request that the Board Vacate the Suspension imposed by Board Order 15-0005-PHR. Ken Baker, Legal Counsel, for Mr. Albright was also present.

President Kennedy opened the discussion by asking Mr. Albright why he was appearing in front of the Board. Mr. Albright stated that he is asking the Board to vacate the suspension imposed on Rx Formulations. Mr. Albright stated that he is not an outsourcing facility. Mr. Albright stated that he has paid the fines and the additional inspections were completed.

On motion by Mr. Van Hassel and seconded by Ms. Snair, the Board unanimously agreed to vacate the suspension imposed on Rx Formulations per Board Order 15-0005-PHR.

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

#1 Mark Jeffrey Smith

Mark Jeffrey Smith 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 stating that Mr. Smith's application was tabled at the last meeting due to a missing charge on his vehicle record.

Mr. Smith stated that he obtained the record of the missing charge for endangerment. Mr. Smith stated that the charge was due to him crossing the gore point to enter the freeway.

Mr. Minkus asked Mr. Smith about his educational and work experience. Mr. Smith stated that he has a BA Degree in Economics. Mr. Smith stated that he worked for Coke for 5 years. Mr. Smith stated that he managed the warehouse and drove a truck for 2 years. Mr. Smith stated that he worked at the Safeway warehouse for 3 years. Mr. Smith stated that the last 10 to 15 years he has worked as a carpet cleaner. Mr. Smith stated that he wants to change his profession and he would like to be a pharmacy technician.

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

#2 Laurence DuPree Kennedy

Laurence DuPree Kennedy 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. Dupree Kennedy why he was appearing in front of the Board. Mr. Dupree Kennedy stated that he is applying for a pharmacy technician trainee license. Mr. Dupree Kennedy stated that he was appearing because of his criminal background. Mr. Dupree Kennedy stated that he was arrested for theft in Illinois. Mr. Dupree Kennedy stated that he was homeless and hungry. Mr. Dupree Kennedy stated that he did not complete his probation requirements because he lived 40 miles away and did not drive. Mr. Dupree Kennedy stated that also did not have a legal residence.

Mr. Dupree Kennedy stated that 2 months ago he finished his GED and is taking a pharmacy technician course at Gateway. Mr. Dupree Kennedy stated that he does not have any current criminal charges.

Ms. Snair asked Mr. Dupree Kennedy how he stole from the store. Mr. Dupree Kennedy stated that he would steal little things and this is something that he would not do again. Mr. Dupree Kennedy stated that he did not make it out of the store with the items because the police arrested him at the store.

Mr. Minkus asked Mr. Dupree Kennedy what he has been doing the last 6 years. Mr. Dupree Kennedy stated that he was homeless for about 4 years. Mr. Dupree Kennedy stated that he moved to Minnesota and applied for a job. It was then determined that he was a fugitive for not finishing his probation. Mr. Dupree Kennedy stated that he returned to Illinois and served 45 days in jail and the probation was vacated.

Mr. Dupree Kennedy stated that he got married in 2009 and wants to do more to support his wife and family.

Dr. Dang asked Mr. Dupree Kennedy if he is employed. Mr. Dupree Kennedy stated that he works at Family Health and is in their extern program. Mr. Dupree Kennedy stated Friendly House is currently helping him reach his goals.

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

#3 Christopher Zermeno

Christopher Zermeno 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. Zermeno why he was appearing in front of the Board. Mr. Zermeno stated that he is applying for a pharmacy technician license. Mr. Zermeno stated that he is appearing due to his criminal charges that are alcohol related. Mr. Zermeno stated that his last alcohol related charge was in 2014. Mr. Zermeno stated that he will be sober for 2 years in July.

Mr. Zermeno stated that he began college at age 25 in 2014. Mr. Zermeno stated that he became engaged in October of 2014. Mr. Zermeno stated that he began pre-pharmacy classes in January of 2015. Mr. Zermeno stated that he became a technician in Florida in March of 2015 and was certified by PTCB in April of 2015. Mr. Zermeno stated that 5 months ago he moved to Arizona. Mr. Zermeno stated that he has been accepted in the pre-pharmacy program at ASU. Mr. Zermeno stated that he transferred to Arizona with Walgreens as a technician.

Mr. Minkus asked Mr. Zermeno why he moved to Arizona. Mr. Zermeno stated that his fiancé is from the Chandler area and the job market is better in Arizona.

Dr. Gandhi asked Mr. Zermeno about his alcohol use. Mr. Zermeno stated that he has not consumed alcohol since 2014. Mr. Zermeno stated that he took an alcohol class. Mr. Zermeno stated that he has a strong support group at home and at his church.

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

#4 Jessica Bell

Jessica Bell appeared on her own behalf to request to proceed with Pharmacy Technician Trainee licensure. Ron Dowham, Instructor at Carrington College, was also present to speak on Ms. Bell's behalf.

Dr. Gandhi swore in the applicant.

President Kennedy opened the discussion by asking Ms. Bell why she was appearing in front of the Board. Ms. Bell stated that she is applying for a pharmacy technician trainee license. Ms. Bell stated that in 2014 she was arrested for drug paraphernalia. Ms. Bell stated that when she was bailed out of jail she thought she was done. Ms. Bell stated that she is almost finished her program at Carrington college and needs the license to finish her extern rotation.

Mr. Kennedy asked Ms. Bell if she was on probation. Ms. Bell stated that she sat in jail for 7 days.

Ms. Snair asked Ms. Bell if she used drugs. Ms. Bell stated that she went to visit her father in Texas and the house was raided. Ms. Bell stated that everyone in the house received a charge for paraphernalia. Ms. Bell stated that she did not understand all the charges and then was charged for bailjumping.

Mr. Van Hassel asked Ms. Bell why she wanted to be a technician. Ms. Bell stated that she moved back with her Mom in August and she urged her to go to college. Ms. Bell stated that she felt comfortable at Carrington College and decided to be a pharmacy technician. Ms. Bell stated that she is good at math and she likes to work with people.

Mr. Dowham, academic clinical coordinator for the pharmacy technician program in Mesa, stated that Ms. Bell did exemplary work in the program. Mr. Dowham stated that Ms. Bell had to take a 6 week leave while she waited to obtain her license. Mr. Dowham stated that Ms. Bell has been studying for the PTCB exam.

Mr. McAllister asked if applicants at Carrington are drug screened. Mr. Dowham, stated that they do a background check and a drug screen. Mr. Dowham, stated that both screens came back clean.

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

#5 Daniel Parker

Daniel Parker appeared on his own behalf to request to proceed with Pharmacy Technician Trainee Reapply licensure.

Dr. Gandhi swore in the applicant.

President Kennedy opened the discussion by asking Mr. Parker why he was appearing in front of the Board. Mr. Parker stated that he is reapplying for a pharmacy technician trainee license. Mr. Parker stated that he worked for Walgreens in 2014 for one year. Mr. Parker stated that he currently works at CVS in the front end and in the pharmacy. Mr. Parker stated that he did receive a trainee license with the same charges two years ago.

Mr. Van Hassel asked Mr. Parker if he has attempted to take the PTCB exam. Mr. Parker replied not yet but plans on taking the exam shortly.

Mr. Kennedy asked Mr. Parker if he disclosed the charges on his first application. Mr. Parker replied yes.

Ms. Snair asked Mr. Parker if he still drinks. Mr. Parker stated that he doesn't drink because he now has children.

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

#6 Carla Valles

Carla Valles 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. Valles why she was appearing in front of the Board. Ms. Bell stated that she is applying for a pharmacy technician trainee license. Ms. Valles stated that she works at CVS. Ms. Valles stated that she was asked to appear because of her criminal history. Ms. Valles stated that she was charged with the intent to sell and transport Marijuana. Ms. Valles stated that the case was dismissed without prejudice.

Ms. Valles stated that she has a Bachelor's Degree in Criminal Justice and she eventually wants to be a pharmacist.

Mr. Kennedy asked Ms. Valles why she wants to be a technician. Ms. Valles stated that she likes to work with the elderly and likes to help people.

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

#7 Alexis Rucker

Alexis Rucker 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. Rucker why she was appearing in front of the Board. Ms. Rucker stated that she is applying for a pharmacy technician trainee license. Ms. Rucker stated that she currently works in fast food management. Ms. Rucker stated that she was asked to appear due to her criminal history. Ms. Rucker stated that she was charged with Drug Paraphernalia. Ms. Rucker stated that she took the blame because she was pregnant and her boyfriend was the sole provider. Ms. Rucker stated that she was told that if she completed the class the charge would be dismissed.

Mr. Van Hassel asked about her suspended license charge. Ms. Rucker stated she was driving on expired plates and they had suspended her license.

Mr. Van Hassel asked about the false report to the police. Ms. Rucker stated that she did not tell the police her boyfriend's name.

Mr. Minkus asked why she did not tell the police her boyfriend's name. Ms. Rucker stated that she knew he had a warrant.

Ms. Rucker stated that she is no longer with her boyfriend and needs to provide for her child. Ms. Rucker stated that she is studying for her test.

Mr. Kennedy asked about her probation. Ms. Rucker stated that she is scheduled to take the class the 17th of this month and her drug charges should be dismissed.

A motion was placed on the floor by Ms. Locnikar and seconded by Ms. Snair to grant approval pending receipt that charges have been dismissed and the class completed. The motion was withdrawn.

Mr. McAllister indicated that the process to receive the paperwork could take months. Mr. McAllister stated that the Board has authority and could revoke her license in the future.

On motion by Mr. Van Hassel and seconded by Ms. Locnikar, the Board unanimously agreed to approve Ms. Rucker's pharmacy technician trainee application contingent upon completion of the drug class and submitting documentation to the Board.

#8 John-Mark Linnaus

John-Mark Linnaus 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. Linnaus why he was appearing in front of the Board. Mr. Linnaus stated that he is applying for a pharmacy technician license. Mr. Linnaus stated that hung around with the wrong people and had received a drug paraphernalia charge and a speeding charge.

Mr. Linnaus stated that he currently works at CVS and has passed his certification test.

Mr. Kennedy asked Mr. Linnaus about his first charge for drug possession. Mr. Linnaus stated that he completed his probation, paid the fine, and attended the required class. Mr. Linnaus stated that the second drug charge was dismissed.

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

#9 Tiffany Bennett

Mr. Kennedy recused himself due to a conflict of interest

Tiffany Bennett 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. Bennett why she was appearing in front of the Board. Ms. Bennett stated that she is applying for a pharmacy technician trainee license and currently works at Walgreens. Mr. Kennedy recused himself due to a conflict of interest.

Ms. Bennett stated that she is appearing because of her criminal history. Ms. Bennett stated that she was charged with theft at 18 and then her second charge was a DUI.

Mr. Van Hassel asked Ms. Bennett about her first felony. Ms. Bennett stated that she went to school and worked fulltime at the bank. Ms. Bennett stated that she took money from the bank. Ms. Bennett stated that she took a small amount of money the first time. Ms. Bennett stated that she told her father and he encouraged her to do it again for a larger amount of money. Ms. Bennett stated that she took more money to gain acceptance from her father. Ms. Bennett indicated that she was charged with a felony for theft.

Mr. Van Hassel asked Ms. Bennett about her DUI charge. Ms. Bennett stated that she was asked to leave the bar. Ms. Bennett stated that she got in her car and circled the parking lot. Ms. Bennett stated that the bar had called the police and she was arrested because the police stated that she was drunk.

Mr. Minkus asked Ms. Bennett how she stole money from the bank. Ms. Bennett stated that she had her son's father come to the bank the first time and she completed the transaction as a legitimate transaction but she took the money from a random account. Ms. Bennett stated that the second time her father's girlfriend came to the bank and she completed the transaction taking money from another customer's account. Ms. Bennett stated that her drawer balanced but the customer notified the bank about the withdrawal from his account. Ms. Bennett stated that she took \$200 the first time and \$6,000 dollars the second time. Ms. Bennett stated that she got \$1,000 from the \$6,000 dollars that she gave her father's girlfriend.

Dr. Gandhi asked if she has family in Arizona. Ms. Bennett stated that her mother and sisters live in Arizona. Ms. Bennett stated that her father still lives in Wisconsin.

Mr. Minkus asked Ms. Bennet where she has worked since the incident. Ms. Bennett stated that she worked in childcare for 10 years. Ms. Bennett stated that she has worked at Wal-Mart. Ms. Bennett stated that she has worked at Beatrice Keller dermatology clinic in Arizona. Ms. Bennett stated that she currently works at Walgreens as a cashier.

Dr. Dang placed a motion on the floor to approve the application. There was no second.

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

#10 Jesenia Escobedo

Jesenia Escobedo 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. Escobedo why she was appearing in front of the Board. Ms. Escobedo stated that she is applying for a pharmacy technician trainee license. Ms. Escobedo stated that she is appearing because of her criminal history. Ms. Escobedo stated that she was charged with the fraudulent use of a credit card. Ms. Escobedo stated that the card was used at a Redbox. Ms. Escobedo stated that she is a server at Red Robin. Ms. Escobedo stated that she has finished her probation.

Mr. Kennedy asked Ms. Escobedo about her friend giving her the card. Ms. Escobedo stated that she thought it was her friend's card.

Ms. Snair asked about her friend kicking the card to her. Ms. Escobedo stated that her friend did kick the card to her and she picked the card up.

Ms. Locnikar asked if the card was taken from the counter at a pharmacy. Ms. Escobedo replied yes.

Dr. Dang asked where the card was used. Ms. Escobedo stated that they rented movies at the Redbox at Hastings.

On motion by Dr. Dang and seconded by Mr. Van Hassel, the Board unanimously agreed to deny Ms. Escobedo's pharmacy technician trainee application based on her criminal history. A roll call vote was taken. (Dr. Dang – aye, Mr. Minkus – aye, Mr. McAllister – aye, Ms. Snair – aye, Ms. Locnikar – aye, Mr. Van Hassel – aye, and Mr. Kennedy -aye)

#11 Lawonna Calvin

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

Lawonna Calvin appeared on her own behalf to request to proceed with Pharmacy Technician Trainee licensure. Germaine Howe, Ms. Calvin's son, was also present.

Dr. Gandhi swore in the applicant.

President Kennedy opened the discussion by asking Ms. Calvin why she was appearing in front of the Board. Ms. Calvin stated that she is applying for a pharmacy technician trainee license and currently works at Convergys. Mr. Kennedy recused himself due to a conflict of interest.

Ms. Calvin discussed her various assault charges, driving charges, and drug charges. Ms. Calvin stated that she did serve probation for one charge.

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

#12 Gustavo Biaz

Mr. Biaz requested a postponement of his appearance.

#13 Britney Clark

The Board tabled Ms. Clark's application until she appears at a Board Meeting.

#14 William Luke

William Luke appeared telephonically on his own behalf to request to proceed with Pharmacy Intern licensure.

Dr. Gandhi swore in the applicant.

President Kennedy opened the discussion by asking Mr. Luke why he was appearing in front of the Board. Mr. Luke indicated that he is applying for an intern license to do a rotation in Arizona. Mr. Luke stated that he had a charge for possession of a controlled substance and a charge for driving while intoxicated. Mr. Luke stated that in 2000 he was out with friends and they met up with a guy to buy marijuana. Mr. Luke stated that driving back to his house he was pulled over and the marijuana was found in the car. Mr. Luke stated that in 2009 he went out with friends to celebrate his job interview. Mr. Luke stated that driving home he was arrested for driving while intoxicated.

Mr. McAllister asked why he wants to come to Arizona. Mr. Luke stated that his friend wants to visit family and Mr. Luke indicated that he could do a rotation for a week or two in Arizona at St. Joe's Hospital.

On motion by Mr. McAllister and seconded by Mr. Minkus, the Board agreed to deny Mr. Luke's pharmacy intern application based on his criminal history. A roll call vote was taken. (Dr. Dang – aye, Mr. Minkus – aye, Mr. McAllister – aye, Ms. Snair – nay, Ms. Locnikar – aye, Mr. Van Hassel – aye, and Mr. Kennedy -nay)

AGENDA ITEM #8 – TelePharmacy

President Kennedy introduced Adam Chesler, VP at TelePharm. Mr. Chesler gave a brief presentation and answered questions concerning TelePharmacy.

AGENDA ITEM 14– Reports

Executive Director

1. Technology Assisted Validation of Product – Dr. Gandhi indicted that he needs approval from the Board to obtain an exemption for the Governor's Office for rulemaking. **On motion by Ms. Snair and Mr. Minkus**, the Board authorized Mr. Gandhi to proceed.
2. Immunization – Dr. Gandhi stated that he needs Board approval to proceed with the Immunization changes. **On motion by Mr. Van Hassel and seconded by Ms. Snair**, the Board approved the opening of a docket.
3. Certificate of Free Sale Language – Dr. Gandhi stated that he needs approval by the Board to add fees. **On motion by Mr. McAllister and Mr. Van Hassel**, the Board approved the language.

4. Opioid Antagonist Approval Language Change – Dr. Gandhi stated that he needs approval to move forward with the language change. **On motion by Ms. Snair and seconded by Mr. Minkus**, the Board authorized Dr. Gandhi to proceed with the language change.

5. CSPMP Director – Dr. Gandhi stated that an offer has been made to a applicant for the CSPMP Director.

6. Assisted Living Prescriptions - Dr. Gandhi stated that he needs Board Approval to obtain an Exemption for Rulemaking from the Governor’s office. **On motion by Ms. Snair and seconded by Dr. Dang**, the Board authorized Dr. Gandhi to obtain an exemption for rulemaking.

Deputy Director Report

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

During the month of April, the Compliance Staff issued letters for the following violations:

Pharmacy Violations

1. Expired OTC and Rx products in Pharmacy -6
2. Hot water not working properly –4
3. Failure to report Pseudoephedrine Sales - 1
4. Pharmacy Technician Trainee Compounding – 1
5. Pharmacy Technician accepting refusal of counseling - 3

Controlled Substance Violations

1. Controlled Substance Overage -4
2. Controlled Substance Shortage - 5
3. Controlled Substance Inventory not available - 1
4. Controlled Substance Prescriptions missing patients address - 1

Documentation Violations

1. Pharmacist administered immunizations information sent to physician or missing physician information – 2
2. Label not identify the product as a compound – 1
3. Pharmacist needs to ensure that counseling is documented - 1

Areas outside the pharmacy inspection:

1. Covering of expiration dates with security tags
2. Beyond use dates on compounded products

AGENDA ITEM 10 – Scope of Practice Immunization Exemption Request

President Kennedy stated that Dr. Gandhi needs Board approval to proceed with rulewriting for the change in scope of practice for immunizations.

On motion by Mr. Van Hassel and seconded by Mr. Minkus, the Board authorized Dr. Gandhi to proceed with the rulewriting for the scope of practice for immunizations.

AGENDA ITEM 11 – Collaborative Practice Agreements

President Kennedy asked Dr. Gandhi to address some of the issues associated with collaborative agreements and prescribing.

Dr. Gandhi stated that the Board currently does not have regulations concerning Collaborative Practice Agreements and thus the agreements are not tracked by the Board.

Dr. Gandhi stated that if a DEA registration is issued than an individual could prescribe anything.

On motion by Ms. Snair and seconded by Ms. Locnikar, the Board agreed to meet in Executive Session.

President Kennedy called the regular meeting back to order.

On motion by Ms. Snair and seconded by Mr. Minkus, the Board unanimously agreed to table this agenda item for consideration at a future meeting to allow Dr. Gandhi to meet with other Boards and other associations.

AGENDA ITEM 12 – Cassandra Teaq – Pharmacy Technician Trainee Reapply Application

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

Dr. Gandhi stated that Ms. Teaq has reapplied for her pharmacy technician trainee license. Dr. Gandhi stated that the Board had denied Ms. Teaq's Pharmacy Technician application.

Ms. Galvin stated that a pharmacy technician trainee can reapply for a license if the technician has not passed the test. Ms. Galvin stated that Ms. Teaq has passed the certification test and would not be eligible to reapply for the technician trainee license.

On motion by Mr. Van Hassel and seconded by Mr. Minkus, the Board denied Ms. Teaq's request to reapply for her pharmacy technician trainee licensure.

AGENDA ITEM 13 – Enclara Pharmacia Request to use an Automated Dispensing System in the Hospice Setting

John Loxterman, Chief Compliance Officer for Enclara Pharmacia, appeared telephonically to address the deviation request.

President Kennedy asked Mr. Loxterman to address his deviation request. Mr. Loxterman stated that they are requesting to use an automated dispensing machine in the hospice setting and also place CII medications in the dispensing machine.

Mr. Kennedy stated that the Board could not approve the deviation request if the dispensing machine does not meet the requirements for an Automated Dispensing System.

On motion by Mr. Van Hassel and seconded by Mr. Minkus, the Board agreed to deny Enclara Pharmacia's deviation request to use an Automated Dispensing System in the Hospice setting in Kingman. There was one nay vote by Ms. Locnikar.

AGENDA ITEM 14 – Chang Pak – Complaint #4494 – Order of Summary Suspension

President Kennedy stated that the Board will review the order of Summary Suspension for the pharmacist license for Chang Pak. Mr. Kennedy stated that Mr. Pak filled fraudulent prescriptions for Promethazine with Codeine.

On motion by Mr. Van Hassel and seconded by Ms. Snair, the Board unanimously agreed to adopt the Interim Findings of Fact. A roll call vote was taken. (Dr. Dang – aye, Mr. Minkus – aye, Mr. McAllister – nay, Ms. Snair – aye, Ms. Locnikar – aye, Mr. Van Hassel – aye, and Mr. Kennedy -aye)

On motion by Mr. Van Hassel and seconded by Dr. Dang, the Board unanimously agreed to adopt the Interim Conclusions of Law. A roll call vote was taken. (Dr. Dang – aye, Mr. Minkus – aye, Mr. McAllister – nay, Ms. Snair – aye, Ms. Locnikar – aye, Mr. Van Hassel – aye, and Mr. Kennedy -aye)

On motion by Mr. Van Hassel and seconded by Dr. Dang, the Board unanimously agreed to adopt the Findings of Emergency and Order. A roll call vote was taken. (Dr. Dang – aye, Mr. Minkus – aye, Mr. McAllister – nay, Ms. Snair – aye, Ms. Locnikar – aye, Mr. Van Hassel – aye, and Mr. Kennedy -aye)

AGENDA ITEM 15 – Data Sharing with the Division of Child Support

President Kennedy asked Dr. Gandhi to address this agenda item. Dr. Gandhi stated that the child support division is asking the Board to help them locate parents that are not paying child support.

Dr. Gandhi stated that we currently share information with the Department of Child Safety.

Dr. Gandhi stated that the Department would like a formal agreement but there are concerns with the language.

Ms. Galvin stated that a contract is not necessary because the statutes give the Board authority to share certain information with the Department of Child Safety.

AGENDA ITEM 16 – Proposed Rules

President Kennedy stated that the Board will table this agenda item and will review this item at a future date.

AGENDA ITEM 17 – Pet Health Request to discuss violation letter

President Kennedy stated that individuals with Pet Health were present to address this agenda item.

The following individuals were present:

1. Gina Besteman – Director of Compounding
2. Richard Gaffen – Pharmacist in Charge
3. Christine Cassetta – Legal Counsel for Pet Health

Ms. Cassetta stated that they are asking the Board to vacate the violation letter. Ms. Cassetta stated that the pharmacy must report this violation to other states when renewing their license.

Ms. Cassetta stated that Pet Health was issued a violation for the bags that they use for storage stating that the bags were not USP compliant.

Ms. Besteman stated that when they were issued the violation in 2015 they tried to find compliant containers. Ms. Besteman stated that other compounders are using the bags. Ms. Besteman stated that they did their own testing and the bags met 671 testing.

Mr. Gaffen stated that the bags are used to store veterinary products. Mr. Gaffen stated that they compound about 200 different strengths of fluconazole in capsule form. Mr. Gaffen stated that the bags are filed in a cabinet and the amber bags fit in there nicely.

Ms. Cassetta stated that in June of 2015 they performed their own testing.

Mr. Minkus asked if there was any other way to store the medications. Mr. Minkus stated that he has an issue with storing medications in amber colored baggies. Mr. Minkus asked why they could not use amber prescription vials.

Mr. Kennedy stated that the manufacturer states that the bags only meet USP UV light requirements.

Ms. Cassetta stated that they had an independent lab test for the other USP requirements.

Mr. Kennedy stated that if the manufacturer changed some component of the bags they would not have to notify them if it did not affect the UV light component.

Mr. Van Hassel asked what expiration date is placed on the bag. Mr. Gaffen stated that they give a 6 month date.

Mr. Van Hassel stated that the bags do not protect the capsules from being broken when multiple bags are placed in the bin.

Ms. Cassetta stated that other systems for storage would involve wastage.

Dr. Gandhi asked if they tested a batch or one bag. Ms. Besteman stated that they tested 15 bags.

Dr. Gandhi asked if they tested the same batch and if they tested any other batches. Ms. Besteman stated that they tested 15 bags from the same batch and have not tested future batches.

Mr. McAllister stated that they should be sure that they are meeting USP 795 standards.

On motion by Mr. Van Hassel and Mr. McAllister, the Board agreed to remove the violation from the inspection report. There was one nay vote by Mr. Minkus.

The Board Members wanted to discuss manufacturer validation of USP containers at a future meeting.

AGENDA ITEM 18 – Alpine Wellness – Disciplinary Action and Surrender of License in Iowa

President Kennedy asked Dr. Gandhi to address this agenda item. Dr. Gandhi stated that the wholesaler, Alpine Wellness, violated the supply chain security act. Dr. Gandhi stated that the wholesaler has surrendered their license in Iowa.

On motion by Mr. Van Hassel and seconded by Ms. Snair, the Board unanimously agreed to open a complaint against Alpine Wellness and offer them a consent agreement for surrender of their wholesale license.

AGENDA ITEM 19 – Curtis Ivy – Request to extend his trainee license due to the extension of his court case.

President Kennedy stated that Curtis Ivy is asking to extend his trainee license until his court case is resolved.

Ms. Galvin stated that his license would be extended until the Board takes action on his pharmacy technician reapply application.

AGENDA ITEM 20 – Disclosure of Charges on Application

President Kennedy asked Dr. Gandhi to address this agenda item. Dr. Gandhi stated that applicants are failing to disclose charges on their applications resulting in staff sending letters to the applicants requesting that they disclose their charges and obtain court documents. The Board Members suggested that Dr. Gandhi place a notification on the website indicating that the failure to disclose charges could cause their applications to be voided.

AGENDA ITEM 21 – 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 Board may want to address outdated OTC products in pharmacies.

AGENDA ITEM 22– Future Agenda Items

Mr. McAllister stated that the Board may want to start the meetings at 8:30 because of the numerous agenda items.

AGENDA ITEM 23- Adjournment

There being no further business to come before the Board, President Kennedy adjourned the meeting at 4:25 P.M.